

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

**MOTOR TRAFFIC (AMENDMENT)**   
**ACT, No. 10 OF 2019**

**[Certified on 20th of June, 2019]**

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| *Motor Traffic (Amendment)* | 1 |

*Act, No. 10 of 2019*

[Certified on 20th of June, 2019]

L.D.—O. 53/2017

AN ACTTOAMENDTHE MOTOR TRAFFIC ACT (CHAPTER 203)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

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| **1.** | This Act may be cited as the Motor Traffic | Short title. |

(Amendment) Act, No. 10 of 2019.

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| **2.** | Section 123 of the Motor Traffic Act (Chapter 203) | | Amendment of section 123 of Chapter 203. |
| (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— | | |
| (1) | in subsection (1) of that section- | |
| (*a*) | | in paragraph (*a*) thereof, by the deletion of |

the word “and”, appearing at the end of that   
paragraph;

(*b*) in paragraph (*b*) thereof, by the insertion of   
 the word “and”, at the end of that paragraph;

(*c*) by the addition immediately after paragraph   
 (*b*) thereof, of the following new paragraph:-

“(*c*) no person shall drive a light vehicle on   
a road unless he has completed the age   
of eighteen years and shall not drive a   
heavy vehicle on a road unless he has   
completed the age of twenty-one   
years.”.

(2) in subsection (5) of that section-

(*a*) by the repeal, in paragraph (*a*) thereof, of all   
 the words from “to a fine not less than three

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thousand rupees” to the end of that paragraph   
and the substitution therefor of the following   
words:—

“to a fine not less than twenty five   
thousand rupees and not exceeding thirty   
thousand rupees and on a second or   
subsequent conviction to a fine not less   
than thirty thousand rupees and not   
exceeding fifty thousand rupees.”;

(*b*) by the repeal, in paragraph (*b*) thereof, of all   
 the words from “to a fine not less than four   
 thousand rupees” to the end of that paragraph   
 and the substitution therefor of the following   
 words:—

“to a fine not less than twenty five   
thousand rupees and not exceeding thirty   
thousand rupees and on a second or   
subsequent conviction to a fine not less   
than thirty thousand rupees and not   
exceeding fifty thousand rupees.”;

(*c*) by the addition immediately after paragraph   
 (*b*) thereof, of the following new paragraph   
 which shall have the effect as paragraph (*c*)   
 thereof:-

“(*c*) A person who contravenes the   
provisions of paragraph (*c*) of   
subsection (1) shall be guilty of an   
offence and shall on conviction be   
liable to a fine not less than thirty   
thousand rupees and not exceeding   
forty thousand rupees and on a second   
or subsequent conviction to a fine not   
less than forty thousand rupees and   
not exceeding fifty thousand rupees.”.

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| **3.** | The following new section is hereby inserted | | Insertion of new section 141A in the principal  enactment. |
| immediately after section 141 of the principal enactment and shall have effect as section 141A of the that enactment:— | | |
| “Penalty for | | 141A. (1) Any person who contravenes the |
| driving at an excessive  speed. | | provisions of sections 140, 141 and 142 or any regulation made thereunder shall be guilty of an offence and shall on conviction be liable, |

where the speed is -

(*a*) in excess of the prescribed speed limit   
 up to twenty *per centum*, to a fine not   
 less than three thousand rupees and   
 not exceeding five thousand rupees;

(*b*) in excess of twenty *per centum* and   
 less than thirty *per centum* of the   
 prescribed speed limit, to a fine not   
 less than five thousand rupees and not   
 exceeding ten thousand rupees;

(*c*) in excess of thirty *per centum* and less   
 than fifty *per centum* of the prescribed   
 speed limit, to a fine not less than ten   
 thousand rupees and not exceeding   
 fifteen thousand rupees; and

(*d*) in excess of fifty *per centum* of the   
 prescribed speed limit, to a fine not   
 less than fifteen thousand rupees and   
 not exceeding twenty five thousand   
 rupees.

(2) Notwithstanding the provisions of   
subsection (1), any person who contravenes   
the provisions of sections 140, 141 and 142   
shall also be liable to on the spot fines as may   
be prescribed under section 215A.”.

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| Insertion of new section 148A of the principal  enactment. | **4.** | The following new section is hereby inserted | |
| immediately after section 148 of the principal enactment and shall have effect as section 148A of that enactment:- | | |
| “Precautions in crossing a railway. | | 148A. (1) No person shall drive a motor vehicle on or across a railway crossing— |

(i) when the railway gate is closed;

(ii) disregarding the railway signal system;   
 or

(iii) without obeying directions of an   
 authorized officer,

to likely endanger one’s own safety or that of   
any other person.

(2) A person who contravenes the   
provisions of subsection (1) shall be guilty of   
an offence and shall on conviction be liable   
to a fine not less than twenty five thousand   
rupees and not exceeding thirty thousand   
rupees and on a second conviction to a fine   
not less than thirty thousand rupees and not   
exceeding forty thousand rupees and the   
suspension of his driving licence for a period   
of not exceeding six months, and on a third or   
subsequent conviction to a fine not less than   
forty thousand rupees and not exceeding fifty   
thousand rupees and the suspension of his   
driving licence for a period not exceeding   
twelve months.”.

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| Insertion of new section 152A in the principal  enactment. | **5.** | The following new section is hereby inserted | |
| immediately after section 152 of the principal enactment and shall have effect as section 152A of that enactment:— | | |
| “Prohibit the use of  mobile  phone etc.  while  driving. | | 152A. (1) No person shall use a telephone, mobile phone or any other movable communication equipment when driving a motor vehicle on a road. |

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(2) A person who contravenes subsection (1)   
shall be guilty of an offence and shall on   
conviction be liable to the penalty specified in   
section 224 and also be liable to the amount   
prescribed for on the spot fines under section   
215A.”.

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| **6.** | Section 196 of the principal enactment is hereby | Amendment of section 196 of the principal  enactment.  Amendment of section 216 of the principal  enactment. |
| amended in subsection (5) thereof by the addition, immediately after the proviso to paragraph (*b*) of that subsection of the following paragraph:- | |
| “(*c*) | a person who contravenes the provisions of this |
| subsection shall be guilty of an offence and shall on conviction be liable to the penalty specified in section 224 and also be liable to the amount prescribed for on the spot fines under section 215A.”. | |
| **7.** | Section 216 of the principal enactment is hereby |
| amended by the repeal of all the words from “to a fine not less than three thousand five hundred rupees” to the end of that section and the substitution of the words “to a fine not | |

less than twenty five thousand rupees and not exceeding thirty thousand rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment and to the suspension of his driving licence for a period not exceeding twelve months.”.

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| **8.** | Section 216A of the principal enactment is hereby | Amendment of section 216A of the principal  enactment. |
| amended by the repeal of all the words from “to a fine not less than four thousand rupees” to the end of that section and the substitution of the words “to a fine not less than | |

twenty five thousand rupees and not exceeding thirty thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment and the cancellation of his driving licence.”.

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| **9.** | Section 216B of the principal enactment is hereby | Amendment of section 216B of the principal  enactment. |
| amended as follows:-  “(*a*) by the repeal, in paragraph (*a*) thereof, of all the | |

words from “to imprisonment of either description

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for a term not less than two years” to the end of that   
paragraph and the subsititution of the words “to a   
fine not less than one hundred thousand rupees and   
not exceeding one hundred and fifty thousand   
rupees or to imprisonment of either description for   
a term not less than two years and not exceeding   
ten years or to both such fine and imprisonment   
and to the cancellation of the diving licence”; and

(*b*) by the repeal of paragraph (*b*) thereof and the   
substitution therefor of the following paragraphs:—

“(*b*) where he causes—

(i) hurt to any person, to a fine not less   
 than thirty thousand rupees and not   
 exceeding fifty thousand rupees or to   
 imprisonment of either description for   
 a term not exceeding one year or to   
 both such fine and imprisonment and   
 to the cancellation of his driving   
 licence; or

(ii) grievous injury to any person, to a fine   
 not less than fifty thousand rupees and   
 not exceeding one hundred thousand   
 rupees or to imprisonment of either   
 description for a term not exceeding   
 five years or to both such fine and   
 imprisonment and to the cancellation   
 of his driving licence.”.

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| Amendment of section 217 of the principal  enactment. | **10.** | Section 217 of the principal enactment is hereby |
| amended as follows:— | |
| (1) | in subsection (1) of that section by the repeal of all |

the words from “to a fine not less than one thousand   
five hundred rupees” to the end of that subsection

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and the substitution of the words “to a fine not less   
than ten thousand rupees and not exceeding twenty   
five thousand rupees, and on a second conviction   
to a fine not less than fifteen thousand rupees and   
not exceeding thirty thousand rupees, and the   
suspension of his driving licence, and on a third or   
subsequent conviction, to a fine not less than twenty   
thousand rupees and not exceeding forty thousand   
rupees or to rigorous imprisonment for a term not   
exceeding six months or to both such fine and   
imprisonment and the cancellation of his driving   
licence.”; and

(2) in subsection (2) of that section by the repeal of all   
 the words from “to a fine not less than one thousand   
 five hundred rupees” to the end of that subsection   
 and the substitution of the words “to a fine not less   
 than ten thousand rupees and not exceeding twenty   
 five thousand rupees, and on a second conviction   
 to a fine not less than fifteen thousand rupees and   
 not exceeding thirty thousand rupees and on a third   
 or subsequent conviction, to a fine not less than   
 twenty thousand rupees and not exceeding forty   
 thousand rupees and the suspension of his driving   
 licence for a period of six months”.

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| **11.** | Section 218 of the principal enactment is hereby | | Replacement of section 218 of the principal  enactment. |
| repealed and the following section substituted therefor:— | | |
| “Penalty for driving  without  certificate of | | 218. A person who contravenes the provisions of section 99 shall be guilty of an offence and shall on conviction be liable to a |
| insurance. | fine not less than twenty five thousand rupees | |

and not exceeding fifty thousand rupees or to   
imprisonment for a term not exceeding one   
month or to both such fine and imprisonment.”.

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| Amendment of section 224 of the principal  enactment. | **12.** | Section 224 of the principal enactment is hereby |
| amended by the repeal of all the words from “to a fine not less than two thousand five hundred rupees” to the end of that section and the substitution of the words “to a fine not | |

less than two thousand five hundred rupees and not exceeding seven thousand five hundred rupees, and on a second conviction to a fine not less than seven thousand five hundred rupees and not exceeding fifteen thousand rupees, and on a third or subsequent conviction to a fine not less than fifteen thousand rupees and not exceeding twenty five thousand rupees.”.

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| Amendment of the Second  Schedule to the principal  enactment. | **13.** | The Second Schedule to the principal enactment, | | |
| is hereby amended as follows:— | | | |
| (1) | by the repeal of item 10 thereof and the substitution | | |
| therefor of the following item:— | | | |
| “ | | |  |  |  | | --- | --- | --- | |  | Section | Provision | | 10. | 140, 141 and 142 | - *Non-compliance with speed*  *limits* | |  | 141A(1)(*a*) | - *In excess of the speed limit*  *prescribed up to twenty per*  *centum* | |  | 141A(1)(*b*) | - *In excess of twenty per*  *centum and less than thirty*  *per centum of the speed limit*  prescribed | |  | 141A(1)(*c*) | - In excess of thirty *per centum*  and less than fifty *per centum*  of the speed limit prescribed | |  | 141A(1)(*d*) | - In excess of fifty *per centum*  of the speed limit prescribed | | ;”; |

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(2) by the addition immediately after item 12 thereof,

of the following new item which shall have the

effect as item 12(*a*):—

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| “ | | |  |  |  | | --- | --- | --- | |  | Section | Provision | | 12*a*. | 152A | Use of mobile phones while driving | | ;”. | Sinhala text to  prevail in case  of inconsistency. |
| **14.** | In the event of any inconsistency between the | | |
| Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | | | |

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