

**REPUBLIC OF NAURU**  
**MOTOR TRAFFIC (AMENDMENT) BILL 2016**  
**EXPLANATORY MEMORANDUM**

The *Motor Traffic (Amendment) Bill* is a Bill for the *Motor Traffic (Amendment) Act 2016*.

**EXPLANATION OF CLAUSES**

**Clause 1** provides that, once enacted, the short title of the Bill will be the *Motor Traffic (Amendment) Act 2016*.

**Clause 2** sets out when the Bill's provisions will commence.

**Clause 3** is the enabling provisions for the amendment of the *Motor Traffic Act 2014*.

**Clause 4** amends section 57 (1) by omitting the words 'with an engine of a 100 cc or greater', thus making it mandatory to wear helmets when driving or riding on a motorcycle in Nauru.

**Clause 5** inserts a section 67A that deals with dangerous driving occasioning death and sets a penalty of 10 years imprisonment upon conviction.

**Clause 6** inserts a section 67B that deals with dangerous driving occasioning grievous bodily harm and sets a penalty of 7 years imprisonment upon conviction.

**Clause 7** repeals section 69.

**Clause 8** inserts a new section 69 that gives power to a police officer to order a vehicle off the road and arrest a person whom the officer believes is under the influence of intoxicating liquor or of a drug without warrant.

**Clause 9** inserts a section 75A providing police with other forms of determining intoxication of person if no prescribed instrument is available.

**Clause 10** amends section 79(1) by omitting the words "subsection (2) of".

**Clause 11** amends section 81(2) by omitting "69".