



**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)
Act, No. 10 of 2019

[Certified on 20th of June, 2019]

L.D.—O. 53/2017

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:-

- 1.** This Act may be cited as the Motor Traffic (Amendment) Act, No. 10 of 2019. Short title.
- 2.** Section 123 of the Motor Traffic Act (Chapter 203) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 123 of Chapter 203.

 - (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

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.”.

3. The following new section is hereby inserted immediately after section 141 of the principal enactment and shall have effect as section 141A of the that enactment:—

Insertion of new section 141A in the principal enactment.

“Penalty for driving at an excessive speed.

141A. (1) Any person who contravenes the 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.”.

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.”.

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.

(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.”.

6. Section 196 of the principal enactment is hereby amended in subsection (5) thereof by the addition, immediately after the proviso to paragraph (b) of that subsection of the following paragraph:-

Amendment of section 196 of the principal enactment.

“(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.”.

Amendment of section 216 of the principal enactment.

8. Section 216A of the principal enactment is hereby 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.”.

Amendment of section 216A of the principal enactment.

9. Section 216B of the principal enactment is hereby amended as follows:-

Amendment of section 216B of the principal enactment.

“(a) by the repeal, in paragraph (a) thereof, of all the words from “to imprisonment of either description

for a term not less than two years” to the end of that paragraph and the substitution 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.”.

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

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”.

11. Section 218 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of
section 218 of
the principal
enactment.

“Penalty for
driving
without
certificate of
insurance.

218. A person who contravenes the provisions of section 99 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 fifty thousand rupees or to imprisonment for a term not exceeding one month or to both such fine and imprisonment.”.

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.”.

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	- <i>Non-compliance with speed limits</i>
	141A(1)(a)	- <i>In excess of the speed limit prescribed up to twenty per centum</i>
	141A(1)(b)	- <i>In excess of twenty per centum and less than thirty per centum of the speed limit prescribed</i>
	141A(1)(c)	- <i>In excess of thirty per centum and less than fifty per centum of the speed limit prescribed</i>
	141A(1)(d)	- <i>In excess of fifty per centum of the speed limit prescribed</i>

”;

- (2) by the addition immediately after item 12 thereof, of the following new item which shall have the effect as item 12(a):—

“

	Section	Provision
12a	152A	Use of mobile phones while driving

”.

14. 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.

