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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 24/51

THE MOTOR TRAFFIC ACT (CHAPTER 203)

REGULATIONS made by the Minister of Transport under section 237 of the Motor Traffic Act (Chapter 203) read with sections 123, 133A and 139E of the aforesaid Act.

KUMARA WELGAMA,
Minister of Transport.

Colombo,
03rd October, 2011.

Regulations

1. These Regulations may be cited as the Motor Traffic (Driver Improvement Points) Regulations, No. 3 of 2011.
2. The holder of a Regular Driving Licence or Instructor's Licence who commits an offence specified in Column II of Schedule I hereto in contravention of the provisions specified in the corresponding entry in Column I thereof, shall be liable to the driver improvement points specified in the corresponding entry in Column III thereof.
3. (1) Where a police officer finds that a holder of a Regular Driving Licence or Instructor's Licence is guilty of an offence specified in Column II of Schedule I, it shall be the duty of such police officer to report such matter to a police officer not below the rank of police sergeant.
(2) Upon the receipt of the report under paragraph (1), such police officer shall enter the details in the Form set out in Schedule II and forward a copy of such Form to the Commissioner – General of Motor Traffic by the tenth day of every month.
4. Where a Magistrate's Court finds that the holder of a Regular Driving Licence or Instructor's Licence is guilty of an offence specified in Column II of Schedule I hereto in contravention of the provisions specified in the corresponding entry in Column I thereof, the Registrar of such Court shall enter the details in the Form set out in Schedule III and forward a copy of such Form to the Commissioner – General of Motor Traffic by the tenth day of every month.
5. Upon the receipt of details under paragraph (2) of regulation 3 or regulation 4, the Commissioner – General of Motor Traffic shall send a notice to the holder of a Regular Driving Licence or Instructor's Licence to be present on a given day at the office of the Commissioner – General of Motor Traffic so that the driver improvement points earned may be recorded thereon.

6. (1) If a holder of a Regular Driving Licence accumulates more than eighteen and less than twenty three driver improvement points within a period of twenty four months, the Commissioner-General of Motor Traffic shall serve a warning notice on the holder of a Regular Driving Licence, stating that if such holder of a Regular Driving Licence exceeds twenty three driver improvement points, the Regular Driving Licence will be suspended.

(2) (a) Where a holder of a Regular Driving Licence accumulates twenty four or more driver improvement points within a period of twenty four months, the Regular Driving Licence shall be suspended automatically and the Commissioner-General of Motor Traffic shall communicate to such holder of a Regular Driving Licence to surrender the Regular Driving Licence forthwith.

(b) The Commissioner-General of Motor Traffic shall suspend the Regular Driving Licence for a period of twelve months if the holder of a Regular Driving Licence accumulates twenty four driver improvement points. If the holder of a Regular Driving Licence exceeds every additional four driver improvement points after accumulating twenty four driver improvement points, such holder of a regular licence shall be liable to the suspension of one month in addition to the twelve months suspension.

(3) Where a Regular Driving Licence is suspended, the holder thereof shall surrender his licence forthwith to the Commissioner-General of Motor Traffic.

(4) The period of suspension shall commence from the day on which such licence is surrendered.

7. (a) Where a holder of a Regular Driving Licence has within the probationary period accumulated six driver improvement points within a period of twelve months, he shall be liable to the extension of the probationary period for a further period of one year.

(b) Where a holder of a Regular Driving Licence has within the probationary period accumulated more than six driver improvement points within a period of twelve months, he shall be liable to the cancellation of such licence.

8. (1) If a holder of a Instructor's Licence accumulates twelve driver improvement points within a period of twenty four months, the Instructor's Licence shall be suspended automatically for a period of twelve months and Commissioner-General of Motor Traffic shall communicate to such holder of Instructor's Licence to surrender the Instructor's Licence forthwith.

(2) Where an Instructor's Licence is suspended, the holder thereof shall surrender his Instructor's Licence forthwith to the Commissioner-General of Motor Traffic.

(3) The period of suspension shall commence from the day on which such licence is surrendered.

(4) If a holder of a Instructor's Licence is subject to two consecutive suspensions within a period of four years, he shall be liable to the cancellation of the Instructor's Licence.

9. (1) Any holder of a Regular Driving Licence may be required to participate at any training programme for the purpose of earning remission from the period of suspension. Any holder of a Regular Driving Licence, who is under suspension for a period specified in Column II of Schedule IV hereto, depending on the number of previous suspensions specified in the corresponding entry in Column I thereof, shall be entitled for a remission specified in the corresponding entry in the Column III thereof.

(2) Upon the completion of a training programme, the holder of a Regular Driving Licence whose licence has been suspended may apply to the Commissioner-General of Motor Traffic for the remission of the period of suspension with a copy of the Certificate awarded by a specified institution. Where the suspension has been due to an Order of a Magistrate's Court, the holder of a Regular Driving Licence who is under suspension shall apply to the relevant Magistrate's Court for the remission of a period of suspension.

10.(1) The holder of a Regular Driving Licence who has not committed any offence specified in Column II of Schedule I hereto for a period of one year from the last day on which he had committed any offence, shall be entitled to a deduction of six driver improvement points.

(2) The holder of a Regular Driving Licence shall if he has not committed any offences specified in Column II of Schedule I hereto for a period of two years from the last day on which he had committed any offence, be entitled to expunge all the driver improvement points appearing in his record.

SCHEDULE I

(Regulation 2)

<i>Column I</i>		<i>Column II</i>	<i>Column III</i>
	<i>Section / Regulation of the Act/ Gazette Notification</i>	<i>Offence</i>	<i>Driver Improvement Points</i>
		Reckless Driving and Accidents	
1	149(1)	Failing to take such action on a highway to avoid an accident.	6
2	151(2)	Driving a motor vehicle on a highway recklessly or in a dangerous manner or at a dangerous speed.	8
3	151(3)	Driving a motor vehicle on a highway negligently or without reasonable consideration for other persons using the highway.	8
4	161(1) a (I) and (ii)	Failing to stop after an accident on a highway and to furnish relevant information.	10
5	161 (1) a (v)	Failing to report an accident forthwith to the nearest police station.	10
		Speeding	
6	141(2)	Exceeding the prescribed speed limits on a highway.	6
		Road Rules	
7	148(1)	Failing to keep left or nearside of the road.	2
8	148(3)	Driving so as to overtake other traffic without a clear view of the road ahead.	6
9	148(4)	Failing to overtake other traffic on the right off side of such other traffic.	4
10	148(10)	Failing to give way at intersections to vehicles coming from the right off side.	4
11	154	Reversing or permitting the vehicle to travel backwards on a highway for a longer distance or without reasonable purpose.	4
12	Regulation 7 of the Motor Traffic (Signs) Regulations, 1984 (<i>Gazette Extraordinary</i> , No. 444/18 of March 13, 1987)	Failing to comply with prohibitory, restrictive, mandatory or priority signs.	6

SCHEDULE I (Contd.)

<i>Column I</i>		<i>Column II</i>	<i>Column III</i>
	<i>Section / Regulation of the Act/ Gazette Notification</i>	<i>Offence</i>	<i>Driver Improvement Points.</i>
		Signalling	
13	162	Failing to comply with oral directions or hand signals given by a police officer or a traffic warden.	6
		Pollution	
14	155A	Driving a motor vehicle which has emissions above the prescribed standards.	6
15	160(1)	Using or permitting to use amplifying equipment in a vehicle with a volume of sound above the prescribed standards.	6
16	160(2) and (3)	Using a vehicle the noise of the engine and the horn of which exceed the prescribed standards.	6
		Construction and Use of Vehicles	
17	145(1) and (2)	Driving a vehicle the condition of which causes or is likely to cause danger or harm to any person, property or vehicle on or adjoining the road.	10
		Safety	
18	157(A)(1)	Driver failing to wear a seat belt or failing to ensure the front seat passenger wear a seat belt.	3
19	Regulation 70 of the Motor Traffic (Highway Code) Regulations, 1987 (<i>Gazette Extraordinary</i> , No. 486/8 of December 29th 1987)	Overtaking at, or approaching a corner or bend, hill, bridge, junction, pedestrian crossing, 'no overtaking area' township with heavy pedestrian traffic, narrow section of a road or crossing single or double white lines.	4
20	Regulation 49 of the Motor Traffic (Highway Code) Regulations, 1987 (<i>Gazette Extraordinary</i> , No. 486/8 of December 29th 1987)	Failing to stop before the give way line of a zebra crossing while a pedestrian is at a pedestrian crossing.	6
21	158(1) and (2)	Rider of a motor cycle carrying more than one person and failing to wear a safety helmet or carrying a person without a safety helmet.	4
22	Regulation 35A of the Motor Traffic (Use of Vehicles) Regulations, of 1983 (<i>Gazette Extraordinary</i> , No. 245 of May 13, 1983 as amended by Regulation published in the <i>Gazette Extraordinary</i> No. 916/1 of March 25, 1996)	Using hand held communication equipment while driving.	4

SCHEDULE II

(Regulation 3)

Reporting Form

(Police)

Year :

Month :

Police station :

Serial No.	Traffic Minor Offence Reg. No.	Name of the Offender	Driving Licence No.	Date of Offence	Section	Offence	Punishment	Remarks

.....
Signature of the Officer in Charge.

Name :

Seal :

Date :

SCHEDULE III

(Regulation 4)

Reporting Form
 (Court)

Year :
 Month :
 Court :
 Place :

Serial No.	Police Station	Case No.	Vehicle Number	Name of the convicted	Driving Licence No.	Date of offence	Date of conviction	Section	Offence	Punishment

.....
 Signature of the Registrar.
 Name :
 Seal :
 Date :

SCHEDULE IV

(Regulation 9 (1))

Formula for Remission of Period of Suspension

No.	Column I	Column II	Column III
	<i>Number of previous suspensions</i>	<i>Maximum period of suspension</i>	<i>Period of remission earned after training</i>
1.	Nil	6 months	4 months
2.	One	12 months	8 months
3.	Two or more	24 months	12 months

L.D.B 24/51

THE MOTOR TRAFFIC ACT (CHAPTER 203)

REGULATIONS made by the Minister of Transport under section 237 of the Motor Traffic Act (Chapter 203) read with sections 213D of the aforesaid Act.

KUMARA WELGAMA,
Minister of Transport.

Colombo,
03rd October, 2011.

Regulations

1. These Regulations may be cited as the Motor Traffic (Reward and Incentive Fund) Regulations, No. 4 of 2011 and shall be deemed to be valid and effective from April 01, 2009.

2. (1) The Reward and Incentive Fund established under section 213D of the Motor Traffic Act (Chapter 203) (hereinafter referred to as the “Act”) shall be managed and administered by the Governing Board, consisting of –

- (a) the Commissioner – General of Motor Traffic, who shall be the Chairman of the Board ;
- (b) the Additional Commissioner of Motor Traffic (Administration) ;
- (c) the Chief Accountant of the Department of Motor Traffic ;
- (d) a representative from the Ministry of Transport nominated by the Secretary to the Ministry of the Minister to whom the subject of Transport has been assigned ; and
- (e) a representative from the Treasury, nominated by the Secretary to the Treasury.

(2) The Governing Board shall meet at least once in three months and quorum for any meeting of the Governing Board shall be three.

(3) The Governing Board shall endeavour to make every approval or decision it is required to make by unanimous decision and in the absence of an unanimous decision, no approval or decision made shall be valid, unless supported by not less than three members of the Governing Board present at such meeting.

3. (1) The following payments shall be made out of the Reward and Incentive Fund –

- (a) money payable to persons who provide information regarding persons who are engaged in fabricating, manufacturing, assembling, innovating, adapting, modifying or changing the construction of a motor vehicle, without obtaining the required approval from the Commissioner–General of Motor Traffic;
- (b) money payable to persons who provide information to detect or who were involved in the detection of certain wrongful acts, for which court action is subsequently being taken by the Department of Motor Traffic ;
- (c) money required to pay incentives to the staff of the Department of Motor Traffic, aimed at improving the productivity and efficiency of the staff as approved by the Governing Board;
- (d) money payable for training and educational activities of the staff of the Department of Motor Traffic up to a ceiling of rupees one hundred thousand *per annum* ;
- (e) money payable for the sports, recreation and welfare activities of the staff of the Department of Motor Traffic up to a ceiling of rupees fifty thousand *per annum* ;

- (f) moneys amounting to not more than rupees fifty thousand annually for activities of the staff of the Department of Motor Traffic, which are commendable or which need special appreciation ; and
- (g) money required to pay any administrative expenditures of the Reward and Incentive Fund.

(2) A balance of a sum equivalent to five *per centum* of the total money of the Reward and Incentive Fund shall be retained in the Fund :

Provided, that any payments under sub-paragraphs (a) and (b) of paragraph (1) shall be made in full.

(3) The payment for reward to the staff and the persons who provide information shall not exceed ninety-five per centum of the receipts under paragraph (b) of subsection (2) of section 213 D of the Act.

(4) The payment for reward to the staff and the persons who attend to the work or provide information shall not exceed fifty *per centum* of the receipts under section 213E of the Act.

4. Any payment of reward under paragraphs (3) and (4) of regulation 3, shall be as follows :—

- (a) the informant shall be entitled to not more than ten *per centum* of the sum recovered ;
- (b) the apprehender shall be entitled to not more than twenty *per centum* of the sum recovered ;
- (c) the prosecuting officer of the Motor Traffic Department and any officer of the Department of Motor Traffic who actively participate in a raid shall be entitled to not more than ten *per centum* of the sum recovered and not more than fifteen *per centum* of the sum recovered respectively; and
- (d) all other staff members who participate in an activity relating to the inspection or apprehension of wrongful activities shall be entitled to not more than forty-five *per centum* of the sum recovered, and such distribution of reward shall be decided by the Governing Board on a case by case basis.

5. (1) Where several officers of the same grade are engaged in the same activity the per centum due to the activity shall be distributed equally among those officers :

Provided, if officers of the same grade are engaged in different activities, they are entitled to the per centum due to each activity.

(2) No reward is payable where the amount receivable by the Reward and Incentive Fund on a fine is less than rupees five hundred.

(3) The reward is payable bi-annually. Those who are eligible to receive a reward shall submit an application within six months from the completion of the relevant activity for which reward has to be paid. Such application shall be examined and certified by an officer nominated by the Commissioner General and Chief Accountant or the Accountant of the Department of Motor Traffic and forwarded to the Governing Body.

(4) All rewards approved for payment which are not claimed during a year, shall be retained in the Reward and Incentive Fund and may be utilized for payment under paragraph (3) of regulation 3 of these regulations.

(5) Where there is any balance available, after making payment under paragraph (2) of regulation 3, such excess money may be utilized for payment of incentives for the staff of the Department of Motor Traffic for the purpose of improving the productivity and efficiency.

(6) Incentives payable to an officer in any circumstances shall not exceed the total of three months' basic salary of such officer.

(7) When an officer is eligible for reward and incentive payments, the incentive payments of that officer shall not exceed hundred per centum of his basic salary, where as for paying a reward the maximum limit does not apply.

(8) The reward payable to a person other than staff of the Department of Motor Traffic shall not exceed rupees twenty thousand or ten *per centum* of the fine, whichever is less.

(9) The payments under sub-paragraph (c) of paragraph (1) of regulation 3 shall be paid once in three months.

6. Article 154 of the Constitution shall apply to the audit of the accounts of the Reward and Incentive Fund.

7. In these regulations, unless the context otherwise requires –

“informant” means a person who provides information on a wrongful act and assists in inspecting or apprehending any wrongdoing ; and

“apprehender” means a person who assists in the process of instituting of an action in court or a person who assists the Commissioner - General of Motor Traffic in the process of imposing a surcharge, in relation to a wrongful act, on the basis of information he receives or obtains concerning such wrongful act. The person who commits the wrongful act should be required to pay a fine or the Commissioner - General of Motor Traffic may impose a surcharge in such case.

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L.D.B 24/51

THE MOTOR TRAFFIC ACT (CHAPTER 203)

REGULATIONS made by the Minister of Transport under section 237 of the Motor Traffic Act (Chapter 203) read with sections 19 of the aforesaid Act.

Colombo,
 03rd October, 2011.

KUMARA WELGAMA,
 Minister of Transport.

Regulations

The Motor Traffic (Dimensions and Gross Vehicle Weight), Regulations, 2004 published in the *Gazette Extraordinary* No. 1380/14 of February 16, 2005 are hereby further amended by the repeal of regulation 2 thereof and the substitution thereof of the following :-

“2. The dimensions of any motor vehicle shall not exceed the dimensions specified in Column II below in respect of motor vehicles of the class or description specified in the corresponding entry in Column I :-

<i>No.</i>	<i>Column I</i> <i>Class or description of motor vehicles</i>	<i>Column II</i> <i>Dimension in Millimetres</i>
1.	Overall width of the motor vehicle (other than a motor coach)	2500
2.	Overall width of the motor coach	2600
3.	Height of motor vehicle (other than a double decked motor coach)	3800
4.	Height of a double decked motor coach	4600
5.	Overall length of motor vehicle with two axles other than a motor coach	10,000
6.	Overall length of motor vehicle with more than two axles	11,000
7.	Overall length of motor coach (other than heavy motor coach)	12,000
8.	Overall length of an articulated vehicle	16,000
9.	Overall length of a combination vehicle with one trailer	17,000
10.	Overall length of a heavy motor coach	24,000

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THE MOTOR TRAFFIC ACT (CHAPTER 203)

REGULATIONS made by the Minister of Transport under section 237 of the Motor Traffic Act (Chapter 203) read with sections 19 of the aforesaid Act.

KUMARA WELGAMA,
Minister of Transport.

Colombo,
03rd October, 2011.

Regulations

The Motor Traffic (Construction of Vehicles), Regulations, 1983 published in the *Gazette Extraordinary* No. 248 of June 03, 1983 as amended by regulations published in the *Gazette Extraordinary* No. 680/5 of September 17, 1991 are hereby further amended by the repeal of paragraph (2) of regulation 3 thereof and the substitution therefor of the following :-

“(2) The overhang of an articulated vehicles shall not exceed the dimension specified in paragraph (I) in respect of a motor vehicle, or 2,850 millimetres, whichever is less.”.

10-444/2