



REPUBLIC OF NAURU

Motor Traffic Act 1937

As in force from 13 June 1997

This compilation comprises Ordinance No. 11 of 1937 as amended and in force from 13 June 1997 (being, at the time the compilation was prepared on 16 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

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REPUBLIC OF NAURU

Motor Traffic Act 1937

An Ordinance to provide for the registration of motor vehicles and regulation of motor traffic

PART I – PRELIMINARY

1 Short title

This Ordinance may be cited as the *Motor Traffic Act 1937*.

2 Repeal

The *Motor Traffic Ordinance 1936* and the Regulations made thereunder are hereby repealed.

3 Parts

This Ordinance is divided into Parts, as follows:

PART I – Preliminary (Sections 1-5).

PART II – Registration of, and Licences to Drive, Motor Vehicles (Sections 6-15).

PART IIA – Traders (Sections 15A-15H).

PART III – Rules of the Road (Section 16)

PART IV – Offences (Sections 17-33A).

PART V – Miscellaneous (Sections 34-44).

4 Definitions¹

(1) In this Ordinance, unless the contrary intention appears:

'certificate of registration' means a certificate of registration of a motor vehicle granted under this Ordinance;

'driver' means any person driving a motor vehicle, and includes any person riding a motor cycle, and **'drive'** includes **'ride'**;

'licence' means a licence to drive or a permit licence issued under section 7 and section 10 of this Ordinance, respectively;

'licensed' means licensed under this Ordinance;

'learner's permit' means a permit licence issued under this Ordinance to a person to learn to drive a motor vehicle;

'motor cycle' means a motor vehicle that has less than four wheels and is steered by means of handle bars;

'motor vehicle' means any motor vehicle constructed to be used for the carriage of persons or goods and includes a motor cycle;

'motor vehicles trader's licence' means a licence granted under Part IIA;

'owner' means the person in whose name a motor vehicle is registered;

'public highway' means any road, track, thoroughfare, or place open to or used by the public, in or on the Island of Nauru;

¹ In relation to the expression **'Administrator in Council'**, clause 86(3) of the *Constitution of Nauru* provides:

'Subject to this Constitution, a reference in a law continued in force by clause (1) or (2) of Article 85 to the Administrator of the Territory of Nauru acting in accordance with the advice of the Executive Council of the Territory of Nauru shall, unless the context otherwise requires, be read as a reference to the Cabinet.'

In relation to the expressions **'Island'** and **'Territory'**, section 3 of the *Interpretation Act 1971* provides:

'Unless the context otherwise requires or the subject or context is inconsistent with such amendment, the words "Territory of Nauru" or "Island of Nauru" shall, where they are used or appear in any written law, instrument or document in force or made at the date of commencement of this Act, be replaced from that date by the words "Republic of Nauru"'. Because the direction made by that section is not unconditional and does not relate to the simple expression 'Territory', no textual change to give effect to it is incorporated in this compilation.

'registered' means registered under this Ordinance;

'Registrar' means the Registrar of Motor Vehicles appointed in pursuance of this Ordinance;

'trader' means a person to whom a motor vehicles trader's licence has been granted or transferred and includes:

- (i) in the case of a trader being a company — a director, manager or officer of the company; and
- (ii) in the case of a trader being a firm or partnership — a member or partner of the firm or partnership;

'trader's plate' means a number plate issued to the holder of a motor vehicles trader's licence under Part IIA;

'trailer' means a vehicle without motive power designed for attachment to a motor vehicle, but does not include a side-car;

'vehicle' means any means of conveyance which runs on wheels but does not include any vehicle used on a railway; and

'visiting motor vehicle' means a motor vehicle:

- (a) which is registered in a State or Territory of the Commonwealth of Australia or in the Dominion of New Zealand;
 - (b) which has affixed thereto the number plates required by the law of the State or Territory or Dominion in which it is registered to be so affixed;
 - (c) the owner of which is a *bona fide* resident in the State or Territory or Dominion in which the vehicle is registered; and
 - (d) which is brought into the Island temporarily.
- (2) Unless the contrary intention appears, a reference in this Ordinance to a motor vehicle shall be deemed to include, where a trailer is attached to a motor vehicle, a reference to the motor vehicle and trailer.

5 Registrar

The Administrator in Council may appoint a person to be Registrar of Motor Vehicles, who shall exercise and perform such powers and functions as are prescribed.

**PART II – REGISTRATION OF, AND LICENCES TO DRIVE,
MOTOR VEHICLES**

6 Registration

- (1) The Registrar may register any motor vehicle in a register to be kept for that purpose if he is satisfied that the vehicle complies with requirements of the First Schedule to this Ordinance, and may grant a certificate of registration to the owner of the vehicle, and renew the registration and certificate from time to time.
- (2) The Registrar shall assign a separate identifying number to every motor vehicle registered and enter each number in the register.

7 Licences

Subject to sections 21L and 27, the Registrar may grant a licence to drive a motor vehicle of the class specified in the licence to any person who satisfies him that he is not less than eighteen years of age and is capable of driving a motor vehicle of that class with safety to the public, and the Registrar may, from time to time, renew any such licence.

8 Applications

Any person desirous of obtaining or renewing a certificate of registration or of transferring the registration of a motor vehicle or desirous of obtaining a licence to drive a motor vehicle or of renewing any such licence, shall forward to the Registrar an application stating his full name and address, and such other particulars as are required by the Registrar.

9 Cancellation, suspension of, and refusal to grant or renew, licences

The Registrar may at his discretion:

- (a) cancel or suspend for such period as he thinks fit, any licence issued to any person who, in his opinion, is unfit to hold a licence;
- (b) cancel or suspend for such period as he thinks fit, any licence issued to any person who has been convicted of:
 - (ii) driving a motor vehicle negligently or furiously or recklessly or in a manner or at a speed dangerous to the public;
- (c) refuse to grant a licence or a renewal of a licence to any person who, in his opinion, is unfit to hold a licence.

10 Permit licences

- (1) The Registrar may grant a permit licence for any period not exceeding one month to any person who is not less than eighteen years of age permitting him to learn to drive a motor vehicle during such hours and in such locality as may be specified in the licence.
- (2) Nothing in this Ordinance shall prevent a person to whom a permit licence has been granted from driving a motor vehicle upon any public highway while the permit licence remains in force, if while that person is learning to drive a motor vehicle, a licensed driver is occupying the seat next to the learner, and in that case the licensed driver shall be deemed to be the driver of the motor vehicle.
- (3) A person to whom a permit licence has been granted shall at all times comply with the conditions of the permit licence.

11 Number plates

The owner of a motor vehicle shall, within fourteen days of registering the motor vehicle, have firmly fixed in a central position, both on the front and on the rear part of the body of the motor vehicle, a metal or wooden plate rectangular in shape, painted black, and having painted thereon in white numerals not less than three inches high the identifying number specified in the certificate of registration of the motor vehicle:

Provided that this section shall not apply to the owner of a visiting motor vehicle.

12 Alterations to motor vehicles

- (1) Where any alteration, affecting the accuracy of any particulars of the description in the certificate of registration or certificate of renewal of registration of a motor vehicle, is made to that motor vehicle, the owner shall forthwith forward the certificate to the Registrar for notation of the alteration on the certificate of registration.
- (2) The Registrar shall, after noting the alteration on the certificate of registration, return it to the owner.

13 Registration numbers not transferable

- (1) The owner of a motor vehicle shall not transfer, or cause or permit to be transferred, a number issued for any motor vehicle to another motor vehicle.
- (2) A person shall not drive a motor vehicle having upon it a number which was issued for another motor vehicle.

14 Sale and disposal of motor vehicles

- (1) The owner of a motor vehicle who sells or disposes of the motor vehicle shall, within seven days after the sale or disposal:
 - (a) give written notice to the Registrar, of the sale or disposal of the vehicle, and the full name and address of the person to whom the motor vehicle has been sold or disposed of; and
 - (b) deposit with or forward to the Registrar the certificate of registration of the motor vehicle.
- (2) Until the provisions of the last preceding subsection are complied with, the person in whose name the motor vehicle is registered shall remain liable as owner for any breach in respect of the motor vehicle of such of the provisions of this Ordinance as apply to an owner.
- (3) The purchaser or person to whom the motor vehicle was sold or disposed of, shall, within seven days after the purchase or disposal, apply to the Registrar to have the certificate of

registration transferred to him, and pay the prescribed transfer fee.

15 Owner not to permit unlicensed person to drive motor vehicle

The owner of a motor vehicle shall, before permitting any person to drive the motor vehicle, require the licence of that person to drive a motor vehicle of the class to which that motor vehicle belongs to be produced to him or satisfy himself that that person is so licensed.

PART IIA - TRADERS

15A Motor vehicles trader's licence

- (1) The Registrar may grant a motor vehicles trader's licence to an applicant who satisfies the Registrar that he is engaged in the business of manufacturing, dealing in or repairing motor vehicles.
- (2) The Registrar may grant a motor vehicles trader's licence in respect of motor vehicles (other than motor cycles) or in respect of motor cycles.
- (3) An application for a motor vehicles trader's licence shall be in writing setting out the applicant's place of business, the nature of his business, the type of motor vehicles trader's licence required and the number of trader's plates required.
- (4) The holder of a motor vehicles trader's licence in respect of motor vehicles (other than motor cycles) may apply in writing to the Registrar at any time while the licence is in force for the issue to him of one or more pairs of trader's plates of a type determined by the Registrar for use under such a licence.
- (5) The holder of a motor vehicles trader's licence in respect of motor cycles may apply in writing to the Registrar at any time while the licence is in force for the issue to him of one or more trader's plates of a type determined by the Registrar for use under such a licence.
- (6) An application for trader's plates under either of the last two preceding sub-sections shall be accompanied by the appropriate deposit prescribed by section 37 of this Ordinance to the number and type of trader's plates applied for.

- (7) A motor vehicles trader's licence is, unless sooner cancelled or suspended, in force until and including the thirty-first day of December of the year in respect of which the licence is granted.

15B Use of trader's plates

- (1) A motor vehicles trader's licence in respect of motor vehicles (other than motor cycles) entitles the holder, while the licence is in force, to attach, in accordance with section 26B of this Ordinance, a pair of trader's plates issued to him to any motor vehicle (other than a motor cycle) that is in his possession or the possession of his employee and is being used *bona fide* for a purpose connected with the manufacture, repair, painting, testing, demonstration, sale or exchange of the vehicle or its delivery to another trader, a purchaser or the owner.
- (2) A motor vehicles trader's licence in respect of motor cycles entitles the holder, while the licence is in force, to attach, in accordance with section 26B of this Ordinance, a trader's plate issued to him to any motor cycle that is in his possession or in the possession of his employee and is being used *bona fide* for a purpose connected with the manufacture, repair, painting, testing, demonstration, sale or exchange of the vehicle or its delivery to another trader, a purchaser or the owner.
- (3) A trader shall not attach a trader's plate or permit it to be attached otherwise than to a vehicle to which he is entitled to attach that trader's plate under this section.

15C Cessation or transfer of business

- (1) Where for any reason a trader ceases to carry on or to be engaged in the business of a trader in respect of which he is licensed under this Part, he shall, within fourteen days after so ceasing to carry on or to be interested in that business, notify the Registrar in writing of that fact and return to the Registrar the motor vehicles trader's licence and the trader's plates issued to him.
- (2) Upon the application in writing of the person to whom the business of a trader has been sold or in whom the business of a trader is vested and upon the payment by him to the Registrar of the prescribed fee the Registrar may transfer the motor vehicles trader's licence in respect of the business to that person for the unexpired period of the licence.

15D Surrender of trader's plates on demand

Where the Registrar is satisfied that a trader has ceased to be engaged in the business of a trader, he may demand the return of any trader's plate issued to the trader and the person holding the plate shall within fourteen days return the plate to the Registrar.

15E Non-renewal of trader's licence

Where a trader does not intend to apply for the renewal of his motor vehicles trader's licence, he shall, not later than fourteen days after the date on which the licence was due for renewal, notify the Registrar in writing of that fact and return to the Registrar the licence issued to him and the trader's plates held by him.

15F Record of use of trader's plates

A trader shall:

- (a) within twenty-four hours after the time any vehicle to which a trader's plate is attached leaves his premises, make a record, in accordance with the form in the Third Schedule to this Ordinance, of the date on which the vehicle departed from his premises, the number of the trader's plate attached to the vehicle, the make of the vehicle, the name of the driver of the vehicle, the times at which the vehicle departed from and returned to his premises and the purpose for which the vehicle was used; and
- (b) on request, at any reasonable time, furnish the record to the Registrar or to a member of the Police Force for inspection.

15G Monthly return of use of trader's plates

- (1) A trader shall, on or before the fourteenth day in each month, furnish to the Registrar a list of the names and addresses of all persons to whom he has sold, or from whom he has purchased, motor vehicles during the last preceding month together with particulars of the type, manufacture, horsepower, engine number, chassis number, weight and registration number of each such vehicle.

15H Appeal against refusal to grant, renew or transfer licence

- (1) Where the Registrar:
- (a) refuses to grant, to renew or to transfer a motor vehicles trader's licence to a person; or
 - (b) refuses an application for the issue of trader's plates under subsection (4) of section 15A of this Ordinance;

the person aggrieved by the refusal may within fourteen days after the refusal appeal to the District Court.

- (2) The decision of the District Court on an appeal under this section is final.

PART III – RULES OF THE ROAD

16 Road rules

- (1) The driver of a motor vehicle upon a public highway shall:
- (a) keep the vehicle as near as practicable to the kerbstones on his left side:

Provided that when the vehicle is proceeding at a rate faster than six miles an hour it shall not be an offence against this section if the vehicle is driven at a reasonable distance from the kerbstones;
 - (b) when meeting a bicycle or vehicle, pass with it on his right side;
 - (c) when overtaking a bicycle or vehicle, pass with it on his left side, and not cross over to the left side of the public highway until his vehicle is clear of the bicycle or vehicle which he has passed;
 - (d) before stopping, drive the vehicle close to the kerbstones and parallel thereto;
 - (e) when he is about to stop, raise his right hand with his fingers extended and pointing upwards in such a manner as to be visible to any person immediately following;
 - (f) when he is about to reduce the speed at which his vehicle is travelling, alternately raise and lower his hand with palm

downwards in such a manner as to be visible to any person immediately following;

- (g) when he is about to turn to the right, extend his right arm horizontally in the direction in which he intends to turn and in such a manner as to be visible to any person immediately following;
 - (h) at all times comply with directions given by a member of the Police Force as to:
 - (i) the manner of approaching or departing from any place;
 - (ii) the manner of taking up or setting down passengers or loading or unloading goods; or
 - (iii) the regulation of traffic;
 - (i) before turning to the right from one public highway into another, drive parallel to the kerbstones on the left side of the public highway he is leaving until he is as near as practicable to the kerbstones on the left side of the public highway he is entering; and
 - (j) whenever necessary, give sufficient warning, by sounding a bell, horn or other means of alarm, of the approach of the vehicle to any person walking, riding or driving upon a public highway.
- (2) Notwithstanding the provisions of paragraphs (e), (f) and (g) of the last preceding subsection, a driver may indicate his intention to stop, reduce speed or turn to the right by means of a mechanical or electrical signalling device of a type approved by the Director of Police.
- (3) The driver of a motor vehicle upon a public highway shall not:
- (a) negligently or wilfully obstruct, hinder, or prevent the free passage of any person, vehicle or bicycle;
 - (b) wilfully stop:
 - (i) opposite to the entrance of, or across any road, track or thoroughfare; or
 - (ii) upon the intersection of any public highway;

- (c) leave the motor vehicle unattended in such a position as to obstruct the traffic or unreasonably cause inconvenience to any person;
- (d) leave the motor vehicle without taking due precaution against such vehicle being started during his absence;
- (e) permit any person to drive the motor vehicle without the consent of the owner;
- (f) cause the motor vehicle to travel backwards for a greater distance or time than is requisite for safety or reasonable convenience;
- (g) while driving a motor vehicle, be in such a position that he has not full control of the vehicle or has not a clear view of the traffic;
- (h) cause or permit an undue amount of smoke to be projected from any part of the vehicle;
- (i) race with any other vehicle; or
- (j) go upon any road closed against traffic.

PART IV – OFFENCES

17 Driving unregistered motor vehicle

- (1) Any person who drives an unregistered motor vehicle upon a public highway shall be guilty of an offence.
- (2) For the purposes of this section a motor vehicle which is being driven in accordance with section 26B of this Ordinance shall be deemed to be a registered motor vehicle.

18 Crossing kerbstones

Any person who wilfully drives a motor vehicle across the kerbstones in areas in which provision is made for parking or turning a motor vehicle shall be guilty of an offence.

19 Dangerous driving

- (1) Any person who drives a motor vehicle upon a public highway negligently, furiously, recklessly, or at a speed or in a manner dangerous to the public shall be guilty of an offence.

Penalty: Two hundred dollars or imprisonment for six months or both.

- (2) In considering whether an offence has been committed under this section, the Court shall have regard to all the circumstances of the case, including the nature, condition, and use of the public highway upon which the offence is alleged to have been committed, and to the amount of traffic which was, or might reasonably have been expected to have been, upon that public highway at the time.

20 Failure or refusal to give name

Any driver of a motor vehicle who, upon being required by a member of the Police Force in execution of his duty to give his name, fails or refuses to give his name shall be guilty of an offence.

21 Driving under influence of liquor²

- (1) Any person who drives a motor vehicle while he is under the influence of intoxicating liquor or of a drug shall be guilty of an offence.

Penalty: Two hundred dollars or imprisonment for six months, or both.

- (2) Any person who is in charge of a motor vehicle while he is under the influence of intoxicating liquor or of a drug shall be guilty of an offence.

Penalty: One hundred dollars or imprisonment for three months, or both.

² Subs. (3) of s.21 was repealed by s.6 of the *Motor Traffic (Breath Analysis) Act 1973*, which also provided 'that, where at the commencement of this Act the licence of any person to drive a motor vehicle has been suspended or cancelled under the said subsection (3), such suspension or cancellation, if still in effect at the time of such commencement, shall continue to have effect for such period as that for which it would have had effect if the said subsection had not been repealed.'

- (4) Any person who is arrested for an offence under this section shall be entitled, upon request made by him or on his behalf, to be examined by a medical practitioner nominated by him and where any such request is made, the arresting officer shall afford reasonable facilities for the holding of the examination.

21A Driving while ability to drive impaired by intoxicating liquor

- (1) Any person who is in charge of or who drives a motor vehicle while the percentage of alcohol in his blood exceeds the prescribed limit shall be guilty of an offence.
- (2) Any person guilty of an offence against subsection (1) may be arrested without a warrant by any police officer.

21B Preliminary breath test

- (1) A police officer may, if he has reasonable grounds based upon his personal observations for believing that any person:
- (a) whom he finds driving or in charge of a motor vehicle; or
 - (b) whom he believes on reasonable grounds has within the preceding one hour driven, or been in charge of, a motor vehicle when it was involved in a collision with any other motor vehicle or with any person, animal or object,

has consumed intoxicating liquor and that the ability of such person to drive may have been impaired thereby, require such person to undergo a preliminary breath test by a prescribed device operated by such police officer or any other police officer to ascertain speedily without disclosing the actual level of concentration whether it is likely that the percentage of alcohol in that person's blood exceeds the prescribed limit.

- (2) Where upon any person undergoing a preliminary breath test under subsection (1) it is ascertained that it is likely that the percentage of alcohol in that person's blood is greater than the prescribed limit, a police officer may detain that person for such time, not exceeding one hour, as is necessary to enable him to be required to furnish a sample of breath for analysis by a breath analysing instrument under section 21C, and may require that person to accompany him to a police station for that purpose.

21C Submission to breath-analysis test in certain cases

- (1) Any police officer may require any person:
 - (a) whom he finds driving a motor vehicle or in charge of a motor vehicle and who behaves in a manner which indicates that his ability to drive a motor vehicle is impaired; or
 - (b) who has undergone a preliminary breath test under section 21B by which it has been ascertained that it is likely that the percentage of alcohol in his blood exceeds the prescribed limit;

to furnish a sample of breath for analysis by a breath-analysing instrument.

- (2) The provisions of the last preceding subsection extend to any case where the police officer believes on reasonable grounds that any such person was driving or in charge of a motor vehicle at any time within the preceding two hours before the requirement is made and that such person behaved in a manner which indicated that his ability to drive a motor vehicle at such a time was impaired.

21D Furnishing of breath sample

- (1) Any person lawfully required by a police officer under the provisions of section 21B or section 21C to undergo a preliminary breath test or to furnish a sample of his breath shall do so by exhaling into the device or instrument, as the case may be, through the tube connected thereto and shall exhale continuously to the reasonable satisfaction of the person operating the device or instrument.
- (2) No person shall be obliged to undergo a preliminary breath test under section 21B more than one hour after driving or being in charge of the motor vehicle.
- (3) No person shall be obliged to furnish a sample of his breath under section 21C more than two hours after driving or being in charge of the motor vehicle.
- (4) No person shall be obliged to undergo a preliminary breath test under section 21B or to furnish a sample of his breath under section 21C except:

- (a) at or in the vicinity of the place where the driving or being in charge of the motor vehicle occurred;
 - (b) if such person has left that place with the apparent intention of avoiding such test or of concealing his identity, at or in the vicinity of the place where he is found;
 - (c) at a police station or within the grounds or precincts thereof; or
 - (d) if such person has been taken from the place where such driving or being in charge occurred for medical treatment, at the place where he is receiving medical treatment.
- (5) Where a person required to undergo a preliminary breath test under section 21B or to furnish a sample of his breath under section 21C is receiving medical treatment and the medical practitioner in immediate charge of the treatment of that person objects to his undergoing the breath test or furnishing a sample of his breath on the grounds that it would be prejudicial to the proper care or treatment of that person so to do the medical practitioner may, in the presence of the member of the police force requiring the sample of breath take a sample of that person's blood for analysis and deliver a part of that sample to such member and no action shall lie against such medical practitioner for taking the sample without the express consent of such person nor shall any action *lie* against such person for refusing or failing to undergo such a test or to furnish such a sample.

21E Refusal to furnish a sample

- (1) Any person who, when required by a police officer pursuant to the provisions of subsection (1) of section 21B or of subsection (1) of section 21C to undergo a breath test or to furnish a sample of his breath for analysis, refuses or fails to do so shall, subject to subsection (5) of section 21D, be guilty of an offence and may be arrested without warrant by the police officer making the requirement, or by any other police officer at the request of such officer.
- (2) A person shall not be convicted of refusing or failing to undergo a breath test or to furnish a sample of his breath for analysis pursuant to subsection (1) of section 21B or subsection (1) of section 21C if he satisfies the Court that there was some reason of a substantial character for his refusal or failure other than a desire to avoid providing evidence which might be used against him.

21F Certificate of breath analysis

- (1) As soon as practicable after a sample of a person's breath is analysed by means of a breath-analysing instrument the person operating the instrument shall sign and deliver to the person whose breath has been analysed a certificate in or to the effect of the Fourth Schedule to this Act stating the percentage of alcohol indicated by the analysis to be present in his blood, which may be by way of an indication on a scale, and of the date and time at which the analysis was made.
- (2) A document purporting to be a copy of any certificate given in accordance with the provisions of the preceding subsection and purporting to be signed by a police officer authorised by the Director of Police to operate breath-analysing instruments shall be *prima facie* evidence in any proceedings referred to in section 21G of the facts and matters stated therein unless the accused person gives notice in writing to the informant a reasonable time in the circumstances before the hearing that he requires the officer giving the certificate to be called as a witness.
- (3) A certificate purporting to be signed by the Director of Police that a police officer named therein is authorised by the said Director to operate breath-analysing instruments shall be admissible in any proceedings referred to in section 21G as evidence of the authority of that person.

21G Evidence of intoxication

Where the question whether any person was or was not under the influence of intoxicating liquor or where the question as to the proportion of alcohol in the blood of any person at the time of an alleged offence relevant upon any trial or hearing:

- (a) for manslaughter or for negligently causing grievous bodily harm arising out of the driving of a motor vehicle;
- (b) for an offence against section 328 of the Criminal Code of Queensland in its application to Nauru arising out of the driving of a motor vehicle; or
- (c) for an offence against section 19, section 21 or section 21A of this Act,

then, without affecting the admissibility of any evidence which might be given apart from the provisions of this section, evidence may be given of the percentage of alcohol indicated to be present in the blood of that person by a breath-analysing instrument operated by a police officer authorised in that behalf by the Director of Police and the percentage of alcohol so indicated shall, subject to compliance with the provisions of section 21H, be conclusive evidence that such was the percentage of alcohol present in the blood of that person at the time his breath was analysed by the instrument.

21H Operator's evidence

In any proceedings such as are referred to in section 21G evidence by a police officer authorised to operate a breath-analysing instrument pursuant to this Act:

- (i) that apparatus used by him on any occasion pursuant to this Act was a breath-analysing instrument within the meaning of this Act;
- (ii) that the breath-analysing instrument was on that occasion in proper working order and properly operated by him; and
- (iii) that in relation to the breath-analysing instrument regulations made under this Act with respect to breath-analysing instruments were complied with,

shall be *prima facie* proof of those facts.

21J Presumption as to alcohol level in blood

For the purposes of this Act, if it is established that at any time within two hours after an alleged offence a certain percentage of alcohol was present in the blood of the person charged with the offence, it shall be presumed until the contrary is proved beyond reasonable doubt that no less than that percentage of alcohol was present in the person's blood at the time at which the offence is alleged to have been committed.

21K Consuming alcohol after accident or preliminary breath test

Any person who:

- (a) where a motor vehicle which has been involved in a collision with any other motor vehicle or with any person,

animal or object, was driven by him at the time of such collision; or

- (b) having undergone a preliminary breath test under section 21B by which it has been ascertained that it is likely that the percentage of alcohol in his blood is greater than the prescribed limit;

consumes intoxicating liquor within two hours after such collision or test is guilty of an offence:

Provided that it shall not be an offence for any person to consume alcohol within such period if he has during such period and prior to consuming that alcohol either undergone a preliminary breath test under section 21B which has shown that it is not likely that the proportion of alcohol in his blood exceeds the prescribed limit or has furnished a sample of his breath under section 21C and it has been ascertained thereby that the percentage of alcohol in his blood does not exceed the prescribed limit.

21L Penalties

- (1) Any person who is convicted of an offence under subsection (1) of section 21A, subsection (1) of section 21E or section 21K is liable if not previously convicted of an offence under any of those sections or under section 21 to a fine of one hundred dollars and, if previously convicted of one or more offences under any one or more of those sections or section 21, to imprisonment for one month and to a fine of two hundred dollars.
- (2) In addition to imposing a fine or a sentence of imprisonment a Court which has convicted a person of an offence against section 21, subsection (1) of section 21A, subsection (1) of section 21E or section 21K shall, notwithstanding anything to the contrary in this Act or in any other Act, cancel the licence of such person and:
 - (a) if he has not previously been convicted of an offence under any of those sections, disqualify him for not less than six months for obtaining a licence; and
 - (b) if he has previously been convicted of an offence under any of those sections, disqualify him for not less than twelve months for obtaining a licence.

21M Meaning of 'prescribed device' and 'breath analysing instrument'

- (1) In this Act '**a prescribed device**' means a device prescribed for the purpose of section 21B by the Cabinet by notice published in the Gazette.
- (2) In this Act '**breath-analysing instrument**' means apparatus of a type approved for the purpose of section 21C by the Cabinet by notice published in the Gazette as apparatus for ascertaining by analysis of a person's breath what percentage of alcohol is present in his blood.

21N Meaning of 'percentage of alcohol present in blood' and of 'the prescribed limit'

- (1) For the purposes of this Act, in order to determine the percentage of alcohol present in a person's blood 10 milligrammes of alcohol in 100 millilitres of blood shall be taken as being a percentage of 0.01 per cent of alcohol present in the blood.
- (2) In sections 21A, 21B and 21K '**the prescribed limit**' means a percentage of 0.05 per cent of alcohol present in the blood, that is to say 50 milligrammes of alcohol in 100 millilitres of blood.

22 Failure or refusal to provide information

The owner or driver of a motor vehicle who, upon being required by a member of the Police Force in the execution of his duty to give any information which it is in his power to give and which may lead to the identification of any person who was driving the vehicle when an offence against this Ordinance was alleged to have been committed, fails or refuses to give the information, shall be guilty of an offence.

23 Minimum requirements for drivers and vehicles

- (1) A person shall not drive, or permit another person to drive, a motor vehicle upon a public highway unless:
 - (a) the person or the other person is licensed to drive it;
 - (b) the motor vehicle complies with the requirements of the First Schedule;
 - (c) the prescribed number plates are properly affixed to it; and

- (d) the numbers on the number plates are clearly visible.
- (2) A person shall not be convicted of an offence under paragraph (c) of the last preceding subsection if he proves to the satisfaction of the court that the vehicle was being driven for the purpose of effecting its registration.
- (3) For the purposes of this section a person whose licence has been cancelled or suspended under this Ordinance shall be deemed not to be a person licensed to drive a motor vehicle.

24 False statements and unlawful possession of licences, etc.

Any person who:

- (a) by any false statement or misrepresentation obtains or attempts to obtain a licence or certificate of registration under this Ordinance;
- (b) without lawful excuse has in his possession any licence or certificate of registration issued under this Ordinance;
- (c) unlawfully uses an identifying number issued under this Ordinance;
- (d) forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence, certificate of registration or identifying number of a motor vehicle, issued under this Ordinance; or
- (e) owns or drives upon a public highway any unregistered motor vehicle having upon it any number or numbers of the same description as those required to be affixed to motor vehicles registered under this Ordinance, and calculated to deceive;

shall be guilty of an offence.

25 Accidents

Where injury or damage is caused to any person, or to any animal or vehicle in charge of any person, by reason of an accident in which a motor vehicle is concerned, the driver of the motor vehicle shall notify the Director of Police as soon as possible of the circumstances attaching thereto and shall:

- (a) if he fails to stop his vehicle; and

- (b) if, when required:
 - (i) by the person who is injured or whose animal or vehicle is injured or damaged;
 - (ii) by any member of the Police Force in execution of his duty; or
 - (iii) by any person who witnessed the accident and is acting or purports to be acting on behalf of any injured person;

he fails to produce his licence, give his name and place of abode, and also the name and place of abode of the owner and the registration number of the vehicle;

be guilty of an offence.

26 Driving motor vehicle without consent of owner

Any person who drives or uses any motor vehicle without first obtaining the consent of the owner shall be guilty of an offence.

26A Unauthorised use of trader's plates

- (1) A person shall not, upon a public highway, drive a motor vehicle having a trader's plate attached unless:
 - (a) any person in or upon the vehicle is being carried otherwise than for hire or consideration and is *bona fide* interested in, or employed for, a purpose referred to in the section 15B of this Ordinance;
 - (b) the driver or person in charge of the vehicle is:
 - (i) the trader, or his employee; or
 - (ii) a *bona fide* prospective purchaser of the vehicle or his employee or agent, and, except where the vehicle is a motor cycle, is accompanied by the trader, or an employee of the trader; and
 - (c) any loading in or upon the vehicle is being conveyed solely for the purpose of demonstrating the weight-carrying capacity of the vehicle to a *bona fide* prospective purchaser.
- (2) A trader shall not permit a person to drive a vehicle to which a trader's plate issued to him is attached in contravention of this section.

26B Proper display of trader's plates

- (1) A person shall not drive upon a public highway a motor vehicle having a trader's plate attached unless:
 - (a) the trader's plate is properly affixed to the vehicle in accordance with the next succeeding subsection; and
 - (b) all of the provisions of this Ordinance relating to trader's plates are complied with.
- (2) A pair of trader's plates used on a motor vehicle (other than a motor cycle) shall be so affixed that one is clearly visible to the front of the motor vehicle and the other is clearly visible to the rear of the motor vehicle, and a trader's plate used on a motor cycle shall be so affixed that it is clearly visible to the rear of the vehicle.

26C Penalty for misuse of trader's plates

Where a trader is convicted for a breach of any of the conditions relating to the use of a trader's plate, the court may, in addition to imposing a penalty, revoke or suspend, for such period as the court thinks fit, his motor vehicles trader's licence.

27 Penalties

- (1) Where a person is convicted under this Ordinance or any other Ordinance of an offence involving the driving of a motor vehicle, the court may in addition to any penalty imposed:
 - (a) if the person holds any licence, suspend or cancel that licence;
 - (b) declare the person to be disqualified from obtaining any licence for such time as the court thinks fit; and
 - (c) order that particulars of the conviction be endorsed upon any licence or renewal of licence held by the person during such period as the court thinks fit.
- (2) A licence suspended in accordance with this section shall, during the term of suspension, be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified from obtaining a licence, shall, during the period of suspension or disqualification, be disqualified from obtaining a licence.

28 Exceeding speed limit

A person shall not drive a motor vehicle upon a public highway:

- (a) at a speed exceeding thirty miles per hour; or
- (b) at a speed exceeding fifteen miles per hour:
 - (i) while passing a school at a time when children are or are likely to be entering or coming out of school;
 - (ii) while passing a church at a time when the congregation is or is likely to be entering or coming out of church;
 - (iii) while passing a hospital;
- (c) at a speed exceeding such speed as may be specified by Cabinet in respect of any public highway or part thereof and notified in the Gazette.

28A Evidence of speed indicated by prescribed portable measuring device

Where, upon proceedings for an offence against this Act or regulations made hereunder or any other written law relating to motor vehicles or the use thereof, the speed at which a motor vehicle travelled on the occasion of the alleged offence is relevant in the proceedings, evidence of the speed of the motor vehicle as indicated or determined on that occasion by a speed-measuring device of the type known as the amphotometer shall, if the speed-, or time-, measuring mechanism of that device has been tested and sealed as required by regulations hereunder and the device has been used in such manner as is prescribed without prejudice to any other mode of proof, be *prima facie* evidence of the speed of the motor vehicle on that occasion.

28B Evidence of testing and sealing

A certificate in the prescribed form to the effect that the speed-, or time-, measuring mechanism of any device referred to in the last preceding section has been tested and sealed in the prescribed manner signed or purported to be signed by a person holding, or acting in, the post of Technical Officer in the faculty of Electrical Engineering or of Electronics at a prescribed university, whether in Nauru or elsewhere, and by a person holding, or acting in, either the post of professor or the post of reader in that faculty shall, without prejudice to any other mode

of proof, be *prima facie* evidence that the mechanism has been so tested and sealed and is accurate.

29 Lights — motor vehicles other than motor cycles

Any person who causes or permits a motor vehicle, other than a motor cycle, to be upon any public highway between the hours of sunset and sunrise shall be guilty of an offence, unless:

- (a) two lighted lamps, of approximately equal candle power, are carried on opposite sides of the front of the vehicle and not higher than four feet six inches from the ground, and the lamps are so made and carried as to show a bright white light in front of the vehicle; and
- (b) a lighted lamp is carried upon the offside of the rear of the vehicle or, if a trailer is attached to the vehicle, of the trailer, and the lamp is so made and carried as to show a bright red light to the persons approaching from the rear of the vehicle and to illuminate with white light and render easily distinguishable at a distance of fifteen yards each numeral on the number plate affixed to the rear of the vehicle or trailer, as the case may be.

30 Lights — motor cycles

Any person who rides any motor cycle on a public highway between the hours of sunset and sunrise shall be guilty of an offence, unless:

- (a) a lighted lamp is carried upon the front of the motor cycle and the lamp is so made and carried as to show a bright white light in front of the motor cycle and to illuminate the number-plate;
- (b) a lighted lamp is carried upon the rear of the motor cycle in the same manner as it would be required to be carried if paragraph (b) of the last preceding section applied to a motor cycle; and
- (c) in the case of a motor cycle to which a side-car is attached an additional lighted lamp is affixed on the side of the side-car remote from the cycle, and the lamp is so made and carried as to show a bright white light in front of the side-car.

31 Excessively bright lights

Any person who drives on a public highway any motor vehicle having attached thereto any lamp from which, where the ground is level, any rays of reflected light are projected on the ground at a distance of more than sixty yards in a direct line in front of that vehicle, shall be guilty of an offence:

Provided that this section shall not apply to any lamp having an effective device, whether by a prepared front glass or otherwise, so made and constructed as to efficiently diffuse the light from the lamp and prevent any dazzling glare and prevent the vision of the driver of any vehicle approaching from the opposite direction being affected.

32 Driving without lights

Any person who causes or permits any motor vehicle or motor cycle to be upon any public highway between the hours of sunset and sunrise, unless lighted lamps, as provided by sections twenty-nine or thirty of this Ordinance, as the case may be, are attached thereto, shall be guilty of an offence:

Provided that this section shall not apply if the motor vehicle or motor cycle is stationary and under or near a lighted public highway lamp or other outside lamp so illuminating the highway as to render the vehicle clearly visible and remove any risk of accident by collision or otherwise.

32A Riding bicycle without lights

A person shall not, upon any public highway, ride a bicycle between sunset and sunrise unless:

- (a) lighted lamps are attached to the bicycle so that a bright white light is shown to traffic approaching from the front and a bright red light is shown to traffic approaching from the rear; and
- (b) a red reflector is attached to the bicycle so that the lights of any vehicle approaching from the rear are reflected.

33 Excessive noise

Any person who upon any public highway:

- (a) drives any motor vehicle:
 - (i) unless an efficient silencer is affixed to the exhaust pipe of the vehicle and is used in such a manner that the exhaust is projected through the silencer;
 - (ii) which causes undue noise by reason of:
 - (1) the vehicle being in a state of disrepair;
 - (2) the manner in which the vehicle is loaded;
 - (3) the construction or condition of the adjustment of the machinery of the vehicle; or
 - (4) the construction or condition of the adjustment of the silencer; or
- (b) makes or permits to be made any unnecessary noise with the horn or other means of alarm affixed to a motor vehicle or makes or permits to be made, any such noise, other than as a warning of danger;

shall be guilty of an offence.

33A Maximum number of persons to be carried on motor cycles

- (1) A person driving a motor cycle upon a public highway shall not carry more than one other person on the motor cycle.
- (2) A person driving a motor cycle fitted with a side-car upon any public highway shall not carry more than one adult and one child in the side-car and one other person on the motor cycle.

PART V – MISCELLANEOUS

34 Visiting motor vehicles

- (1) The owner or driver of a visiting motor vehicle shall, within forty-eight hours after disembarking on the Island, apply for a temporary registration of the vehicle and give such particulars in relation to the vehicle as may be required by the Registrar.
- (2) The owner or driver of a visiting motor vehicle shall be deemed to be licensed under this Ordinance to drive that motor vehicle

in the Island if he is temporarily absent from any State or Territory of the Commonwealth of Australia, or the Dominion of New Zealand and is licensed to drive a motor vehicle in accordance with the law of that State, Territory, or Dominion.

- (3) Any registration effected under this section shall not exceed a period of three months.
- (4) Any owner or driver of a visiting motor vehicle who, on the expiration of three months temporary residence in the Island, remains therein for a further period shall immediately apply for registration of the motor vehicle under Part II of this Ordinance.

35 Inspections

The Registrar may, at any time, by notice in writing, direct that a registered motor vehicle shall be produced by the owner for inspection at the time and place specified in the notice.

36 Records

- (1) Particulars of the registration of motor vehicles and of the grant of certificates of registration and licences shall be recorded at the office of the Registrar.
- (2) An extract from, or copy of, any entry contained in the record, certified by the Registrar, shall, in all Courts and upon all occasions, be received as evidence and deemed sufficient proof of all particulars contained in that entry without requiring production of the books, licence, requisition, notice or other documents upon which the entry was founded.

37 Fees

- (1) The fees and deposits provided for in the Second Schedule to this Ordinance are payable to the Registrar:
 - (a) upon the grant, renewal or transfer of any certificate of registration of any motor vehicles trader's licence;
 - (b) upon the grant or renewal of a licence; and
 - (c) upon the issue of any number plates or trader's plates.
- (2) When a motor vehicle is registered or a motor vehicles trader's licence is granted for a period less than twelve months, the fee payable is a fee which bears the same proportion to the fee

payable under the Second Schedule to this Ordinance as the period for which the registration is effected or the motor vehicles trader's licence is granted bears to a period of twelve months.

- (3) For the purpose of calculation of a fee under the last preceding subsection the motor vehicle shall be deemed to have been registered and the motor vehicles trader's licence shall be deemed to have been granted from and including the first day of the month in which the registration is effected.
- (4) A fee shall not be payable by any member of the Public Service or Minister of Religion for the grant, renewal or transfer of any certificate of registration or for the grant or renewal of a licence which he requires for use in the performance of his duties.

38 Liabilities existing independently of this Ordinance

Nothing in this Ordinance shall affect any liability of any person by virtue of any other law in force in the Island.

39 Application to members of Public Service

Except where otherwise expressly provided, this Ordinance shall apply to all persons in the Public Service of the Administration.

40 Evidence

In any proceedings under this Ordinance:

- (a) proof that a motor vehicle has not upon it an identifying number as prescribed in this Ordinance shall be *prima facie* evidence that the vehicle is not registered; and
- (b) proof that a person registered a motor vehicle shall be *prima facie* evidence that that person is the owner of the vehicle.

41 Recovery of fees, etc.

The Registrar may, by action in the District Court, recover from the person liable therefor any fee or other amount payable under this Ordinance.

42 General offence

- (1) Any person who contravenes or fails to comply with any provision of this Ordinance shall be guilty of an offence.
- (2) A person guilty of an offence against this Ordinance for which no penalty is provided shall be liable to a penalty of One hundred dollars or to imprisonment for three months, or both.

43 Regulations

The Minister may by regulations prescribe anything which is required by this Act to be prescribed or which the Minister considers necessary or expedient for the purpose of carrying the provisions of this Act into effect.

43 Traffic signs

- (1) The Administrator may:
 - (a) cause traffic control signs to be installed upon or adjacent to any public highway; and
 - (b) by notice in the Gazette, specify the design and meaning of traffic control signs.
- (2) A sign purporting to be a traffic control sign shall, in the absence of evidence to the contrary, be deemed to be a traffic control sign and to have been validly installed.
- (3) Any person who fails to comply with the directions of a traffic control sign shall be guilty of an offence.

44 Regulations

The Administrator in Council may make regulations not inconsistent with this Ordinance prescribing all matters which are necessary or convenient to be prescribed for giving effect to this Ordinance, including the maintenance of road safety, and in particular, prescribing penalties not exceeding one hundred dollars for offences against the regulations.

THE SCHEDULES

FIRST SCHEDULE – MOTOR VEHICLES

Section 6

- 1 The frame structure of the motor vehicle shall be sound.
- 2 The motor vehicle shall be equipped with an accurate speedometer.
- 2A The motor vehicle (other than a motor cycle) shall be fitted with a front windscreen and an efficient windscreen wiper, unless the Registrar exempts the motor vehicle from the provisions of this paragraph.
- 2B The motor vehicle shall be equipped with a rear vision mirror placed so that vehicles approaching from the rear can be clearly seen by the driver.
- 2C The motor vehicle shall be fitted with tyres free from obvious casing defects and with a clearly defined tread.
- 3 The motor vehicle shall be capable of being so worked that it may travel either backwards or forwards and be capable of being readily steered.
- 4 The steering arm and connexions shall be of sufficient length and as far as possible protected from damage by collision.
- 5 All brakes and steerage connexions shall be secured with bolts, the bolts shall be fitted with nuts, and the nuts shall be locked or pinned.
- 6 The motor vehicle, if other than a motor cycle, shall have two independent brakes in good working order of sufficient strength so that either of them shall be capable of stopping and holding the vehicle under all conditions, and of such efficiency that the application of either shall cause two wheels upon the same axle to be effectually prevented from revolving, or shall have the same effect in stopping the vehicle as if those wheels were so held. Each brake shall be as far as possible so affixed as to be capable of easy adjustment and at least one brake shall be so made as to be applied by the foot of the driver.
- 7 In the case of a motor cycle without a side-car one effective brake capable of stopping and holding the motor cycle shall be deemed sufficient.
- 8 In the case of a motor cycle with a side-car, the motor cycle and side-car shall have:
 - (a) two independent and efficient brakes, one of which shall be operated by a foot pedal and the other by a hand lever or other appliance for holding the brake in the 'on' position; or

- (b) one efficient brake capable of being held in the 'on' position, acting directly on at least two wheels and so arranged that, in the event of failure of any part, there will remain effective braking on at least one wheel.
- 9 All fittings shall be in such condition as not to be likely to cause annoyance, by bad smell or otherwise, or danger to any person upon the motor vehicle or upon a public highway.
 - 10 The lubrication of the engine and the carburation of the working mixture shall be so controlled that smoke is not projected from the exhaust or from any other part.
 - 11 (1) Two lamps shall be suitably affixed on the front of a motor vehicle, other than a motor cycle, and one other lamp shall be suitably affixed on the rear of the vehicle.
 - (2) A lamp shall be suitably affixed on the front of a motor cycle without a side-car, and one other lamp shall be suitably affixed on the rear of the motor cycle. In the case of a motor cycle and side-car an additional lamp shall be fixed upon the front of the side-car.
 - (3) The lamp affixed on the rear of a motor cycle shall be so affixed as to reflect upon the rear number-plate.
 - 12 A suitable attachment of a size satisfactory to the Registrar for the purpose of affixing the number plates shall be securely fastened in an approved position at the front and also at the rear of the motor vehicle, and a lamp bracket shall be affixed at the rear of the motor vehicle to hold the rear lamp in such a position as to reflect upon the rear number-plate. The lamp bracket shall be so affixed as not to obscure any portion of the rear number-plate.
 - 13 An efficient horn or other means of alarm shall be attached to the motor vehicle in a convenient position.
 - 14 A motor vehicle shall not exceed 8 feet in width, measured between its extreme projecting points.
 - 15 A motor vehicle shall have an efficient silencer so made and affixed that the exhaust shall be projected through the silencer.
 - 16 A side-car shall not be affixed upon the right hand side of any motor cycle.

**SECOND SCHEDULE – SCALE OF FEES AND DEPOSITS
PAYABLE TO THE REGISTRAR**

Section 37

1	Registration or renewal of registration of any motor vehicle, other than a motor cycle: — private motor vehicle — commercial motor vehicle	\$15.00 \$30.00
2	Registration or renewal of registration of a motor cycle	\$10.00
3	Licence or renewal of a licence to drive a motor vehicle	\$10.00
4	Permit licence to learn to drive a motor vehicle	\$5.00
5	Motor vehicles trader's licence or renewal of licence: (a) motor vehicles (other than motor cycles) (b) motor cycles	\$100.00 \$50.00
6	Transfer of registration of a motor vehicle and motor cycle: (a) motor vehicle and motor cycle — private (b) motor vehicle and motor cycle trader's licence — business	\$10.00 \$50.00
7	Deposits on other number plates — per pair	\$1.00

THIRD SCHEDULE

Section 15F

Territory of Nauru

Motor Traffic Ordinance 1937-1967

TRADER'S PLATES

Record of use of trader's plates issued to _____ of _____, in the Territory of Nauru.

Date on which vehicle departed from Trader's premises	
Number of Trader's Plate attached to the vehicle	
Make of vehicle	
Name of Driver of vehicle	
Time vehicle departed from Trader's premises	
Time vehicle returned to Trader's premises	
Purpose for which vehicle was used	
Signature of Trader and Date	

FOURTH SCHEDULE

Section 21F

REPUBLIC OF NAURU
THE MOTOR TRAFFIC ACT 1937-1973

CERTIFICATE OF AUTHORISED OPERATOR OF BREATH-ANALYSING INSTRUMENT

I, _____ of

a police officer, hereby certify:

- (1) that I am a person authorised by the Director of Police to operate a breath-analysing instrument;
- (2) that on the _____ day of _____ 19 ____ at _____ a.m./p.m, at _____ I did analyse a sample of the breath of _____ of _____ by means of a breath-analysing instrument;
- (3) that the breath-analysing instrument I used in the course of such analysis was on that day:
 - (a) of a type approved by the Cabinet by notice published in the Gazette;
 - (b) an instrument in relation to which all regulations made under the Act with respect to breath-analysing instruments were complied with; and
 - (c) in proper working order and properly operated by me in accordance with the Regulations; and
- (4) that the said instrument indicated that the percentage of alcohol present in the blood of the said _____ at the time and place referred to was _____ percent.

Dated this _____ day of _____ 19 ____ .

AUTHORISED OPERATOR

This certificate was delivered by me to the said

_____ at _____ at _____
a.m./p .m. on _____ 19 ____ .

Authorised Operator

Notes for Motor Traffic Act 1937

Table of Constituent Legislation

Ordinances

Citation	Number	Made	Gazettal*	Commencement
<i>Motor Traffic Ordinance 1937</i>	1937/11	03.11.1937	—	03.11.1937
<i>Motor Traffic Amendment Ordinance 1939</i>	1939/01	25.02.1939	—	26.02.1939
<i>Motor Traffic Ordinance 1959</i>	1959/02	27.08.1959	27.08.1959	27.08.1959
<i>Motor Traffic Ordinance 1960</i>	1960/03	22.06.1960	22.06.1960	22.06.1960
<i>Executive Council Ordinance 1966</i>	1966/03	14.02.1966	17.02.1966	17.02.1966
<i>Motor Traffic Ordinance 1967</i>	1967/05	16.03.1967	20.03.1967	31.05.1967 (GN 111/1967)
<i>Motor Traffic Ordinance (No. 2) 1967</i>	1967/13	29.05.1967	29.05.1967	31.05.1967 (GN 111/1967)†
<i>Ordinances Revision Ordinance 1967</i>	1967/25	29.12.1967	29.12.1967	29.12.1967 (GN 316/1967)

* Gazettal date is of no legal significance for Ordinances made before 30.08.1956 (commencement of the *Interpretation Ordinance 1956*).

† Formal amendments of the *Motor Traffic Ordinance 1967* made by s. 3 commenced on 29.05.1967.

Acts

Short title	Number	Certification	Commencement
<i>Motor Traffic (Amendment) Act 1971</i>	1971/10	22.12.1971	22.12.1971
<i>Motor Traffic (Portable Speed-measuring Devices) Act 1972</i>	1972/09	17.04.1972	17.04.1972
<i>Motor Traffic (Breath Analysis) Act 1973</i>	1973/03	16.05.1973	unknown
<i>Motor Traffic (Amendment) Act 1997</i>	1997/13	13.06.1997	13.06.1997

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Section 1	Short title rs. by Act 1973/03.
Section 3	Rs. by Ord. 1967/05.

As in force from 13 June 1997

Motor Traffic Act 1937

Provision affected	How affected
Section 4	Subs. (1) am. by Ord. 1967/05. Subs. (2) ad. by Ord. 1967/05.
Section 5	Am. by Ord. 1966/03.
Section 7	Am. by Act 1973/03.
Section 9	Am. by Act 1973/03.
Section 11	Am. by Ord. 1967/05.
Part II A	Ad. by Ord. 1967/05.
Section 15A	Ad. by Ord. 1967/05.
Section 15B	Ad. by Ord. 1967/05.
Section 15C	Ad. by Ord. 1967/05.
Section 15D	Ad. by Ord. 1967/05.
Section 15E	Ad. by Ord. 1967/05.
Section 15F	Ad. by Ord. 1967/05.
Section 15G	Ad. by Ord. 1967/05.
Section 15H	Ad. by Ord. 1967/05.
Section 16	Subs. (2) rs. by Ord. 1967/05.
Section 17	Rs. by Ord. 1967/05.
Section 19	Subs. (1) am. by Ord. 1967/05.
Section 21	Rs by Ord. 1967/05. Subs. (3) rep. by Act 1973/03.
Section 21A	Ad. by Act 1973/03.
Section 21B	Ad. by Act 1973/03.
Section 21C	Ad. by Act 1973/03.
Section 21D	Ad. by Act 1973/03.
Section 21E	Ad. by Act 1973/03.
Section 21F	Ad. by Act 1973/03.
Section 21G	Ad. by Act 1973/03.
Section 21H	Ad. by Act 1973/03.
Section 21J	Ad. by Act 1973/03.
Section 21K	Ad. by Act 1973/03.
Section 21L	Ad. by Act 1973/03.
Section 21M	Ad. by Act 1973/03.
Section 21N	Ad. by Act 1973/03.

Motor Traffic Act 1937

Provision affected	How affected
Section 21P	Ad. by Act 1973/03.
Section 21Q	Ad. by Act 1973/03.
Section 23	Rs by Ord. 1967/05.
Section 25	Rs. by Ord. 1939/01; am. by Ord. 1967/25.
Section 26A	Ad. by Ord. 1967/05.
Section 26B	Ad. by Ord. 1967/05.
Section 26C	Ad. by Ord. 1967/05.
Section 27	Rs. by Ord. 1967/05.
Section 28	Rs. by Act 1971/10.
Section 28A	Ad. by Act 1972/09.
Section 28B	Ad. by Act 1972/09.
Section 32A	Rs. by Ord. 1967/05.
Section 33A	Ad. by Ord. 1967/05.
Section 34	Subs. (2) am. by Ord. 1967/25.
Section 37	Rs. by Ord. 1967/05.
Section 42	Subs. (2) ad. by Ord. 1967/05.
Section 43 (Regulations)	Ad. by Act 1972/09.
Section 43 (Traffic signs)	Ad. by Ord. 1967/05.
Section 44	Ad. by Ord. 1967/05.
First Schedule	Am. by Ord. 1967/05, Ord. 1967/13, Ord. 1967/25.
Second Schedule	Rs. by Act 1997/13.
Third Schedule	Ad. by Ord. 1967/05.
Fourth Schedule	Ad. by Act 1973/03.