
THE ROAD TRAFFIC (AMENDMENT No. 2) ACT 2019

Act No. 18 of 2019

I assent

PARAMASIVUM PILLAY VYAPOORY

16 August 2019

Acting President of the Republic

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An Act

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 No. 2) Act 2019.

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 –

- (a) in the definition of “authorised examiner”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (b) in the definition of “authorised officer”, by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”;
- (c) by deleting the definition of “Authority”;
- (d) by deleting the definition of “Commissioner”;
- (e) in the definition of “conductor”, in paragraph (a), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (f) in the definition of “current registration mark”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (g) by deleting the definition of “electric motor vehicle” and replacing it by the following definition –

“electric motor vehicle” –

 - (a) means a vehicle which is powered by an electric motor drawing current from –
 - (i) rechargeable storage batteries, fuel cells, or other portable sources of electrical current; or
 - (ii) a non-electrical source of power designed to charge batteries and their components; but

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- (b) does not include a light rail vehicle;
 - (h) by deleting the definition of “motor vehicle” and replacing it by the following definition –
 - “motor vehicle” –
 - (a) means a vehicle which is self-propelled by means of motor, intended for use, or capable of being used, on roads unless the vehicle has, by regulations, been excluded from this definition; and
 - (b) includes –
 - (i) a vehicle propelled by a combustion engine;
 - (ii) an electric motor vehicle; and
 - (iii) a hybrid motor vehicle;
 - (i) in the definition of “personalised registration mark”, in paragraph (b), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
 - (j) in the definition of “registration mark”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
 - (k) in the definition of “road”, by adding the following new paragraph, the word “and” being added at the end of paragraph (d) and the word “and” at the end of paragraph (c) being deleted –
 - (e) a level crossing;
 - (l) in the definition of “road transport inspector”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
 - (m) in the definition of “stand regulator”, by deleting the words “the Authority” and replacing them by the word “NLTA”;
 - (n) in the definition of “total piston displacement”, in paragraphs (b) and (c), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;

- (o) in the definition of “traffic warden”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (p) in the definition of “trailer”, in paragraph (a), by inserting, after the words “a vehicle”, the words “, other than a light rail vehicle,”;
- (q) in the definition of “vehicle examiner”, by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (r) by inserting, in the appropriate alphabetical order, the following new definitions –
 - “Appeal Committee” means the Appeal Committee set up under the National Land Transport Authority Act 2019;
 - “Chief Commissioner” means the Chief National Transport Commissioner referred to in the National Land Transport Authority Act 2019;
 - “level crossing” has the same meaning as in the Light Rail Act 2019;
 - “light rail vehicle” has the same meaning as in the Light Rail Act 2019;
 - “NLTA” means the National Land Transport Authority referred to in the National Land Transport Authority Act 2019.

4. Section 3 of principal Act amended

Section 3 of the principal Act is amended –

- (a) by repealing subsection (1) and replacing it by the following subsection –
 - (1) The Chief Commissioner shall exercise such powers as are conferred, and perform such duties as are imposed, on him by this Act or any other enactment.

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- (b) in subsection (2), by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

5. Section 4 of principal Act amended

Section 4 of the principal Act is amended, in subsection (1) –

- (a) in paragraphs (a) and (b), by deleting the words “mechanically propelled”;
- (b) in paragraphs (c) to (g), by deleting the words “mechanically propelled vehicles” and replacing them by the words “motor vehicles”;
- (c) by repealing paragraph (h) and replacing it by the following paragraph –
- (h) autocycles, that is to say, two-wheeled or three-wheeled motor vehicles –
 - (i) having an engine capacity which does not exceed 50 cubic centimetres; or
 - (ii) having an electric motor power which is more than 250 watts and less than 4 kilowatts.

6. Section 5 of principal Act amended

Section 5 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

7. Section 6 of principal Act amended

Section 6 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

8. Section 7 of principal Act amended

Section 7 of the principal Act is amended –

- (a) in subsection (1), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (b) in subsection (2) –
 - (i) in paragraph (a), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
 - (ii) in paragraph (b), by deleting the word “Minister” and replacing it by the words “Appeal Committee”;
- (c) in subsection (4) –
 - (i) in paragraphs (a) and (b), by deleting the words “Commissioner” and replacing it by the words “Chief Commissioner”;
 - (ii) in paragraph (c), by deleting the word “Minister” and replacing it by the words “Appeal Committee”.

9. Section 8 of principal Act amended

Section 8 of the principal Act is amended –

- (a) in the heading, by deleting the word “**Commissioner**” and replacing it by the words “**Chief Commissioner**”;
- (b) by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

10. Section 12 of principal Act amended

Section 12 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

11. Section 17 of principal Act amended

Section 17 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

12. Section 20A of principal Act amended

Section 20A of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

13. Section 20B of principal Act amended

Section 20B of the principal Act is amended by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

14. Section 22 of principal Act amended

Section 22 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

15. Section 23 of principal Act amended

Section 23 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

16. Section 24 of principal Act amended

Section 24 of the principal Act is amended by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

17. Section 25 of principal Act amended

Section 25 of the principal Act is amended, in subsection (3), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

18. Section 25A of principal Act amended

Section 25A of the principal Act is amended, in subsection (2) –

- (a) in paragraph (a), by deleting the words “Commissioner within” and replacing them by the words “Chief Commissioner within”;

- (b) in paragraph (b), by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

19. Section 27 of principal Act amended

Section 27 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

20. Section 28 of principal Act amended

Section 28 of the principal Act is amended, in subsection (1)(b), by deleting the words “the Authority” and replacing them by the word “NLTA”.

21. Section 29 of principal Act amended

Section 29 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

22. Section 29A of principal Act amended

Section 29A of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

23. Section 30 of principal Act amended

Section 30 of the principal Act is amended, in subsection (2)(b), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

24. Section 32 of principal Act amended

Section 32 of the principal Act is amended –

- (a) in subsection (1)(a), by deleting the words “the Authority” and replacing them by the word “NLTA”;

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- (b) in subsection (2), by deleting the words “the Authority” and “Minister” and replacing them by the words “NLTA” and “Appeal Committee”, respectively.

25. Section 34 of principal Act amended

Section 34 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

26. Section 71 of principal Act amended

Section 71 of the principal Act is amended, in subsection (2)(b)(ii), by deleting the words “or the Commissioner” and replacing them by the words “or the Chief Commissioner”.

27. Section 73 of principal Act repealed

Section 73 of the principal Act is repealed.

28. Section 74 of principal Act repealed

Section 74 of the principal Act is repealed.

29. Section 76 of principal Act amended

Section 76 of the principal Act is amended –

- (a) in subsections (2), (3) and (4), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (b) in subsection (6), by deleting the words “The Authority” and replacing them by the word “NLTA”.

30. Section 77 of principal Act amended

Section 77 of the principal Act is amended –

- (a) in subsection (1), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (b) in subsection (4), by deleting the words “The Authority” and replacing them by the word “NLTA”;

- (c) in subsection (5) –
 - (i) in paragraph (a), by deleting the words “the Authority” and replacing them by the word “NLTA”;
 - (ii) in paragraph (b), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (d) in subsection (6), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
- (e) in subsection (7), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (f) in subsection (8), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

31. Section 77A of principal Act amended

Section 77A of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

32. Section 77B of principal Act amended

Section 77B of the principal Act is amended –

- (a) in subsection (1), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (b) in subsection (2), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (c) in subsections (3), (4) and (5), by deleting the words “the Authority” and replacing them by the word “NLTA”.

33. Section 77C of principal Act amended

Section 77C of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

34. Section 78 of principal Act amended

Section 78 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

35. Section 80 of principal Act amended

Section 80 of the principal Act is amended –

- (a) in subsection (1), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
- (b) in subsection (2) –
 - (i) in paragraph (a), by deleting the words “The Authority” and replacing them by the word “NLTA”;
 - (ii) in paragraph (b), by deleting the words “the Authority” and replacing them by the word “NLTA”;
 - (iii) in paragraph (c), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (c) in subsection (4), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (d) in subsection (5)(a), by deleting the words “the Authority” and replacing them by the word “NLTA”.

36. Section 81 of principal Act amended

Section 81 of the principal Act is amended, in subsection (1), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

37. Section 81A of principal Act amended

Section 81A of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

38. Section 84 of principal Act amended

Section 84 of the principal Act is amended, in subsection (5), by deleting the words “the Authority” and replacing them by the word “NLTA”.

39. Section 85 of principal Act amended

Section 85 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

40. Section 86 of principal Act amended

Section 86 of the principal Act is amended –

- (a) in the heading, by deleting the word “**Authority**” and replacing it by the word “**NLTA**”;
- (b) by deleting the words “The Authority” wherever they appear and replacing them by the word “NLTA”.

41. Section 87 of principal Act amended

Section 87 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

42. Section 88 of principal Act amended

Section 88 of the principal Act is amended by deleting the words “The Authority” and replacing them by the word “NLTA”.

43. Section 89 of principal Act amended

Section 89 of the principal Act is amended, in subsection (2), by deleting the words “The Authority” and replacing them by the word “NLTA”.

44. Section 89A of principal Act amended

Section 89A of the principal Act is amended, in subsection (1), by deleting the words “the Authority” and replacing them by the word “NLTA”.

45. Section 90 of principal Act amended

Section 90 of the principal Act is amended, in subsection (2), by deleting the words “the Authority” and replacing them by the word “NLTA”.

46. Section 91 of principal Act amended

Section 91 of the principal Act is amended, in subsection (2), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

47. Section 94 of principal Act amended

Section 94 of the principal Act is amended –

- (a) in the heading, by deleting the word “**Authority**” and replacing it by the word “NLTA”;
- (b) in subsection (1), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (c) in subsection (2)(b), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (d) in subsection (4), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

48. Section 95 of principal Act amended

Section 95 of the principal Act is amended by deleting the words “The Authority” and replacing them by the word “NLTA”.

49. Section 96 of principal Act amended

Section 96 of the principal Act is amended –

- (a) in subsection (1) –
 - (i) in paragraph (a), by deleting the words “the Authority” and replacing them by the word “NLTA”;

- (ii) in paragraph (b), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (b) in subsection (2), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

50. Section 96A of principal Act amended

Section 96A of the principal Act is amended –

- (a) in the heading, by deleting the word “**Authority**” and replacing it by the word “**NLTA**”;
- (b) in subsection (1), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (c) in subsection (2), by deleting the words “The Authority” and replacing them by the word “NLTA”.

51. Section 97 of principal Act amended

Section 97 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

52. Section 99 of principal Act amended

Section 99 of the principal Act is amended –

- (a) in subsection (1) –
 - (i) by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
 - (ii) by deleting the word “Minister” and replacing it by the words “Appeal Committee”;
 - (iii) by deleting the words “Permanent Secretary” and replacing them by the words “Secretary to the Appeal Committee”;

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- (b) in subsection (2), by deleting the word “Minister” and replacing it by the words “Appeal Committee”.

53. Section 101 of principal Act amended

Section 101 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

54. Section 103 of principal Act amended

Section 103 of the principal Act is amended –

- (a) in subsection (1)(a), by deleting the words “The Authority” and replacing them by the word “NLTA”;
- (b) in subsections (2), (3) and (4), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

55. Section 104 of principal Act amended

Section 104 of the principal Act is amended, in subsection (2), by deleting the words “The Authority” and replacing them by the word “NLTA”.

56. Section 105 of principal Act amended

Section 105 of the principal Act is amended, in subsection (2)(m), by deleting the words “the Authority” and replacing them by the word “NLTA”.

57. Section 107 of principal Act amended

Section 107 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

58. Section 108 of principal Act amended

Section 108 of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

59. Section 108A of principal Act amended

Section 108A of the principal Act is amended by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”.

60. Section 109 of principal Act amended

Section 109 of the principal Act is amended –

- (a) by repealing subsection (1) and replacing it by the following subsection –

(1) Any person who, being the holder of, or an applicant for, a licence to act as driver of a public service vehicle or a heavy goods vehicle, conductor of a public service vehicle or stand regulator feels aggrieved by –

- (a) the refusal or failure of NLTA to grant or renew the licence;
- (b) the suspension or revocation of the licence; or

- (c) any limitation imposed on the licence,

may appeal to the Appeal Committee by giving written notice to NLTA and lodging his appeal with the Secretary to the Appeal Committee not later than 15 days after the decision of NLTA is communicated to him.

- (b) in subsection (2), by deleting the word “Minister” and replacing it by the words “Appeal Committee”.

61. Section 113 of principal Act amended

Section 113 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

62. Section 114 of principal Act amended

Section 114 of the principal Act is amended, in subsection (4) (a), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

63. Section 115 of principal Act amended

Section 115 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

64. Section 117 of principal Act amended

Section 117 of the principal Act is amended, in subsection (1), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

65. Section 118 of principal Act amended

Section 118 of the principal Act is amended –

- (a) in the heading, by deleting the word “**Commissioner**” and replacing it by the words “**Chief Commissioner**”;
- (b) by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

66. Section 119 of principal Act amended

Section 119 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

67. Section 120 of principal Act amended

Section 120 of the principal Act is amended –

- (a) in subsections (1) and (2), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”;
- (b) in subsection (3) –
 - (i) in paragraph (a), by deleting the word “Minister” and replacing it by the words “Appeal Committee”;
 - (ii) in paragraph (b), by deleting the words “Minister” and “Commissioner” and replacing them by the words “Appeal Committee” and “Chief Commissioner”, respectively.

68. Section 121 of principal Act amended

Section 121 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

69. Section 123 of principal Act amended

Section 123 of the principal Act is amended by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

70. Section 166A of principal Act amended

Section 166A of the principal Act is amended –

- (a) in subsection (2), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
- (b) in subsection (3), by deleting the words “The Authority” and “the Authority” and replacing them by the word “NLTA”, respectively;
- (c) in subsection (4) –
 - (i) in paragraph (a), by deleting the words “The Authority” and replacing them by the word “NLTA”;
 - (ii) in paragraph (b), by deleting the words “the Authority” and replacing them by the word “NLTA”;
- (d) in subsection (5), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
- (e) in subsection (7) –
 - (i) in paragraph (b), by deleting the words “The Authority” and replacing them by the word “NLTA”;
 - (ii) in paragraph (c), by deleting the words “the Authority” wherever they appear and replacing them by the word “NLTA”;
- (f) in subsection (8), by deleting the words “the Authority”, “Minister” and “Permanent Secretary” and replacing them by the words “NLTA”, “Appeal Committee” and “Secretary to the Appeal Committee”, respectively;

- (g) in subsection (9)(b), by deleting the words “the Authority” and replacing them by the word “NLTA”.

71. Section 169 of principal Act amended

Section 169 of the principal Act is amended by deleting the word “Minister” wherever it appears and replacing it by the words “Appeal Committee”.

72. Section 173 of principal Act amended

Section 173 of the principal Act is amended, in subsection (3)(b)(i), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

73. Section 173A of principal Act amended

Section 173A of the principal Act is amended –

- (a) in subsection (1), by deleting the words “on behalf of the Commissioner” and replacing them by the words “on behalf of the Chief Commissioner”;
- (b) in subsection (2) –
- (i) in paragraph (a), by deleting the words “section 173, the Commissioner” and replacing them by the words “section 173, the Chief Commissioner”;
- (ii) in paragraph (b), by deleting the words “its detention, the Commissioner” and replacing them by the words “its detention, the Chief Commissioner”.

74. Section 177 of principal Act amended

Section 177 of the principal Act is amended –

- (a) in the heading, by deleting the word “**Commissioner**” and replacing it by the words “**Chief Commissioner**”;
- (b) by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Commissioner”.

75. Section 178A of principal Act amended

Section 178A of the principal Act is amended, in subsection (3) –

- (a) in paragraph (c), by deleting the words “Traffic Management Unit” and replacing them by the words “Traffic Management and Road Safety Unit”;
- (b) in paragraph (f), by deleting the words “the National Transport Authority” and replacing them by the word “NLTA”.

76. Section 178B of principal Act amended

Section 178B of the principal Act is amended, in subsection (3)(b), by deleting the words “the National Transport Authority” and replacing them by the word “NLTA”.

77. Section 184 of principal Act amended

Section 184 of the principal Act is amended, in subsection (4)(b)(ii), by deleting the words “light railway” and replacing them by the words “light rail”.

78. Section 188 of principal Act amended

Section 188 of the principal Act is amended, in subsection (2)(b), by deleting the word “Commissioner” and replacing it by the words “Chief Commissioner”.

79. Commencement

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections of this Act.

Passed by the National Assembly on the ninth day of August two thousand and eighteen.

Bibi Safeena Lotun (Mrs)
Clerk of the National Assembly
