

**Amendment to Road Traffic Act Government Notice No 53 of 2010**

**Government Gazette of Mauritius no 12 of 13th February 2010**

**APPLICATION OF REGULATIONS**

- (1) These regulations shall be in addition to and not in derogation from Road Traffic (Control of Vehicles Emissions) Regulations 2002.
- (2) Part II of these regulations shall –
  - (a) In the case of a bus, apply subject to part I of the fourth Schedule;
  - (b) In the case of a goods vehicle, apply subject to part II of the Four Schedule.
- (3) The commissioner may, on goods cause shown, exempt a vehicle or a type of vehicle from the requirements specified in section 5(3) (b) (ii) of the Act in relation to the registration of a motor vehicle or trailer in such manner and subject to such conditions as he thinks fit, including a condition as to the duration of the exemption.

**MIRRORS (2)**

- (1) Every motor vehicle, other than a motorcycle or an auto cycle, shall be equipped with an interior mirror made of flat glass, and securely located in such a way as to reflect to the driver an adequate view to the rear of the vehicle.
- (2)
  - (a) every motor vehicle with a gross weight of not more than 3,500 kilograms shall be equipped with a near- side and an offside exterior mirror made of convex glass.
  - (b) Where a motor vehicle has a gross weight over 3,500 kilograms, near the offside exterior mirrors shall have a minimum size of 280 millimeters by 150 millimeters and shall be made of convex glass.
- (3) Every motorcycle and auto cycle shall be equipped with 2 rear view mirrors, one fitted to the right hand-side and the other to the left hand-side of the handle bar in such a way as to reflect to the rider an adequate view of the rear of the vehicle.
- (4) Every motor vehicle used for driving instructions shall have –

(a) an internal mirror made of flat glass, a near-side exterior door mirror and an offside exterior door mirror made of convex glass for the use of the driver, the door mirrors being so positioned that they may be viewed through the side windows and shall be readily adjustable from inside the vehicle; and

(b) An internal mirror made of flat glass located in such way as to reflect an adequate view to the rear of the vehicle for the use of the instructor.

(5) Every mirror on a motor vehicle shall, at all times whilst the vehicle is moving, be fixed at the correct angle to reflect an adequate view to the sides and to the rear.

(6) Any vehicle towing a trailer or semi-trailer exceeding 3 meters in length shall have an additional wide-angle mirror fitted to the nearside.

### **WINDSCREEN WIPERS**

(1) Every motor vehicle, other than a motorcycle or an auto cycle not fitted with an enclosed compartment, shall be fitted with a windscreen wiper which shall, when in operation, wipe the outside of the windscreen either continuously or intermittently, evenly and adequately so that the driver has a clear view of the road in front of the vehicle.

(2) Every windscreen wiper shall at all times be properly adjusted.

### **SPEEDOMETERS**

(1) Every motor vehicle, other than a vehicle which, by reason of its construction, is incapable of exceeding a speed of 40 Kilometers per hour, shall be fitted with a speedometer located in such position as to be capable of readily indicating to the driver the speed at which the vehicle is being driven.

(2) Every vehicle registered in Mauritius shall be fitted with a speedometer capable of indicating the speed of the vehicle in units of kilometers per hour or both kilometers per hour and miles per hour.

## **SPEED LIMITERS – Effective as From February 2011**

- (1) Every bus and every goods vehicle, the gross weight of which exceeds 3,500 kilograms and which is capable of a speed in excess of 70 kilometers per hour, shall be fitted with a speed limiter.
- (2) A speed limiter shall –
  - (a) comply with the standard known as BS AU 217 or an equivalent standard approved by the Commissioner;
  - (b) be calibrated to a maximum preset speed which the vehicle shall not be capable of exceeding; and
  - (c) Be sealed in such a way by an authorized examiner or a vehicle examiner that it cannot be removed or tampered with without the seal being broken.

## **TOOLS**

Every motor vehicle shall at all times carry the tools and other equipment which may be necessary for effecting running repairs or changing wheels.

## **EMERGENCY INFORMATION PANEL**

- (1) Every vehicle used for carrying dangerous or hazardous substances shall carry in a conspicuous place on its sides and at its rear an emergency information panel in accordance with the Second Schedule.
- (2) The panel referred to in paragraph (1) shall contain –
  - (a) The correct technical name of the dangerous or hazardous substance in letters not less than 50 millimeters high;
  - (b) The United Nations class number for the dangerous or hazardous substance set out in the first column of the First Schedule in figures not less than 100 millimeters high;
  - (c) The hazard classification of the substance in letters not less than 50 millimeters high;

- (d) The class label of the dangerous or hazardous substance of the size of not less than 250 millimeters square as specified in the third column of the First Schedule;
  - (e) The name and telephone number of the emergency service to be contacted in the event of fire or any other accident in letters and figures not less than 50 millimeters high; and
  - (f) The name and the telephone number of the consignor of the dangerous or hazardous substance or of some other person from whom expert information and advice can be obtained concerning the measures that should be taken in the event of an emergency involving such substance.
- (3) A class label shall also be displayed on front of the vehicle by means of a sticker relating to the particular dangerous or hazardous substance carried on that particular trip.
- (4) Every person responsible for the carriage of the dangerous and hazardous substance whose telephone number is referred to in paragraph (2) (f) shall keep his telephone answerable for the whole time during the conveyance of such substance.
- (5) Every class label and emergency information panel shall be kept clean and free from obstruction at all times.

### **FIRE EXTINGUISHERS**

- (1) Every motor vehicle, other than motorcycle or an auto cycle, shall carry an efficient apparatus for extinguishing fire which shall –
- (a) Weight not less than 500 grams; and
  - (b) Be –
    - (i) A water – type fire extinguisher;
    - (ii) A vaporizing agent fire extinguisher, or
    - (iii) a dry chemical fire extinguisher,

Which complies with British Standard or such other standard as may be approved by the commissioner.

- (2) Every fire extinguisher shall be –
- (a) Carried in an accessible position so as to be readily available for use;
  - (b) In good and efficient working order; and
  - (c) Clearly marked with the appropriate approved standard specification number and with the name and address of the manufacture or vendor.

### **HEAD LAMPS**

- (1) (a) every motor vehicle other than a motorcycle or an auto cycle shall be equipped, in front, with –
- (i) One head lamp on each side capable of emitting a main beam and a dipped beam; or
  - (ii) On each side, one head lamp capable of emitting a main beam and one head lamp capable of emitting a dipped beam.
- (b) Every motorcycle shall be equipped in front with –
- (i) One head lamp capable of emitting a main beam and a dipped beam; or
  - (ii) One head lamp capable of emitting a main beam and one head lamp capable of emitting a dipped beam, both being fitted in the same vertical plane or horizontal plane.
- (2) Every head lamps shall be located at not more than 400 millimeters from the outer edges of the widest part of the vehicle and at a height of not more than 1,400 millimeters nor less than 450 millimeters above the ground level.

### **FOG LAMPS**

- (1) Subject to paragraphs (2) and (3), a motor vehicle may be equipped with 2 front fog lamps spaced equally on each side of its longitudinal centre-line.
- (2) Every front fog lamp shall be –
- (a) So adjusted that it is only capable of emitting a dipped beam of light striking the road surface not more than 20 meters ahead of the motor vehicle; and
  - (b) Mounted at a height of not more than 800 millimeters nor less than 300 millimeters above ground level.

- (3) No front fog lamp shall have the highest point of its illuminating surface above the highest point of the illuminating surface of a head lamp emitting a dipped beam of light.
- (4) A motor vehicle may be equipped with –
- (a) One rear fog lamp placed centrally or between the longitudinal centre-line of the vehicle and the offside; or
  - (c) 2 rear fog lamps spaced equally on each side of the longitudinal centre-line of the motor vehicle.
- (5) The lowest point of the illuminating surface of a rear fog lamp shall not be less than 250 millimeters and its highest point more than one meter from ground level.

### **COLOUR OF LIGHTS**

- (1) Subject to regulation 51(2) and (3), every motor vehicle fitted with a lamp shall emit a light which is –
- (a) White in colour towards the front
  - (b) Amber in colour in the case of a front direction indicator or a warning beacon lamp;
  - (c) Amber in colour towards either side of the vehicle;
  - (d) Red in colour towards the rear;
  - (e) Amber in colour in the case of a rear direction indicator; and
  - (f) White in colour in the case of a registration plate lamp or a reversing lamp.
- (2) When 2 or more lamps of the same type emitting light in the same direction are fitted to a vehicle, they shall emit a light of the same colour.

### **REFLECTORS**

(1) (a) Every motor vehicle, trailer and semi-trailer shall be fitted with 2 or more red reflectors, one on each side of the longitudinal centre-line and equidistant from it, at its rear, either as part of the rear lamps or separately, and at the same heights from the ground level.

(b) In the case of a combination of motor vehicles, both the drawing vehicle and the rearmost vehicles shall be fitted with reflectors as provided in subparagraph (a)

(2) Every motorcycle, auto cycle and pedal cycle shall be fitted with a red reflector rear.

(3) Reflectors shall be at a height of not more than 1.5 meters nor less than 380 millimeters from ground level.

(4) The reflectors shall be so fitted as to reflect the light from the front lamps of every overtaking vehicle.

#### **FLAPS BEHIND REAR WHEELS**

(1) Every omnibus, good vehicles, trailer and semi- trailer shall be fitted with a flexible flaps behind its rear- most wheels so as to prevent the projection of rocks, dirt, water or other substances rear and minimize side spray.

(2) The flaps shall extend laterally over the width of the tyres.

(3) The flaps shall have a ground clearance of not more than 200 millimeters.

#### **REAR UNDER-RUN PROTECTION**

(1) Every goods vehicle which exceeds 3500 kilograms shall be equipped with a protective device fitted so as not to interfere or other warning devices.

(2) A vehicle which is fitted with a tail lift, bodywork or other part which makes it impractical to fit a protective device, shall instead be equipped with 2 or more protective devices

(3) Paragraph (1) shall not apply to a motor vehicle where the installation of a protective device would prevent the operation of the vehicle for its intended purpose.

- (4) Where a single full-width protective device is fitted to a motor vehicle, it shall extend on each side of the centre to within at least 100millimeters from the outermost width of the rear axle but shall not extend beyond the width of the rear axle.
- (5) Where more than one protective device is fitted, there shall be a distance of not more than 500millimeters between one device and the one next to it and the outermost edge of the protective device shall extend to within at least 300millimeters from the outermost width of the rear axle.
- (6) The lower edge of the protective device shall not be more than 550 millimeters from the ground level.
- (7) The protective device shall be made of heavy gauge steel and be of such design as the Commissioner may approve.
- (8) The measurements referred to in paragraphs (4) to (6) shall be as illustrated in the Tenth Schedule.

#### **SIDE GUARDS : Effective**

- (1) Every goods vehicle, trailer and semi trailer the gross weight of which exceeds 3,500 kilograms shall be securely fitted with a side guard to afford protection on either side of the vehicle.
- (2) A side guard shall satisfy the following specifications –
  - (a) Its outermost surface shall be smooth, rigid and flat or horizontally corrugated;
  - (b) No part of its lowest edge shall be more than 550millimeters above the ground level when the vehicle to which it is fitted is on ground level;
  - (c) The distance between its rearmost edge and the transverse plane passing through the foremost part of the tyre fitted to the wheel of the vehicle nearest to it shall not be more than 300millimeters;
  - (d) The distance between its foremost edge when fitted to a semi-trailer and a transverse plane passing through the centre of the king pin of the vehicle or, where the vehicle has more than one king pin, the rear most one, shall not be more than 3meters;

- (e) Its foremost edge when fitted to a semi-trailer with landing legs shall, in addition to complying with paragraph (d), be not more than 250 millimeters to the rear of a transverse plane passing through the centre of the leg nearest to that edge;
  - (f) The distance between its foremost edge when fitted to a vehicle other than a semi-trailer and a transverse plane passing through the rearmost part of the tyre fitted to the wheel of the vehicle nearest to it, shall not exceed 300 millimeters in the case of a motor vehicle and 500 millimeters in the case of a trailer;
  - (g) It shall be so fitted that it does not insert more than 30 millimeters from the external face of the tyre.
- (3) The measurements referred to in paragraph (2) shall be as illustrated in the Eleventh Schedule.

### **SEAT BELTS: (2) & (3) Effective**

- (1) Where a motor car, a micro bus, light good vehicle or a dual purpose vehicle is fitted with anchorage points on the seats, the anchorage points shall –
- (a) meet the British Standard for seat belt anchorage points, namely BS AU 48:1965 or BS AU 48a or such other specifications as the Commissioner may approve; and
  - (b) Be legibly and permanently marked with the specification number.
- (2) Where anchorage points are provided for seat belts in a motor vehicle referred to in paragraph (1), the owner of the motor vehicle shall cause it to be equipped, where it is not already so equipped, with the appropriate seat belts.
- (3) Every seat belt shall be properly secured to the structure of the vehicle by the anchorage points provided for it.

### **PARKING ON A ROAD**

- (1) Subject to paragraph (3) and (4), no person shall cause or permit any motor vehicle to stand on a road at any time unless the near side of the vehicle is as close as may be to the edge of the carriageway and no further away than 200 millimeters.

- (2) Subject to paragraph (3), no person shall cause or permit any motor vehicle to be parked –
- (a) In any area marked “No Parking”;
  - (b) Outside any line marked on the surface of a road to indicate where vehicles may be parked;
  - (c) Within a distance of –
    - (i) 10 meters from a bus stop;
    - (ii) 8 meters on either side of a pedestrian crossing;
  - (d) In a paid parking zone unless the necessary parking coupon is displayed;
  - (e) Near or against a kerb in such a way as to obstruct free access to the footpath;
  - (f) On a single-yellow line or a double-yellow line marked on the surface of a road; or
  - (g) On the side of a road where there is a continuous longitudinal white line prohibiting overtaking by a vehicle.
- (3) Paragraphs (1) and (2) shall not apply in respect of any motor vehicle used in connection with –
- (a) Fire brigade, ambulance or police purposes;
  - (b) Any building operation or demolition;
  - (c) The repair of any other vehicle;
  - (d) The removal of any obstruction to traffic;
  - (e) The maintenance, repair or construction of any road; or
  - (f) The laying, erection, alteration or repair in or near to any road of any sewer, main, pipe or apparatus for the supply of water or electricity or of any telecommunications cables,

Where, in any such case, compliance with paragraph (1) or (2) would hinder or be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

- (4) (a) Paragraph (1) shall not apply to any motor vehicle on any road in which vehicles are allowed to proceed in one direction only and where a vehicle may park as close as may be to either the left or the right side and not further away than 200millimeters.
- (b) Any vehicle which stops briefly in any position for the purpose of performing a manoeuvre shall not be deemed to be parked.

### **DRIVER'S CONTROL**

- (1) No person shall drive or cause or permit any other person to drive a motor vehicle on a road where he is in such a position that he cannot –
- (a) Have proper control of that vehicle;
- (b) Retain a full view of the road and traffic ahead;
- (c) Have an adequate view of the road to the rear; or
- (d) By means of direction indicators give signals to other traffic.
- (2) The driver of a motor vehicle shall at all times keep both hands on the steering wheel of the vehicle, except when he is changing gear or operating minor controls.
- (3) No person shall drive a motor vehicle with the gear lever in the neutral position.

### **WINDSCREENS AND WINDOWS TO BE KEPT CLEAR**

- (1) No person shall drive motor vehicle –
- (a) With any sign, poster, card, sticker, 'L' plate or other non-transparent material, other than documents required to be displayed by law, placed on the windscreen or any window of the motor vehicle in such a manner as will obstruct the driver's view of the road;
- (b) With the surface of its front windscreens or any of its front-side windows coated with any coloured spray or other colour coating, or reflective material, in such a manner as will obstruct the driver's view of the road, or as will substantially reduce visibility from either inside

or outside of the motor vehicle, unless the percentage of visual light transmission specified in regulation 18(5) is complied with.

- (2) The documents referred to in paragraph (1) shall be displayed at the top left or bottom left corner of the windscreen.

### **VEHICLE TO BE ATTENDED BY LICENSED DRIVER**

- (1) Subject to paragraph (2), no person shall leave, or cause or permit to be left, on a road a motor vehicle which is not attended by a person duly licensed to drive it unless the engine is stopped and any parking brake with which the vehicle is required to be equipped is effectively set.
- (2) The requirements of paragraph (1) as to stopping of the engine shall not apply to –
- (a) A fire brigade vehicle, the engine of which is being used for any fire fighting purpose;
  - (b) A vehicle when it is being used for police or ambulance purposes;  
or
  - (c) A vehicle in such a position and condition as to not to be likely to endanger any person or property and engaged in an operation which requires its engine to be used to –
    - (i) drive machinery forming part of, or mounted on, the vehicle and used for purposes other than driving the vehicle; or
    - (ii) Maintain the electrical power of the batteries of the vehicle at a level required for driving that machinery or apparatus.

### **ELECTRICAL EQUIPMENT**

No person shall use a motor vehicle unless all electrical apparatus and circuits in the motor vehicle are installed so as to guard adequately against the risk of electrical shock or the outbreak of fire.

## **USE OF SEAT BELTS**

- (1) (a) Subject to paragraph (3), any person –
- (i) Driving motor vehicle or riding in the front seat of a motor vehicle referred to in regulation 64; or
  - (ii) Riding in the rear seat of a motor car,

Shall wear seat belt with which the seat is equipped.

- (b) The seat belt shall be properly adjusted and securely fastened and worn in such a way as to provide restraint for both the upper and lower parts of the trunk of the wearer.

(2) Where a person is riding in the front or the rear seat of a motor vehicle, the driver shall not without reasonable excuse drive the vehicle unless that person is wearing a seat belt.

(3) Paragraph (1) shall not apply to a person who is –

- (a) Driving the vehicle whilst performing a manoeuvre which includes reversing and moving in or out of a parking bay;
- (b) The driver of a licensed taxi which is carrying a passenger for hire; or
- (c) Driving or riding in a vehicle whilst it is being used for fire brigade or police purposes

(4) (a) A person specified in paragraph (1) or (2) shall not commit an offence where he produces –

- (i) To a police officer, at the time of contravention, a certificate from a registered medical practitioner to the effect that it is undesirable, on medical grounds or by reason of his physical characteristics, for that person, or the rider, as the case may be, to wear a seat belt; or
- (ii) Within 5 days of the date of the contravention such a certificate at a police station specified by that person.

- (b) A certificate produced under subparagraph (a) shall state its period of validity.

## **TELEPHONES**

- (1) Subject to paragraph (2), no person shall, while driving a motor vehicle, use a hand-held or hand-free microphone or telephone handset to answer or make a call no matter how urgent the call is.
- (2) Paragraph (1) shall not apply to vehicle being used for fire brigade, police or ambulance purposes.

## **RESPONSIBILITY OF DRIVER**

Every driver of a vehicle carrying a dangerous or hazardous substance shall –

- (a) Ensure that the information given to him in writing under regulation 98(3) is kept in the cabin of the driver in the form of a card and is available at all times while the dangerous or hazardous substances to which it relates, are being carried;
- (b) Observe at all times all the directions necessary for preventing fire, explosion or escape of dangerous or hazardous substances carried by him while the vehicle is in motion; and
- (c) When the vehicle is not being driven, ensure that –
  - (i) It is parked in a place which is safe from fire, explosion and any other risk;
  - (ii) It remains at all times under his control and supervision or some other competent person;
  - (iii) No unauthorized person gets access to any container.

### **DRIVER TO BE INSTRUCTED**

The owner of every vehicle carrying dangerous or hazardous substances shall ensure to the satisfaction of the consignor that the driver of the vehicle has received adequate instructions and training to enable him understand –

- (a) The nature of the substance being carried by him;
- (b) The nature of the risks raising out of such substance;
- (c) Precautions he should take while the vehicle is in motion or stationery;  
and
- (d) The action he has to take in case of any emergency.

### **DRIVER TO REPORT ACCIDENT**

The driver of every vehicle carrying any dangerous or hazardous substance shall, on the occurrence of an accident involving any dangerous or hazardous substance carried by his vehicle, forthwith report to the nearest police station and also inform the owner of the vehicle or the transporter regarding the accident.

### **GOODS VEHICLES: Effective as of 01 August 2010**

#### **SIZE AND WEIGHT**

- (1) Subject to subparagraph (2), part of the box which overhangs shall not exceed 45 per cent of the total length of the box.
- (2) The overhang of the box referred to in subparagraph (1) may be exceeded by not more than 250 millimeters where the payload of a goods vehicle is decreased by 20 percent
- (3) Where a vehicle is fitted with double rear wheels, no part of the vehicle shall project more than 75 millimeters beyond the external edges of the tyres of the outer rear wheels.

- (4) The maximum axle weight of the sole driving axle or of any other single axle of a vehicle shall not exceed 10,200 kilograms.
- (5) The maximum axle weight of any steering axle shall not exceed 5,000 kilograms.
- (6) The sum of the axle weights of a tandem axle shall not exceed –
  - (a) 10,200 kilograms if the axle spacing is less than one meter;
  - (b) 16,300 kilograms if the axle spacing is less than 1.3 meters;
  - (c) 18,300 kilograms if the axle spacing is less than 1.8 meters;
  - (d) 20,300 kilograms if the axle spacing is 1.8 meters or more.
- (7) The sum of the axle weights of a triaxle shall not exceed –
  - (a) 20,300 kilograms where the spacing between the individual axles is less than 1.3 meters; or
  - (b) 24,400 kilograms where the spacing between the individual axles is less than 1.3 meters and 1.4 meters.
- (8) Subject to the number of axles, the maximum gross weight of any motor vehicle shall not exceed –
  - (a) For any 2-axle vehicle 15,000 kilograms;
  - (b) For any 3-axle vehicle 25,000 kilograms;
  - (c) For any 4-axle vehicle 32,000 kilograms;
  - (d) For any 5-axle vehicle 38,000 kilograms;
  - (e) For any 6-axle vehicle 43,000 kilograms; and
  - (f) For any 7-axle vehicle 48,000 kilograms.
- (9) Every goods vehicle licensed to carry a container shall be fitted with at least a tandem axle.