



Road Traffic (Amendment) Regulations 2018

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THE ROAD TRAFFIC ACT

Regulations made by the Minister under sections 4(2)(a) and 190 of the Road Traffic Act

1. These regulations may be cited as the **Road Traffic (Amendment) Regulations 2018**.

2. In these regulations –

"principal regulations" means the Road Traffic Regulations 1954.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definitions, the full stop at the end of the definition of "Act" being deleted and replaced by a semicolon –

"driving instructor" means the holder of an instructor's licence issued by the Commissioner of Police;

"driving licence" means a driving licence, other than a provisional driving licence, issued by the licensing officer;

"driving school" means an establishment holding a driving school licence issued by the Commissioner of Police, where the driving, including theoretical and practical driver training, of motor vehicles is taught by driving instructors;





“learner driver” means the holder of a provisional driving licence;

“main road” means a road described as such in the Motorways and Main Roads Regulations 1976;

“motor vehicle type A” means a motorcycle, with or without a sidecar, a motor tricycle or motor quadricycle, which has an engine with a cylinder capacity exceeding 300 cubic centimetres and a kerb weight not exceeding 400 kilogrammes;

“motor vehicle type A1” means a motorcycle, with or without a sidecar, a motor tricycle or a motor quadricycle, which has an engine with a cylinder capacity of more than 50 cubic centimetres but not exceeding 125 cubic centimetres and a kerb weight not exceeding 400 kilogrammes;

“motor vehicle type A2” means a motorcycle, with or without a sidecar, a motor tricycle or a motor quadricycle, which has an engine with a cylinder capacity of more than 125 cubic centimetres but not exceeding 300 cubic centimetres and a kerb weight not exceeding 400 kilogrammes;

“motor vehicle type AM” means an autocyycle referred to in section 4(1)(h) of the Act;

“motorway” means a road described as such in the Motorways and Main Roads Regulations 1976;

“oral examination” means a computer based examination in the manner provided for in the Ninth Schedule;

“test of competence to drive” means an oral examination and the practical driving tests.

4. Regulation 49 of the principal regulations is amended by adding the words “and shall be accompanied by the application fee specified in the Eighth Schedule”.

5. Regulation 51 of the principal regulations is revoked and replaced by the following

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Think when you drive!





regulation –

51. (1) Subject to paragraph (2), an application for the test of competence to drive a motor vehicle shall be made to the licensing officer on payment of the non-refundable driving test fee specified in the Eighth Schedule.

(2) (a) An applicant for a driving licence for a motor vehicle of type A shall be the holder of a driving licence for a motor vehicle type A2.

(b) An applicant for a driving licence for a motor vehicle of type A2 shall be the holder of a driving licence for a motor vehicle type A1.

(3) An examiner shall –

(a) when examining an applicant for a driving licence, conduct, subject to paragraph (4), an oral examination; and

(b) test the applicant and, if considered necessary, test his mechanical knowledge.

(4) The holder of a driving licence of any category shall not be required to undergo the oral examination upon application for a provisional driving licence of another category.

(5) In order to pass the test of competence to drive a motor vehicle, other than for a motor vehicle type A, A1, A2 or AM, the applicant shall prove to the satisfaction of the examiner his ability unaided to –

(a) start the motor vehicle from rest to move away in a reasonably quick time and to maintain an accurate course;

(b) turn right and left hand corners correctly;

(c) stop the motor vehicle within a reasonable distance when





travelling at various speeds, by satisfying the examiner that in an emergency he shall be able to apply the brakes of the motor vehicle promptly and effectively;

- (d) operate all controls with safety and without moving from the driving seat;
- (e) give all recognised signals in a clear and unmistakable manner;
- (f) cause the motor vehicle to proceed backwards for a reasonable distance, make a right and a left hand turn in reverse gear, and back the motor vehicle into an indicated position;
- (g) turn the motor vehicle round so as to proceed in the opposite direction in a narrow roadway; and
- (h) stop, hold and start the motor vehicle on a gradient of at least one in 15, but not steeper than one in 10.

(6) An applicant for a driving licence for motor vehicle type A, A1, A2 or AM shall, in addition to the oral examination referred to in paragraph (3), undergo the following tests –

- (a) practical driving tests (Part 1), comprising a vehicle safety check test and an off-road driving manoeuvres test, as specified in the Tenth Schedule; and
- (b) practical driving tests (Part 2), comprising an on-road practical driving tests, as specified in the Tenth Schedule.

(7) The practical driving tests referred to in paragraph (6) shall be based on the driving fault marking scheme referred to in the Eleventh Schedule.





- (8) Every applicant shall satisfy the examiner that he is capable of driving a motor vehicle or a motor vehicle of the particular construction or design to which the application relates without danger to other users of the road.
6. Regulation 52 of the principal regulations is revoked.
7. Regulation 55 of the principal regulations is amended –
- (a) in paragraph (1) –
- (i) by revoking subparagraph (d) and replacing it by the following subparagraph –
- (d) he shall not drive a motor vehicle along any part of the roads specified in the Fifth Schedule, except when –
- (i) he is performing a driving test under the supervision of an examiner;
- (ii) the route taken by the motor vehicle is crossing such a road at a junction; or
- (iii) he is learning to drive under the supervision of a driving instructor in a dual-controlled car, an autocyycle or a motorcycle outside specified restricted hours; and
- (ii) by adding the following new subparagraph –
- (e) he shall not, in case he is the holder of a provisional driving licence for a motor vehicle type A, A1, A2 or AM, drive, in addition to the roads specified in the Fifth Schedule, along any part of a road classified as a main road, unless he has passed the oral examination,





vehicle safety check test and off-road driving manoeuvres test.

(b) by inserting, after paragraph (1), the following new paragraphs –

(2) (a) A provisional driving licence for motor vehicle type A, A1, A2 or AM shall only be renewed if its holder has passed the oral examination and the practical driving test (Part 1).

(b) Where a learner driver for vehicle type A, A1, A2 or AM has not passed the oral examination or practical driving test (Part 1) within the validity period, he shall have to submit a fresh application for a driving licence for that motor vehicle type on payment of the non-refundable application fee specified in the Eighth Schedule.

(3) A provisional driving licence for vehicle type A, A1, A2 or AM shall be valid only for a maximum period of 6 months from the date of its issue and may be renewed twice consecutively to allow the applicant to pass the practical driving tests (Part 2).

(4) Subject to paragraph (3), where the learner driver for vehicle type A, A1, A2 or AM has not passed the practical driving test (Part 2), he shall submit a fresh application for a driving licence for that motor vehicle type on payment of the non-refundable application fee specified in the Eighth Schedule.

(5) The applicant referred to in paragraph (4) shall be exempted from the oral examination and practical driving tests (Part 1), unless the driving licence has been cancelled

8. Regulation 56 of the principal regulations is amended by deleting the word “competency” and replacing it by the words “competence to drive”.

9. Regulation 60 of the principal regulations is revoked and replaced by the following

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regulation –

- 60.** (1) To undergo practical driving tests for a driving licence, every applicant shall provide, at his own expense, a motor vehicle which is –
- (a) registered and shall produce to the licensing officer the original certificate of registration of the motor vehicle;
 - (b) insured to cover for the whole duration of the tests;
 - (c) displaying a valid motor vehicle licence, unless it is a Government-owned vehicle;
 - (d) functioning in a sound mechanical condition having all its components in good working conditions in accordance with any other enactment;
 - (e) of the appropriate type for the tests;
 - (f) not carrying any passenger, goods or loose personal effect;
and
 - (g) carrying sufficient fuel for the duration of the tests.
- (2) An applicant who does not comply with the requirements of paragraph (1) shall not be allowed for any practical driving test.

10. Regulation 62 of the principal regulations is amended by deleting the words “Sixth Schedule” and replacing them by the words “Tenth Schedule to the Act”.

11. The principal regulations are amended by inserting, after regulation 62, the following new regulation –

- 63.** (1) A provisional driving licence issued prior to the coming into operation



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of these regulations and bearing motor vehicle code A1 shall, on the coming into operation of these regulations –

- (a) be equivalent to a provisional driving licence for motor vehicle type A, A1, A2 and AM; and
- (b) be valid for a period of 3 years.

(2) A provisional driving licence issued prior to the coming into operation of these regulations and bearing motor vehicle code A shall, on the coming into operation of these regulations –

- (a) be equivalent to a provisional driving licence for motor vehicle type AM; and
- (b) be valid for a period of 3 years.

(3) (a) Where the holder of a provisional driving licence has, prior to the coming into operation of these regulations, been granted an appointment by the licensing officer for a test of competence for a driving licence for a motor vehicle code A or A1, he shall, subject to subparagraph (b), undergo the old test of competence.

(b) Where the holder of a provisional driving licence referred to in subparagraph (a) has not passed the old test of competence, he shall, thereafter, undergo the new test of competence.

(c) In this paragraph –

- (i) “new test of competence” means practical tests to be conducted in accordance with these regulations;
- (ii) “old test of competence” means practical tests to be conducted as if these regulations have not come into operation.





(4) Any person who, prior to the coming into operation of these regulations, holds a provisional driving licence for a motor vehicle code A or A1 shall, on application for any test to obtain a driving licence, be exempted from the oral examination.

(5) A driving licence issued prior to the coming into operation of these regulations and bearing motor vehicle code A1 shall, on the coming into operation of these regulations, be equivalent to a driving licence for motor vehicle type A, A1, A2 and AM.

(6) A driving licence issued prior to the coming into operation of these regulations and bearing motor vehicle code A shall, on the coming into operation of these regulations, be equivalent to a driving licence for motor vehicle type AM.

12. The Fifth Schedule to the principal regulations is revoked and replaced by the Fifth Schedule set out in the First Schedule to these regulations.

13. The Sixth Schedule to the principal regulations is revoked.

14. The Eighth Schedule to the principal regulations is amended by adding the following new item –

Application for driving licence	500
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15. The principal regulations are amended by adding the Ninth, Tenth and Eleventh Schedules set out in the Second Schedule to these regulations.

16. These regulations shall come into operation on 1 March 2018.

Made by the Minister on 19 February 2018.





FIRST SCHEDULE

[Regulation 12]

FIFTH SCHEDULE

[Regulation 55(1)(d)]





ROAD RESTRICTIONS FOR LEARNER DRIVERS

ROAD	RESTRICTION	
1. The motorways M1, M2, M3 (as described in the Motorways and Main Roads Regulations 1976)		
2. The following streets/roads in Port Louis –		
(a) Mgr. Leen Street from Labourdonais Street to Bell Village	Not to be used, unless driving under the supervision of a driving instructor	
(b) Labourdonnais Street		
(c) Volcy Pougnet Street		
(d) Pope Hennessy Street		
(e) Jemmapes Street		
(f) SSR Street		Not to be used from Monday to Friday during 6 a.m. to 10 a.m. and 3 p.m. to 7 p.m.
(g) Royal Street		
(h) Chaussée Street		
(i) John Kennedy Street/Moka Road		
(j) Deschartres Street		
(k) D'Entrecasteaux Street		





3. The following streets/roads in Curepipe –

- (a) Winston Churchill Street
- (b) Botanical Garden Street
- (c) Eucalyptus Street
- (d) Royal Road, from its junction with Sivananda Avenue up to its junction with Sir Celicourt Antelme street

Not to be used, unless driving under the supervision of a driving instructor

Not to be used from Monday to Friday during 8 a.m. to 10 a.m. and 1 p.m. to 5 p.m.





SECOND SCHEDULE

[Regulation 15]

NINTH SCHEDULE

[Regulation 2]

ORAL EXAMINATION

The oral examination shall be a computer based examination of multiple choice questions carried out by the licensing officer to test the knowledge of an applicant for a driving licence on the following topics –

- (a) road traffic rules for drivers, two-wheelers and pedestrians;
- (b) road traffic signs, including regulatory signs, warning signs, prohibitory signs, mandatory signs and information signs;
- (c) road markings, including transverse and longitudinal markings;
- (d) traffic signals and hand signals of police officers;
- (e) driving in adverse weather conditions;
- (f) the cumulative road traffic offences;
- (g) offences related to driving under the influence of alcohol or drugs;
- (h) vehicle and tyre maintenance;
- (i) consequences of speeding, reaction times and vehicle stopping distance;
- (j) circumstances in which a person shall not drive (distractions, fatigue, alcohol and drugs).





TENTH SCHEDULE

[Regulation 51(6)]

PRACTICAL DRIVING TESTS FOR VEHICLE TYPES A, A1, A2 AND AM

PART I – PRACTICAL OFF-ROAD DRIVING MANOEUVRES

1. Driving manoeuvres test in manoeuvring area (Test 1)

(1) Every applicant shall perform, unaided, the following manoeuvres under full control without stopping and whilst keeping both feet on the foot-pegs or foot-controls –

- (a) a slalom between a line of cones; and
- (b) a one-point turn through 180° in an area having a width of 6 metres.

(2) The applicant shall be required to drive on a bituminous concrete track of a length and width of at least 100 metres and 6 metres, respectively, to test his ability to –

- (a) control the motorcycle manoeuvres automatically at a low or moderate speed;
- (b) make the motorcycle move, accelerate and stop smoothly and without stalling the engine;
- (c) operate the pedals with precision and coordination, specially by combined clutch or accelerator and clutch or brake;
- (d) avoid an obstacle at a moderate speed of 50 kilometres per hour;
- (e) make an emergency braking at a speed of at least 50 kilometres per



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hour.

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2. Eyesight test requirements (Test 2)

(1) Every applicant shall be required to read, in daylight, a motor vehicle registration mark on a number plate, containing letters and figures of a height of 75 millimetres at a distance of 27.5 metres, with the help of spectacles or contact lenses, if so required.

(2) The number plate shall be that of a stationary vehicle which shall be in such a position as to be properly viewed.

(3) The results of the test shall be recorded in the form set out in the in the Eleventh Schedule.

3. Vehicle safety check test (Test 3)

(1) Every applicant shall be asked questions of any 10 of the following vehicle safety checks, as applicable –

- (a) indicators – to show how to check that the direction indicators are working;
- (b) brake lights – to show how to check that the brake lights are working;
- (c) horn – to show how to check that the horn is working (off-road only);
- (d) rear fog light – to show how to switch on the rear fog light(s) and explain when it shall be used;
- (e) headlights – to show how to switch the headlight from dipped to main beam and explain how to know whether the main beam is on whilst inside the vehicle;
- (f) oil – to identify where and show how to check if the engine has





- sufficient oil;
- (g) coolant – to show how to check the correct engine coolant level;
 - (h) brake fluid – to identify and show where the brake fluid reservoir is located and to check the safe level of hydraulic brake fluid;
 - (i) brakes – to explain how to check that the brakes are working before starting a journey;
 - (j) tyre pressure – to explain where to find the information for the recommended tyre pressures for the vehicle and how to check tyre pressures;
 - (k) tyres – to explain how to check the tyres to ensure that they have sufficient tread depth and that their general condition is safe to use on the road;
 - (l) lights – to explain how to check that the headlights and tail lights are working;
 - (m) brakes – to explain how to detect if there is a problem with the anti-lock braking system;
 - (n) chassis parts of an auto cycle or a motorcycle – to explain how to detect if there is a problem with the exhaust, frame and suspension;
 - (o) other control parts of an auto cycle or a motorcycle – to explain how to check that the throttle, the clutch lever, hoses and cables.
- (2) (a) Every incorrect answer that an applicant provides shall constitute a fault.
- (b) An applicant shall be allowed up to a maximum of 4 faults.





(c) If an applicant provides more than 4 incorrect answers, a serious fault shall be recorded against him.





PART II – ON-ROAD PRACTICAL DRIVING TEST

The on-road practical driving test shall be given on the road in live traffic as specified in the Practical Driving Test Report form.

PRACTICAL DRIVING TESTS FOR VEHICLE TYPE A, A1, A2 AND AM

Practical driving test report form

Ref no.	Applicant's name	Age	Address
Insurance
Licence particulars	Vehicle type	Vehicle no.	
		
Licence no.	NIC no.	Foreign ID no.	





PART A – PRACTICAL OFF-ROAD DRIVING MANOEUVRES					
SN		Driving faults	Total	S	D
(Test 1)					
1.	Use of stand				
2.	Manual handling				
3.	Slalom				
4.	Figure 8				
5.	Avoidance exercise and control stop				
6.	U-turn exercise				
7.	Slow control				
8.	Emergency stop				
9.	Speed requirement				
	Not met				
	Observation				
10.	Precautions				
Test 2					
Eyesight test					
Test 3					
Vehicle Safety checks					





PART B – ON ROAD PRACTICAL DRIVING TEST					
SN		Driving faults	Total	S	D
1.	Move away				
	Safely				
	Control				
2.	Controls				
	Throttle				
	Clutch				
	Gears				
	Front brake				
	Rear brake				
	Steering				
	Balance/slow control				
	Ancillary controls				
3.	Rear observation				
	Signalling				
	Change direction				
	Change speed				
4.	Give appropriate signal				
	Necessary				
	Correctly				
	Timed				
5.	Clearance/obstructions				
6.	Response to signals				
	Traffic signs				
	Road markings				
	Traffic lights				
	Traffic police control				
	Other road users				
7.	Use of speed				
8.	Following distance				
9.	Maintain progress				





	Appropriate speed				
	Undue hesitation				
10.	Junctions				
	Approach speed				
	Observation				





	Turning right				
	Turning left				
	Cutting corners				
11.	Judgments				
	Overtaking/filtering				
	Meeting traffic				
	Crossing traffic				
12.	Positioning				
	Normal driving				
	Lane discipline				
13.	Pedestrian crossing				
14.	Normal stops				
15.	Awareness and Planning				
16.	Bends				
17.	Eco-safe riding				
Total number of faults					
Results of tests			Pass	Fail	None

Test terminated in the interest of public safety

Test terminated at request of applicant

Examiner took action

Verbal

Physical

Oral explanation given

Yes

No





ELEVENTH SCHEDULE

[Regulation 51(7)]

DRIVING FAULT MARKING SCHEME FOR VEHICLE TYPES A, A1, A2 AND AM

1. Driving faults

(1) Every driving fault shall be recorded by means of an oblique stroke in the column corresponding to driving faults.

(2) Every subsequent fault for the same driving fault shall be recorded by means of additional oblique stroke.

(3) Any driving fault committed more than 3 times shall constitute a serious fault.

(4) (a) The examiner shall mark every fault committed by an applicant in the marking sheet.

(b) The decision of the examiner in respect of a fault shall be final.

(5) (a) The examiner shall mark a fault at the moment it occurs.

(b) Where the examiner marks a fault, that mark shall not be modified or removed from the marking sheet.

2. Serious driving faults

(1) Any applicant who puts a vehicle in a potentially dangerous situation shall commit a serious fault.

(2) Where an applicant commits a serious fault, the examiner shall order the applicant to slow, stop or steer in order to restore the vehicle in a safe position.





(3) Any serious fault committed by an applicant shall be recorded under the column marked “S”.

3. Dangerous driving faults

(1) Any applicant who causes actual danger to other road users by failing to have proper control of the vehicle and, where the examiner actually has to assist with the steering, brakes or other control to avoid a crash, shall commit a dangerous fault.

(2) Every dangerous fault shall be recorded by means of an oblique stroke under the column marked “D”.

4. Marking standard

(1) Where an applicant commits not more than 4 driving faults and any of the faults does not constitute a serious or dangerous fault, he shall pass the driving test.

(2) Where an applicant commits more than 4 driving faults or any serious or dangerous fault, he shall fail the driving test.

5. Faults constituting driving faults

The following faults shall constitute driving faults –

(a) failure to perform the following manoeuvres by an applicant of an auto cycle or a motorcycle driving licence –

(i) use of stand;

(ii) manual handling;

(iii) slalom; or

(iv) Figure 8;





- (b) inability to meet the requirements of the eyesight test at a distance of 27.5 metres;
- (c) avoidance control and controlled stop – inadequate braking, slow reaction or lack of control;
- (d) turning in the road – incorrect or inaccurate use of controls;
- (e) lack of effective all round observation during the turn in the road exercise;
- (f) failure to take proper precautions before starting the engine;
- (g) uncontrolled or harsh use of the accelerator;
- (h) uncontrolled use of clutch;
- (i) failure to engage the gear appropriate to the road and traffic conditions or for junctions; coasting in neutral or with the clutch pedal depressed; not changing gear or selecting neutral when necessary; late or harsh use of footbrake;
- (j) not applying or releasing the parking brake when necessary;
- (k) erratic steering, overshooting the correct turning point when turning right or left, hitting the kerb when turning left; incorrect positioning of hands on the steering wheel or both hands off the steering wheel;
- (l) failure to take effective precautions before moving away;
- (m) inability to move off smoothly, straight ahead, at an angle or on a gradient;
- (n) failure to make effective use of the mirrors before signalling;
- (o) failure to make effective use of the mirrors before changing direction;





- (p) failure to make effective use of the mirrors before changing speed;
- (q) omitting a necessary signal;
- (r) signal not in accordance with the Highway Code; failure to cancel direction indicator; beckoning pedestrians to cross;
- (s) incorrect timing of signal – too early so as to confuse other road users or too late to be of value;
- (t) failure to comply with "Stop" signs, including "Stop children" sign carried by school crossing patrol;
- (u) failure to comply with directional signs or "No entry" signs;
- (v) failure to comply with road markings, double white lines or box junctions;
- (w) failure to comply with traffic lights, excluding not pedestrian crossings;
- (x) failure to comply with signals given by a police officer, traffic warden, or any such other person authorised to direct traffic;
- (y) failure to take appropriate action on signals given by other road users;
- (z) driving too fast for the prevailing road and traffic conditions;
- (za) passing too close to stationary vehicles or obstructions;
- (zb) keep distance – following too closely behind the vehicle in front;
- (zc) leave a reasonable gap from the vehicle in front when stopping in lines of traffic;





- (zd) driving too slowly for the prevailing road and traffic conditions;
- (ze) unduly hesitant;
- (zf) approaching junctions too fast or too slow;
- (zg) not taking effective observations before emerging or emerging without due regard for approaching traffic at junctions;
- (zh) incorrect positioning before turning right;
- (zi) positioning too far from the kerb before turning left;
- (zj) cutting right hand corners;
- (zk) overtaking or attempting to overtake other vehicles unsafely;
- (zl) not showing due regard for approaching traffic; turning right in a safe manner when involving traffic approaching from the opposite direction;
- (zm) incorrect positioning of the vehicle during normal driving;
- (zn) failure to exercise proper lane discipline;
- (zo) failure to give precedence to pedestrians on a pedestrian crossing;
- (zp) non-compliance with traffic lights at a pedestrian crossing;
- (zq) normal stop not made in safe position;
- (zr) not anticipating what other road users intend to do or reacting inappropriately, including any inconveniencing of pedestrians actually crossing the road at a junction, whether or not controlled by lights;





- (zs) failure to use the ancillary controls when necessary; and
 - (zt) failure to demonstrate an eco-safe standard of driving.
-

