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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 24/51

THE MOTOR TRAFFIC ACT, (CHAPTER 203)

REGULATIONS made by the Minister of Transport under section 19 and 157A read with section 237 of the Motor Traffic Act, (Chapter 203).

Kumara Welgama,
Minister of Transport.

Colombo,
05th August, 2011.

Regulations

1. These regulations may be cited as the Motor Traffic (Seat Belts) Regulations, No. 3 of 2011.
2. (1) These Regulations shall apply to all motor vehicles as in specified in the Motor Traffic Act, (Chapter 203), which are registered and which are assigned a distinctive number comprising either,—
 - (a) Two provincial letters or the letters "DP" followed by two letters of the English alphabet and four numerals as set out thereto; or
 - (b) Two provincial letters or the letter "DP" followed by three letters of the English alphabet and four numerals as set out thereto:

Provided that the provisions of this regulation shall not apply to the categories of motor vehicles which are specified in Schedule I, to these regulations.

3. No person shall after the coming into operation of these regulations, sell or offer for sale or have in his possession for sale, any vehicle which is fitted with a body restraining seat belt which is not of the type specified in regulation 5.
4. With effect from October 1, 2011, these regulations shall—
 - (a) Apply in respect of Light Motor Lorry, Motor Lorry and Heavy Motor Lorry and Light Motor Coach, Motor Coach and Heavy Motor Coach which are registered from such effective date and which have been assigned a distinctive number as is specified in paragraphs (a) and (b) of regulation 2;

- (b) Require that the driver's seat and the front passenger seat of every motor vehicle to which these regulations apply shall be fitted with the body restraining seat belt of a type specified in regulation 5;
- (c) Require every person travelling in either the driver's seat or the front seat of a motor vehicle of a category specified in regulation 2 to wear a seat belt of a type specified in regulation 5.
5. The type of the body restraining seat belt required to be fitted to every motor vehicle to which these regulations apply shall—
 - (a) Consist of a three or more than three point, mounting lap belt and a diagonal belt/belts;
 - (b) be capable of being worn in such a manner as to provide a restraint for both the upper and lower part of the trunk of the persons travelling in either the driver's seat or the front passenger seat of a motor vehicle of a category specified in regulation 2.
6. The provisions of these regulations shall not apply to—
 - (a) Persons whose height does not exceed of 1.5 meters;
 - (b) Persons who are exempted from wearing a body restraining seat belt under regulation 7 of these regulations;
 - (c) The drivers of vehicles, while performing manoeuvres which include reversing;
 - (d) Any person holding a valid Certificate substantially in the form specified in Schedule II to these regulations, signed by a registered medical practitioner stating that it is medically inadvisable for such person to wear a seat belt of a type specified in regulation 5

Provided however, that—

 - (i) If the exemption granted to a person in terms of paragraph (b) above is in respect of a disability of a permanent nature, such person shall obtain an exemption from a Medical Board in the manner provided for in regulation 7. The Medical Board shall issue to such person a Certificate substantially in the form specified in Schedule III to these regulations;
 - (ii) The Medical Certificate specified in paragraph (d) above, shall not be issued for more than a period of six months. Every Medical Certificate shall be registered in a Register maintained at the Motor Traffic Department. The Register shall be substantially in the form specified in Schedule IV. The Medical Certificate in relation to which the exemption is granted shall be registered in the registered maintained by the Motor Traffic Department.
7. (1) An application for exemption from paragraph (c) of regulation 4 shall be made to a registered medical practitioner, who shall on the basis of the supporting medical reasons and evidence, forward his recommendation to the Chairman of the Medical Board either recommending that the applicant be granted an exemption or refusing such application.
- (2) (a) For the purpose of paragraph (1) of this regulation, a Medical Board comprising five officers shall be appointed by the Secretary to the Ministry of the Minister to whom the subject of Transport has been assigned, consisting of the following persons:-
 - (i) Two medical officers from the National Transport Medical Institute, established under the National Medical Transport Institute Act, No. 25 of 1997, nominated by the Chairman of such institute;
 - (ii) Two medical Officers from the Ministry of Health, nominated by the Secretary to the Ministry of the Minister to whom the subject of Health is assigned;
 - (iii) A representative from the Department of Motor Traffic nominated by the Commissioner General of Motor Traffic, who has a wide knowledge in assessing the proficiency of a driver and in conducting a driving test.
- (3) (a) The Chairman of the Medical Board shall be appointed by the Secretary to the Ministry of the Minister to whom the subject of Transport is assigned, and in the absence of the Chairman, any other member of the Board shall be appointed as the Chairman to act in his place.
- (b) The Secretary of the Medical Board shall be a representative of the Department of Motor Traffic.
- (c) Any three members of the Board including the Secretary of the Medical Board shall constitute a quorum of the Medical Board.
- (d) The Secretary shall convene the meetings of the Medical Board at the Department of Motor Traffic.
- (e) The Medical Board may summon the registered medical practitioner who issued the Medical Certificate to attend a hearing with regard to the recommendation submitted to the Medical Board and to give such further evidence as the Medical Board may require.

(f) The Medical Board may exempt a person from the provisions of paragraph (c) of regulation 4, or may refuse to grant such exemption.

8. Any person who contravenes any of the provisions of these regulations shall be guilty of an offence and shall on conviction be liable to the penalty specified in section 224 of the Motor Traffic Act, (Chapter 203).

9. In these regulations unless the context otherwise requires:-

"accident", "hand tractors", "land vehicles", "light motor coach", "motor coach", heavy motor coach", motor cycle", "motor hearses", "lap belt", "light motor lorry", "motor lorry", "heavy motor lorry", "motor tricycle", "motor vehicle", "Seat belt", and "special purpose vehicle" shall have the same meaning as in section 240 of the Motor Traffic Act, (Chapter 203).

SCHEDULE I

1. Motor Cycle
2. Motor Tricycle and Motor Tricycle van
3. Light Motor Lorry, Motor Lorry and Heavy Motor Lorry
4. Light Motor Coach, Motor Coach and Heavy Motor Coach
5. Special Purpose Vehicle
6. Land vehicles
7. Hand Tractors
8. Motor hearses

SCHEDULE II

MEDICAL CERTIFICATE

Registration No : Date :
(Official Use only)

Name :

Address :

Date of Birth : Age :

Sex :

N.I.C No. :

Disease :

(Temporary/Permanent):

Disability :

I, of hereby declare
as follows:-

(a) I am a registered medical practitioner.

(b) I examined the said on the day of, 20.....

(c) I have formed the following conclusions on the following grounds:-

I further declare as follows:-

(a) The said

(i) is suffering from

(ii) is for the time being incapable of wearing seat belts.

Signed

Medical Qualifications

Date of Certificate

N.B. — This Certificate will remain in force for (specific period, not exceeding six months only) from the above date.

SCHEDULE III

FORM I

APPLICATION FOR THE RENEWAL OF THE MEDICAL CERTIFICATE

To

I of bearing
N.I.C. No. hereby request you to renew the medical certificate bearing Registration
No. issued to me on being a person suffering from

Signature

Date

FORM II

EXEMPTION FROM WEARING A SEAT BELT

The Medical Board has on the basis of the documents submitted to it, by the registered medical practitioner who has recommended and forwarded his recommendation which states that (Rev/Mr/Mrs/Ms/)

..... of

(i) is suffering from, being a disease of a temporary/permanent nature; or

(ii) is suffering from a disability, being a disability of a temporary/permanent nature;

(iii) is incapable of wearing a seat belt as required by this regulation for a temporary period of /permanently,

has approved the recommendation and exempted (Rev/Mr/Mrs/Ms/) from the requirement of wearing a seat belt.

Signature of the Secretary to the,
Medical Board.

Date.

SCHEDULE IV

REGISTER OF MEDICAL CERTIFICATES

Registration No	Name	Address	Sex	N.I.C No.	Reason/ Illness	valid		Name of the Medical Practitioner
						period		
						to	From	