



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

**MOTOR TRAFFIC (AMENDMENT)
ACT, No. 18 OF 2017**

[Certified on 03rd of October, 2017]

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*Motor Traffic (Amendment)
Act, No. 18 of 2017*

[Certified on 03rd of October, 2017]

L.D.—O. 4/2012

AN ACT TO AMEND THE 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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|--|---|
| <p>1. This Act may be cited as the Motor Traffic (Amendment) Act, No. 18 of 2017.</p> | <p>Short title.</p> |
| <p>2. The Motor Traffic Act (Chapter 203) (hereinafter referred to as the “principal enactment”) is hereby amended—</p> <p>(1) by the substitution for the words “driver improvement points” wherever those words occurs in the principal enactment or in any written law, notice, notification, contract, communication or other document, of the words “demerit points”;</p> <p>(2) by the substitution for the words “invalid carriage” wherever those words occurs in the principal enactment or in any written law, notice, notification, contract, communication or other document, of the words “vehicle used by persons with disabilities”;</p> <p>(3) by the substitution for the words “Regular Driving Licence” wherever those words occurs in the principal enactment or in any written law, notice, notification, contract, communication or other document, of the words “Driving Licence”.</p> | <p>Amendment of the Motor Traffic Act, (Chapter 203).</p> |
| <p>3. Section 5 (2) of the principal enactment is hereby amended by the substitution in paragraph (a), for the words “motor car, dual purpose vehicle”, of the words “motor car, motor home, quadricycle, dual purpose vehicle”.</p> | <p>Amendment of section 5 of the principal enactment.</p> |

Amendment of
section 19 of the
principal
enactment.

4. Section 19 of the principal enactment is hereby amended by the repeal of paragraph (s) in subsection (2) and the substitution therefor, of the following paragraph:-

“(s) to regulate the transport of chemicals, hazardous waste, petroleum products, gas or other dangerous goods;”.

Amendment of
section 122 of
the principal
enactment.

5. Section 122 of the principal enactment is hereby amended as follows:—

- (1) in subsection (1) of that section, by the substitution for the words “motor vehicle of a class specified in Columns 1, 2, 3 and 5 as defined in I.S.O Standard No. I.S.O /TEC/FDIS-18013-1-2005(e) hereof.”, of the words “motor vehicle of a class specified in Columns 1, 2, 3, 4 and 5 as defined in ISO Standard accommodating local requirements.”;
- (2) by the repeal of the Schedule to that section and the substitution therefor, of the following Schedule:-

“ SCHEDULE

**Classification of Driving Licences for
Motor Vehicles**

	Column 1	Column 2	Column 3	Column 4	Column 5
	Description	New Classes	Present Classes	Validity of other Classes	Previous Classes
1.	(i) Motor cycles where the engine capacity is more than 99 CC.		A	A1, G1	D

	(ii) Motor cycles where the engine capacity is less than 100 CC.		A1	G1	D
2.	(i) Motor vehicles where the seating capacity does not exceed nine seats including the driver's seat having a maximum authorized tare less than 4500 Kilograms; motor vehicles of this class may be combined with a trailer having an authorized tare less than 750 Kilograms and may include a vehicle used by persons with disabilities.		B	G1, B2	C, C1
	(ii) Dual purpose vehicle - motor vehicles of this class may be combined with a trailer having an authorized tare less than 750 Kilograms and may include a vehicle used by persons with disabilities.		B	G1, B2	C, C1
	(iii) Motor Home.	B	B	G1, B2	

3.	(i) Motor tricycle or motor tricycle van – where the authorized tare is less than 500 Kilograms and gross vehicle weight is less than 1000 Kilograms and may include a vehicle used by persons with disabilities.		B1	G1	E, F
	(ii) Quadricycle.	B2		G1	
4.	(i) Motor Lorry.		C	C1, B, B1, B2, G, G1, J	B
	(ii) Light Motor Lorry.		C1	B, B1, B2, G, G1, J	B
5.	Heavy Motor Lorry.		CE	C, C1, B, B1, B2, G, G1, J	B
6.	(i) Motor Coach.		D	D1, C, C1, B, B1, B2, G, G1, J	A
	(ii) Light Motor Coach.		D1	C1, B, B1, B2, G, G1	A1
7.	Heavy Motor Coach.		DE	D, D1, CE, C, C1, B, B1, B2, G, G1, J	A
8.	Land vehicle with or without a trailer.		G	G1	

9.	Hand Tractor.		G1		
10.	Special Purpose Vehicle.		J	B, G, G1	B, G
11.	Vehicle used by persons with disabilities.	H			

6. Section 122A of the principal enactment is hereby repealed and the following section substituted therefor:-

Replacement of section 122A in the principal enactment.

“Categories of Driving Licences.

122A. (1) Categories of permits or Licences issued in respect of motor vehicles shall be as follows:—

- (i) Learner’s Permit;
- (ii) Driving Licence for light motor vehicles; or
- (iii) Driving Licence for heavy motor vehicles.

(2) For the purposes of this Part,

- (a) light motor vehicle shall comprise the classes of vehicles specified in item 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8, 9 or 11 of the Schedule to section 122; and
- (b) heavy motor vehicles shall comprise classes of vehicles specified in item 4(i), 4(ii), 5, 6(i), 6(ii), 7 or 10 of the Schedule to section 122.”.

Amendment of
section 124 of
the principal
enactment.

7. Section 124 of the principal enactment is hereby amended as follows:-

- (1) in subsection (1) of that section, by the substitution in paragraph (a) of that section, for the words “the applicant is physically fit”, of the words “the applicant is physically fit and mentally alert”;
- (2) by the repeal of subsections (2) and (3) of that section and the substitution therefor, of the following subsections:-

“(2) Every applicant for a Driving Licence valid for motor vehicles belonging to the classes specified in item 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8, 9 or 11 of the Schedule to section 122 shall prove to the satisfaction of the Commissioner General that he –

- (a) has completed the age of eighteen years;
- (b) has been a learner driver of the class of vehicles in respect of which the application is made for at least three months from the date he obtained a Learner’s Permit from the Commissioner General;
- (c) possesses such educational and other qualifications, as may be prescribed by regulations.

(3) Every applicant for a Driving Licence for heavy motor vehicles shall prove to the satisfaction of the Commissioner General that he –

- (a) has completed the age of twenty one years;

- (b) has been a learner driver of the class of vehicles in respect of which the application is made for at least three months from the date on which he obtained a Learner's Permit from the Commissioner General;
- (c) possesses an adequate practical knowledge of the mechanism of motor vehicles, as may be prescribed by regulations;
- (d) possesses such educational and other qualifications, as may be prescribed by regulations;
- (e) has been in possession of a Driving Licence valid for motor vehicles belonging to the classes specified in item 2(i), 2(ii), 2(iii), 3(i), 3(ii) or 8 of the Schedule to section 122, for a period of not less than two years.”.

8. Section 125 of the principal enactment is hereby amended by the repeal of subsection (5) of that section and the substitution therefor, of the following subsection:-

Amendment of
section 125 of
the principal
enactment.

“(5) (a) No Driving Licence shall be issued –

- (i) in respect of motor vehicles belonging to the classes specified in item 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8, 9 or 11 of the Schedule to section 122 to any person who has not attained the age of eighteen years; and
- (ii) in respect of motor vehicles belonging to the classes specified in item 4(i), 4(ii), 5, 6(i), 6(ii), 7 or 10 of the Schedule to section 122 to any person who has not attained the age of twenty-one years.

- (b) A Driving Licence issued to a person below the specified age shall have no force or effect in law.”.

Amendment of
section 126 of
the principal
enactment.

9. Section 126 of the principal enactment is hereby amended in subsection (1) as follows:-

- (1) by the substitution in paragraph (a) of that subsection for the words and figures “items 4(i), 4(ii), 5, 6(i), 6(ii), 7, 9 and 10 of the Schedule to section 122” of the words and figures “items 4(i), 4(ii), 5, 6(i), 6(ii), 7 and 10 of the Schedule to section 122”; and
- (2) by the substitution in paragraph (b) of that subsection for the words and figures “items 1(i), 1(ii), 2, 3 and 8 of the Schedule to section 122” of the words and figures “item 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8, 9 or 11 of the Schedule to section 122”.

Amendment of
section 126B of
the principal
enactment.

10. Section 126B of the principal enactment is hereby repealed and the following section substituted therefor:-

“Renewal of
a Driving
Licence.

126B. (1) Subject to the provisions of subsections (2) and (3) of section 126 and section 126A, every Driving Licence may, on the expiry of the period for which it is issued, be renewed, in the case of motor vehicles of a class referred to in item 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8, 9 or 11 of the Schedule to section 122 for further periods of eight years each, at a time and in the case of motor vehicles of a class referred to in item 4(i), 4(ii), 5, 6(i), 6(ii), 7 or 10 of such Schedule for further periods of four years each, at a time.

(2) Every application for the renewal of a Driving Licence shall –

- (a) be in the prescribed Form;

(b) on payment of the prescribed levy;

(c) be accompanied by a medical certificate issued in accordance with subsection (1) (a) of section 124;

(3) Every application for the renewal of a Driving Licence shall be forwarded to the Commissioner General at least three months prior to the expiry of such Licence.”.

11. Section 128A of the principal enactment is hereby amended by the repeal of subsection (3) and the substitution thereof of the following:-

Amendment of section 128A of the principal enactment.

“(3) The Minister may prescribe by regulations, the requirements, qualifications and tests necessary to qualify for an endorsement on a Driving Licence authorizing a Licence holder to drive an emergency service vehicle or public service vehicle, as the case may be.”.

12. The following new section is hereby inserted, immediately after section 128B of the principal enactment and shall have effect as section 128C of that enactment:-

Insertion of new section 128c in the principal enactment.

“Driving a motor vehicle loaded with chemicals or hazardous waste &c.

128C. (1) A person who intends to drive a motor vehicle with chemicals, hazardous waste, petroleum products, gas or other dangerous goods, shall make an application to the Commissioner General in the prescribed form for a Driving Licence in a class referred to in item 2(ii), 4(i), 4(ii) or 5 of the Schedule to section 122, as may be applicable, together with the prescribed fee.

(2) The Minister may prescribe by regulations, the qualifications necessary and the tests to be conducted to determine whether a person is fit to drive a motor vehicle referred to in subsection (1).”.

Amendment of
section 133A of
the principal
enactment.

13. Section 133A of the principal enactment is hereby amended as follows:-

- (1) by the repeal of subsections (1) and (1A) of that section and the substitution therefor, of the following subsections:-

“(1) The Minister may prescribe by regulations—

- (a) the offences for which demerit points shall be imposed; and
- (b) the respective demerit points for such offences.

(1A)(a)(i) Where the holder of a Driving Licence has been convicted of an offence prescribed under subsection (1) and such offence does not amount to a suspension or cancellation of the Driving Licence, the court may direct, the Inspector General of Police to,

- (ii) Where the holder of a Driving Licence admits liability for an offence for which a spot fine is prescribed under section 215A, the Inspector General of Police shall,

enter the relevant demerit points for such offence to the data base established for such purpose;

- (b) For the purposes of this section the Deputy Inspector General of Police in charge of Ranges of each Province shall authorize an Officer of the rank of Sergeant or above, to enter the relevant

demerit points to the data base.
The Deputy Inspector General of
Police shall forward the demerit
points to the Commissioner
General, who shall enter the
demerit points in the prescribed
manner to the Driving Licence or
Endorsement Form, as the case
may be;

- (c) In this section “Province” means
a Provincial Council established
for a Province by virtue of Article
154A of the Constitution.”.

(2) by the repeal of subsection (3) of that section;

(3) by the repeal of subsection (5) of that section.

14. The following new section is hereby inserted
immediately after section 133A of the principal enactment
and shall have effect as section 133B of that enactment:-

Insertion of new
section 133B to
the principal
enactment.

“Demerit points to be included when imposing the penalty for offences under this Act. 133B. Where a person referred to in this Act –

(1) contravenes the provisions of any section; or

(2) is guilty of an offence for which the penalty is specified under section 224; or

(3) contravenes any regulation made under the Act,

the Magistrate may on conviction impose the following penalties:-

- (a) the fine as may be specified in the relevant section for such offence; or

- (b) the term of imprisonment as may be specified in the relevant section for such offence; or
- (c) make an Order for the Inspector General of Police to enter the relevant demerit points under section 133A; or
- (d) any penalty combining any of the penalties aforesaid; or
- (e) all penalties under paragraphs (a), (b) and (c) aforesaid.”.

Amendment of
section 139BB of
the principal
enactment.

15. Section 139BB of the principal enactment is hereby amended as follows:-

- (1) in subsection (3) of that section, by the substitution for the words “items 1(i), 1(ii), 2, 3 and 8 of the Schedule to section 122”, of the words “items 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 8 and 9 of the Schedule to section 122”;
- (2) in subsection (4) of that section, by the substitution for the words “items 1(i), 1(ii), 2, 3, 4(i), 4(ii), 6(i), 6(ii), 8 and 10 of the Schedule to section 122”, of the words “items 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 4(i), 4(ii), 6(i), 6(ii), 8 and 10 of the Schedule to section 122”;
- (3) in subsection (5) of that section, by the substitution for the words “items 1(i), 1(ii), 2, 3, 4(i), 4(ii), 5, 6(i), 6(ii), 7, 8, 9 and 10 of the Schedule to section 122”, of the words “items 1(i), 1(ii), 2(i), 2(ii), 2(iii), 3(i), 3(ii), 4(i), 4(ii), 5, 6(i), 6(ii), 7, 8, 9 and 10 of the Schedule to section 122”.

16. Section 140 of the principal enactment is hereby repealed and the following section substituted therefor:-

Replacement of section 140 in the principal enactment.

“Speed limits. 140. (1) A motor vehicle shall not be driven at a speed greater than the speed limits prescribed by regulations.

(2) The provisions of subsection (1) shall not apply to a motor ambulance, firefighting vehicle or police vehicle while on pursuit when used for an emergency purpose.”.

17. Section 157^A of the principal enactment is hereby amended in subsection (4) thereof, by the substitution for the words and figures “provisions of subsection (1) or (3)” of the words and figure “provisions of subsection (3)”.

Amendment of section 157^A of the principal enactment.

18. Section 161 of the principal enactment is hereby amended as follows:-

Amendment of section 161 of the principal enactment.

(1) in subsection (1) thereof –

(a) by the repeal of sub-paragraphs (iii), (iv) and (v) of paragraph (a) thereof and the substitution therefor of the following sub-paragraphs:-

“(iii) in any case where the person to whom injury has been caused so requests, or if he is unconscious or if the injury caused to that person appears to endanger his life, take that person immediately to a hospital or to a medical practitioner, and thereafter report the accident forthwith to the officer in charge of the nearest police station;

(iv) in every case not referred to in sub paragraph (iii), report the accident

forthwith to the officer-in-charge of the nearest police station as specified in the Form prescribed in subsection (4); and

- (v) a driver who fails to report such accident forthwith to the officer-in-charge of the nearest police station as specified in the Form prescribed in subsection (4) shall on conviction be liable to a fine not less than three thousand rupees and not exceeding five thousand rupees.”;
- (b) by the repeal of sub-paragraph (ii) of paragraph (c) thereof and the substitution therefor of the following sub-paragraph:-
 - “(ii) within twenty four hours of the accident communicate, his name and address and the fact that he was in the vehicle at the time of the accident, to the officer in charge of a police station as specified in the Form prescribed in subsection (4).”;
- (c) by the repeal of paragraph (d) thereof and the substitution therefor of the following paragraph:-
 - “(d) the insurer to whom a claim for insurance is made in connection with such accident shall –
 - (i) inform the officer-in-charge of the nearest police station of such accident, for the purpose of compiling statistical records relating to accidents giving details

of such accident and the names and addresses of the parties involved in such accident as informed to him by the person making the claim;

- (ii) not settle any claim until a copy of the Form referred to in subsection (4), certified by the police officer of the nearest police station has been furnished;”;

- (2) by the insertion, immediately after subsection (3) thereof, of the following subsection which shall have effect as subsection (4) thereof:-

“(4) The Minister may make regulations –

- (a) specifying the procedure to be followed when reporting an accident to the nearest police station;
- (b) specifying the Form to report the accident; and
- (c) specifying any other information as may be necessary, in connection with this section.”.

19. Section 215A of the principal enactment is hereby repealed and the following section is substituted thereof:-

“Spot fines. 215A.(1) Any person who contravenes the provisions of any section set out in the Second Schedule to this Act, or fails to comply with any order, direction, demand, requirement or notice lawfully issued under any such section, shall be guilty of an offence.

Replacement of section 215A of the principal enactment.

(2) Where a police officer makes a detection in respect of an offence under subsection (1), and the person involved admits liability for such offence, such person may in lieu of prosecution for such offence, pay the spot fine which shall be prescribed by regulation.

(3) Where the offence for which liability is admitted is an offence which is subject to demerit points, the relevant demerit points shall be entered for such offence under section 133A.

(4) The payment of the fine shall be made either -

- (i) to any post office; or
- (ii) to any Government Institution as may be prescribed; or
- (iii) by electronic means as may be prescribed.

(5) Proof of such payment shall be forwarded either by personal delivery or registered post, or by electronic means as may be prescribed, to the officer-in-charge of the police station named by the police officer making the detection, within a period of two weeks from the date of detection.

(6) Any person who fails to pay the fine within the period specified under subsection (5), may be permitted, to pay twice the amount of the fine prescribed for such offence within two weeks immediately after the period referred to under subsection (5), before action is instituted in the Magistrate's Court.”.

20. Section 224 of the principal enactment is hereby amended by the substitution for all the words commencing from “be liable to a fine” till the end of that section, of the words “be liable to a fine not less than two thousand five hundred rupees and not more than three thousand five hundred rupees and on a second conviction to a fine not less than three thousand five hundred rupees and not more than ten thousand rupees and on a third or subsequent conviction to a fine not less than ten thousand rupees and not more than twenty five thousand rupees.”.

Amendment of
section 224 of
the principal
enactment.

21. Section 240 of the principal enactment is hereby amended as follows:-

Amendment of
section 240 of
the principal
enactment.

- (1) by repeal of the definition of “death” and the substitution of the following definitions:-

“ “death” means a person who was killed immediately as a result of or subsequent to the accident;

“demerit points” means the points assigned for traffic offences under the Motor Traffic Act in addition to any other penalties entered to the Driving Licence or Endorsement Form of the offender;”;

- (2) by the insertion immediately after the definition of the expression “dual purpose vehicle” of the following definition:-

“ “Electronic” shall have the same meaning as in the Electronic Transactions Act, No.19 of 2006;”;

- (3) in the definition of the expression “emergency service vehicle” by the repeal of paragraph (a) and the substitution therefor of the following:-

“(a) a vehicle used for an emergency call and identified in the case of -

- (i) a firefighting vehicle used by the Fire Service Department by the use of a red light;

- (ii) a vehicle used by the Police by the use of a red light and blue light; and
 - (iii) an ambulance by the use of a red light; and ”;
- (4) by the repeal of the definition of the expression “invalid carriage”;
- (5) by the insertion immediately after the definition of the expression “motor cycle” of the following definition:-
 - “ “motor home” means a vehicle designed and constructed without a trailer for transport and accommodation of passengers, provided that the number of passengers being carried (including the driver) does not exceed six in number, and the gross vehicle weight does not exceed four thousand five hundred Kilograms;”;
- (6) by the insertion immediately after the definition of the expression “public stand” of the following definition:-
 - “ “quadricycle” means a vehicle having a tare less than 500 Kilograms and having an engine capacity between 199CC and 499CC or having maximum continuous rated power that does not exceed 15KW in the case of an electric motor or in the case of electric vehicles having right hand driven integrated closed body and motor vehicles in this class used for carrying persons having seating capacity not more than five persons including the driver or carrying goods having maximum gross vehicle weight of 1000 Kilograms;”;

- (7) by the substitution for the definition of the expression “Special purpose vehicle” of the following:-

“ “special purpose vehicle” means a vehicle having a special chassis, or a general purpose chassis incorporating major modifications designed for a specific purpose which includes public utility vehicles (garbage trucks, street sweepers &c.), construction vehicles (mobile cranes, mobile drilling rigs, mobile plants, freezer trucks, forklifts, loaders &c.) and any other special vehicle used for agricultural purposes and maintenance;”;

- (8) the definition of the expression “vehicle” is hereby amended by the substitution for the words “does not include a railway locomotive.” of the words “does not include a railway locomotive;”;

- (9) by the insertion immediately after the definition of the expression “vehicle” of the following:-

“ “vehicle used by persons with disabilities” means a motor vehicle which is specially designed and constructed, or adapted, for the use of persons suffering from some physical defect or disability and intended solely for the use of such persons.”.

22. The Second Schedule to the principal enactment, as last amended by section 2 of the Increase of Fines Act, No. 12 of 2005, is hereby amended as follows:-

Amendment of
the Second
Schedule to the
principal
enactment.

- (1) by the omission of Column III thereof on such date as the Minister may prescribe by regulations published in the *Gazette*;

- (2) by the repeal of Columns I and II thereof and by the substitution therefor of the following:-

“SECOND SCHEDULE

[Section 215A]

	SECTION	PROVISION
1.	Section 21, 22, 23, 24, 24A	- Identification plates
2.	Section 38	- Revenue Licence to be displayed on motor vehicles and produced when required
3.	Section 45	- Prohibition to use a motor vehicle in contravention of revenue Licence
4.	Section 128A	- Failure to obtain authorization to drive emergency service vehicles and public service vehicles
5.	Section 128B	- Driving a special purpose vehicle without obtaining a licence
6.	Section 128c	- Failure to obtain authorization to drive a vehicle loaded with chemicals, hazardous waste, &c.
7.	Section 130	- Failure to have a Licence to drive a specific class of vehicles

8.	Section 135	- Failure to carry a Driving Licence when driving
9.	Section 139A	- Instructing without an instructor's Licence
10.	Sections 140 and 141	- Non-compliance with Speed limits provisions
11.	Section 148	- Failure to comply with road rules
12.	Section 152	- Unobstructed control of vehicle when driving
13.	Section 153	- Using inappropriate signals when driving &c.
14.	Section 154	- Prohibit reversing a motor vehicle for a long distance on a road
15.	Section 155	- Improper use of warning instruments
16.	Section 155A	- Excessive emission of smoke &c.
17.	Section 156	- Prohibit riding or permitting to ride on running boards &c. of motor vehicles
18.	Section 157	- Restriction on the number of person in front seats of motor cars
19.	Section 157A	- Non-use of seat belts
20.	Section 158	- Failure to wear protective helmets when driving

21.	Section 159	- Prohibition to distribute advertisements from a vehicle in motion
22.	Section 160	- Prohibit excessive use of noise from a vehicle
23.	Section 162	- Failure to obey directions and signals of police officers &c.
24.	Section 164	- Non-compliance with traffic signs
25.	Section 165	- Failure to take precautions when discharging fuel into the tank
26.	Section 166	- Not to halt or park a motor vehicle on a road
27.	Section 167	- Precautions to be taken when motor vehicle is halted or left unattended or disabled on a road
28.	Section 178	- Carriage of persons in excess of authorized number in private coaches and of goods other than personal luggage in motor cars or private coaches
29.	Section 179	- Carriage of persons or passengers in excess of authorized number, and of goods other than personal luggage in omnibuses

30.	Section 188	- Carriage on lorry or motor tricycle van of goods in excess of maximum load or maximum axle load
31.	Section 189	- Not to exceed the number of persons carried in a lorry
32.	Section 190	- Violation of regulations
33.	Section 196	- Failure to carry the emission certificate or the fitness certificate in the vehicle

.”

23. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

