

DRAFT ROAD TRAFFIC (No. 48) (JERSEY) REGULATIONS 199

**Lodged au Greffe on 3rd February 1998
by the Defence Committee**



STATES OF JERSEY

STATES GREFFE

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Report

The Defence Committee's attention has been drawn to the ever-increasing practice of persons using mobile hand-held phones whilst driving. This is potentially dangerous in the extreme and, in line with the Committee's policy of enhancing road safety it has been decided to seek the approval of the States to the enactment of legislation against such practice.

The Committee, in doing so, has consulted widely with the Telecommunications Department and is satisfied that the appropriate equipment is available to enable the hands-free use of mobile phones in vehicles.

It must be stressed that the Committee is not seeking to ban the use of mobile phones in vehicles, only to prohibit drivers from holding telephones whilst their vehicles are moving in the interests of road safety.

Explanatory Note

The effect of these Regulations would be to prohibit drivers from holding telephones while their vehicles are moving.

Road Traffic (Jersey) Law 1956

ROAD TRAFFIC (No. 48) (JERSEY) REGULATIONS 199

(Promulgated on the day of 199)

STATES OF JERSEY

The day of 199

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851¹ and Article 49 of the Road Traffic (Jersey) Law 1956, as amended² (hereinafter referred to as “the Law”), have made the following Regulations -

1. After Article 25 of the Law there shall be inserted the following Article -

“ARTICLE 25A

Restrictions on holding telephones

(1) If any person who is driving a vehicle on a road holds a telephone in any way while the vehicle is in motion, he shall be guilty of an offence under this Article.

(2) A person guilty of an offence under this Article shall be liable to a fine not exceeding level 2 on the standard scale.”.

2. After the item and entry for Article 23 in the First Schedule to the Law there shall be inserted the following item and entry -

“Article 25A (holding a telephone while driving);”.

¹ Recueil des Lois, Tomes I-III, page 196.

² Recueil des Lois, Tome VIII, page 636.

3. These Regulations may be cited as the Road Traffic (No. 48) (Jersey) Regulations 199 and shall come into force on the twenty-eighth day following promulgation.