

THE ROAD TRAFFIC (AMENDMENT) BILL
(No. XXVIII of 2008)

Explanatory Memorandum

The object of this Bill is to amend the Road Traffic Act in order to make it an offence for a person to wear a full face protective helmet other than for –

- (a) riding a motorcycle or an autocyale; or
- (b) riding as a pillion rider on a motorcycle or an autocyale;

DR. A.R. BEEBEEJAUN

*Deputy Prime Minister, Minister of
Public Infrastructure, Land Transport and Shipping*

25 July 2008

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
 2. Interpretation
 3. Section 2 of principal Act amended
 4. Section 123N of principal Act repealed and replaced
 5. Commencement
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A BILL

To amend the Road Traffic Act

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Road Traffic (Amendment) Act 2008.

2. Interpretation

In this Act –

“principal Act” means the Road Traffic Act.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended by inserting, in the appropriate alphabetical order, the following new definition –

“full face protective helmet” means a protective helmet which covers the entire head, including the base of the skull, the ears, lower front part of the face and which is provided with vision fitted with a plastic face shield, at the level of the eyes and nose;

4. Section 123N of principal Act repealed and replaced

Section 123N of the principal Act is repealed and replaced by the following section –

123N. Protective helmets

(1) The Minister may make regulations prescribing the types, including the shape and construction, of protective helmets to be worn by persons riding motorcycles and autocycles so as to afford protection to such persons from injury in the event of accident.

(2) No person shall import, sell, offer for sale or have in his possession for sale a protective helmet which is not of a type prescribed under this section.

(3) No person shall –

(a) ride a motorcycle or an autocycle; or

(b) ride a motorcycle or an autocycle as a pillion rider,

unless he wears securely on his head a protective helmet of a type prescribed under this section.

(4) No person shall wear a full face protective helmet unless he is –

(a) riding a motorcycle or an autocytle; or

(b) riding a motorcycle or an autocytle as a pillion rider.

(5) Any person who contravenes this section shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

5. Commencement

This Act shall come into operation on a date to be fixed by Proclamation.
