

**DRAFT ROAD TRAFFIC (No. 51) (JERSEY) REGULATIONS 200- (P.40/2000); AMENDMENTS (P.43/2000) -
REPORT**

**Presented to the States on 11th April 2000
by the Home Affairs Committee**



STATES OF JERSEY

STATES GREFFE

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Deletion of draft Regulation 4(b) - page 5 of P.40/2000

Deputy Baudains has put forward this amendment so that there would be no power to order disqualification or endorsement in the case of a contravention of a requirement of an Order made under Article 39 of the Road Traffic (Jersey) Law 1956 in relation to lighting equipment or reflectors.

The Committee included the draft Regulation 4 partly as a consequential amendment flowing from the recent repeal of the Road Transport Lighting (Jersey) Law 1956. Under that Law, there was indeed no ability to impose disqualification or endorsement in respect of a first offence. Disqualification or endorsement could, however, be ordered in respect of a second or subsequent offence. The Committee's *projet* ensures that failure to carry lighting equipment or reflectors is treated, for the purposes of disqualification or endorsement, in exactly the same way as brakes, silencers, steering gear or tyres. If the amendment of Deputy Baudains were to be carried, the situation would arise whereby -

- (i) on the one hand, contravening any requirement as to brakes, silencers, steering gear or tyres could give rise to disqualification/endorsement; but
- (ii) on the other hand, contravening any requirement as to lighting equipment or reflectors could never carry disqualification/endorsement [even though under the Road Transport Lighting (Jersey) Law 1956 such disqualification /endorsement was possible in respect of a second or subsequent offence].

The Committee believes that a contravention in relation to lighting equipment is just as serious (if not more serious) than a contravention in relation to, for example, silencers.