



Tonga

**TRAFFIC (AMENDMENT)
REGULATIONS 2012**



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TRAFFIC (AMENDMENT) REGULATIONS 2012

TRAFFIC ACT

IN EXERCISE of the powers conferred by section 40 of the Traffic Act, the Principal Licensing Authority makes the following Regulations -

1 Short Title

This Regulations may be cited as the Traffic (Amendment) Regulations 2012.

2 Regulation 39 amended

Section 39(3) of the Traffic Regulations is amended by repealing “Every” and replacing it with “In every case to which regulation 39A(2)(a)(i) does not apply a”.

3 Regulation 39A inserted

The Traffic Regulations is amended by inserting the following section –

“39A Infringement Notices

- (1) If a police officer considers that any person has committed an offence against any of the regulations specified in Form 8 he may issue to the person a Notice of Infringement in the Form set out in Form 8 of Schedule 1.
- (2)
 - (a) A person issued with such a notice may —

- (i) pay the fine set out in the notice, applicable to the offence alleged, to a Magistrate's Court; or
 - (ii) contest the notice.
- (b) Where the person wishes to contest the notice a summons will be issued for an offence against the relevant provision of these regulations.
- (3) The police officer who issues a Notice of Infringement under subsection (1) shall lodge the duplicate notice within 48 hours with the clerk of the Magistrate's Court for the district.
- (4) The Clerk of the Magistrate's Court shall —
 - (a) where the fine is tendered by the person, receive the payment, issue a receipt and file the notice;
 - (b) where no payment is tendered within 21 days of the date of issue of the notice, issue a summons to the person for the offence alleged.
- (5) The summons shall be heard and determined by a Magistrate.”.

4 Form 8 inserted

The Traffic Regulations is amended by inserting in the First Schedule the following Form 8 –

FORM 8 TRAFFIC REGULATIONS INFRINGEMENT NOTICE

REVERSE SIDE

Traffic Regulation	Offence	Fixed Penalty \$
5(7)	Use of wrong registration number plate	30
10(1)	Failure to have vehicle inspected	30
11	Failure to install or use lights correctly	30
11(2), (3), (6), (7), (8), 10, 11	Failure to install proper lights	30
11(4)	Incorrect focus and adjustment of lights	30
14	Use of improperly silenced vehicle	30
15	Use of unauthorized left hand drive vehicle	30
16	Operation of unauthorized or incorrect trailer	30
18	Incorrect towing	30
19	Incorrect parking	30
20	failure to observe rules of the road	30
22	Driving motor cycle without proper lights, brakes, etc	30
22 (4)	Driving motor cycle with passenger incorrectly	30
22 (5), (6)	Driving or riding in motor cycle without helmet	30
23	Bicycle riding without proper lights	30
23(5)	Bicycle riding on footpath	30
24	Bicycle riding incorrectly	30
29	Taxi and bus offences	30
36	Riding on lorry etc while standing in back	30 ^{''}

Made in Nuku'alofa this 21st day of September 2012.

Hon. Samiu Vaipulu
Principal Licensing Authority