

SARK STATUTORY INSTRUMENT

2014 No. 1

The Motor Vehicles (Sark) Regulations, 2014

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| <i>Made</i> | <i>27th August, 2014</i> |
| <i>Coming into operation</i> | <i>6th October, 2014</i> |
| <i>Laid before the Chief Pleas</i> | <i>1st October, 2014</i> |

THE SARK CHIEF PLEAS ROAD TRAFFIC COMMITTEE, in exercise of the powers conferred on it by sections 3, 4 to 7, 9, 12, 13 to 15, 17, 20 to 22, 24, 26, 27 to 31 and 41 of the Motor Vehicles (Sark), 2013^a, hereby orders:-

Tractor licences.

1. For the purposes of sections 3 to 5 of the Law, an applicant for a tractor licence and an applicant to renew a tractor licence shall make an application to the Committee in the relevant form set out in Schedule 1 to these Regulations, enclosing the fee referred to therein.

Tractor tax.

2. For the purposes of section 6 of the Law, the tax chargeable on the grant and renewal of a tractor licence is £100.

Vehicle inspector fee.

3. For the purposes of section 7(4) of the Law, the fee payable to a Vehicle Inspector is £9.

^a

Order in Council No. XV of 2013.

Maximum size of tractors.

4. For the purposes of section 9(2) of the Law, the maximum size of tractors that may be licensed under section 9 is as follows:

- (a) length 3.60 metres,
- (b) width 2 metres,
- (c) height 2.56 metres.

Marking of tractors.

5. (1) The owner of a tractor registered under section 12 of the Law shall be issued by the Committee with a licence disc, and he must place that disc on the near side of the tractor in a place that is easily visible by another road user.

(2) The owner of a tractor who has had a licence disc issued to him commits an offence if he breaches the requirements of paragraph (1).

(3) A person who commits an offence under this regulation shall be liable to a fine not exceeding level 2 on the uniform scale.

Tractor driving licences.

6. For the purposes of section 13 and section 15, an applicant for a tractor driving licence and an applicant to renew a tractor driving licence shall make an application to the Constable in the relevant form set out in Schedule 2 to these Regulations, enclosing the fee referred to therein.

Tractor driving tests.

7. For the purposes of section 14(1) of the Law, the tests of competency are those set in Schedule 3 to these Regulations.

Tractor driving licences: fees.

8. For the purposes of section 17 of the Law, the fee payable on the making of each application referred to therein at paragraphs (a) – (d) is £10.

Invalid carriages: applications for licences and driving licences.

9. (1) For the purposes of sections 20 and 22 of the Law, an applicant for an invalid carriage licence and an applicant to renew an invalid carriage licence shall make an application to the Committee in the relevant form set out in Schedule 4 to these Regulations.

(2) For the purposes of sections 21, 22 and 26 of the Law, an applicant for an invalid carriage driving licence, an applicant for a temporary invalid carriage driving licence and an applicant to renew an invalid carriage driving licence shall make an application to the Committee in the relevant form set out in Schedule 5 to these Regulations, enclosing the fee referred to therein.

Invalid carriages: conditions.

10. For the purposes of section 20(3) of the Law, an invalid carriage licence may contain a condition that the holder may not drive an invalid carriage between sunset and sunrise.

Invalid carriages: fees.

11. For the purposes of section 24 of the Law, the fees payable on the making of the applications referred to below are as follows –

- (a) grant and renewal of an invalid carriage licence: no fee,
- (b) grant of temporary invalid carriage driving licence: no fee,
- (b) grant and renewal of an invalid carriage driving licence: £20,
- (c) grant and renewal of an invalid carriage driving licence in respect of an electric bicycle: £11.

Construction vehicles.

12. (1) For the purposes of sections 27 and 28 of the Law, an applicant for an construction vehicle licence and an applicant to renew a construction vehicle licence shall make an application to the Committee in the relevant form set out in Schedule 6 to these Regulations, enclosing the fee referred to therein.

(2) For the purposes of section 29 of the Law, the fees payable on the making of the applications referred to therein are as follows –

- (a) grant of a construction vehicle licence: £100,
- (b) renewal of a construction vehicle licence: £100.

Tractor import licences.

13. For the purposes of section 30 of the Law, an applicant for a tractor import licence shall make an application to the Committee in the form set out in Schedule 7 to these Regulations.

Notification of importation of other motor vehicles.

14. (1) For the purposes of section 31 of the Law, in addition to notifying the Committee of the nature of the vehicle, a person importing into Sark a vehicle of a type described in section 31 shall notify the Committee of the use to which the vehicle shall be put, and where the vehicle will be kept.

(2) The Committee must be notified of the information set out above at least seven days before the vehicle is imported.

Interpretation.

15. (1) Expressions in these Regulations have the same meanings as in the Motor Vehicles (Sark) Law, 2013 ("the Law").

(2) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of these Regulations, as if they were an enactment.

(3) Any reference in these Regulations to the Law is a reference thereto as from time to time amended or re-enacted (with or without modification).

Citation and commencement.

16. These Regulations may be cited as the Motor Vehicles (Sark) Regulations, 2014 and shall come into force on the 6th October, 2014.

Dated this 3rd day of SEPTEMBER, 2014



Chairman of the Road Traffic Committee

For and on behalf of the Committee

^b Ordres en Conseil Vol. XIII, p. 355.

SCHEDULE 1

**SARK ROAD TRAFFIC COMMITTEE
TRACTOR LICENCE APPLICATION FORM**

1. Name
2. Address and contact telephone number

3. Description of tractor
4. Make and model of tractor
5. Dimensions of tractor (in metres and centimetres):
 Length:
 Width:
 Height:
6. Engine power of tractor
7. Purposes for which you are applying to use the tractor. Please provide as much detail as possible, including days and times, and continue on a separate sheet if necessary.

8. Any other relevant information

I enclose:

- (i) a cheque payable to "The Inhabitants of Sark" in the sum of £100 in respect of tractor tax*
- (ii) a copy of the Vehicle Inspector's test certificate relating to the tractor*
- (iii) a copy of the certificate of insurance relating to the tractor*

Signed

Dated

**SARK ROAD TRAFFIC COMMITTEE
TRACTOR LICENCE RENEWAL FORM**

1. Name
2. Address and contact telephone number

3. Number of current tractor licence
4. Description of vehicle
5. Make and model of vehicle
6. Dimensions of vehicle (in metres and centimetres):
 - Length:
 - Width:
 - Height:
7. Engine power of vehicle
8. Purposes for which you are applying to use the tractor. Please provide as much detail as possible, including days and times, and continue on a separate sheet if necessary.

9. Any other relevant information

I enclose:

- (i) a cheque payable to "The Inhabitants of Sark" in the sum of £100 in respect of tractor tax*
- (ii) a copy of the Vehicle Inspector's test certificate relating to the tractor*
- (iii) a copy of the certificate of insurance relating to the tractor*

Signed

Dated

SCHEDULE 2

**SARK CONSTABLE
TRACTOR DRIVING LICENCE APPLICATION FORM**

1. Name
2. Address and contact telephone number
3. Category of licence required:
 - A Provisional
 - B Tractor only
 - C Tractor and trailer
4. Do you need to wear glasses or contact lenses when driving? Yes/No
5. Is there anything wrong with your eyesight eg tunnel vision, night blindness?
Yes/No
If you answered Yes to the last question, please give details

6. Do you suffer from any other health problem that could affect your ability to drive a tractor safely eg epilepsy? Yes/No
If you answered Yes to the last question, please give details

Declarations:

I declare that I am at least 16 years old.

I declare that I have checked the details I have given, which to the best of my knowledge are correct and true.

*I **enclose** a cheque payable to "The Inhabitants of Sark" in the sum of £10 AND
[Unless applying for a provisional licence] I **enclose** a copy of my tractor driving test
pass certificate*

Signed

Dated

**SARK CONSTABLE
TRACTOR DRIVING LICENCE RENEWAL FORM**

1. Name
2. Address and contact telephone number
3. Number of current licence
4. Category of licence required:
 - A Provisional
 - B Tractor only
 - C Tractor and trailer

4. Do you need to wear glasses or contact lenses when driving? Yes/No
5. Is there anything wrong with your eyesight eg tunnel vision, night blindness?
Yes/No

If you answered Yes to the last question, please give details

6. Do you suffer from any other health problem that could affect your ability to drive a tractor safely eg epilepsy? Yes/No

If you answered Yes to the last question, please give details

Age Declaration:

I declare that I am at least 16 years old

I enclose a cheque payable to "The Inhabitants of Sark" in the sum of £10

Signed

Dated

SCHEDULE 3

TRACTOR DRIVING COMPETENCY TESTS FOR TRACTOR ONLY LICENCE

1. Applicant to show knowledge of Sark road traffic legislation
2. Applicant to show competence in driving forwards
3. Applicant to show competence in performing an emergency stop
4. Applicant to show competence in reversing through a narrow gateway and around corners
5. Applicant to show competence in performing such other manoeuvres, if any, as the Constable may require him to perform

TRACTOR DRIVING COMPETENCY TESTS FOR TRACTOR AND TRAILER LICENCE

1. Applicant to show knowledge of Sark road traffic legislation
2. Applicant to show competence in unhitching trailer, driving away in a circle, returning to and hitching up trailer
3. Applicant to show competence in driving forwards with trailer
4. Applicant to show competence in performing an emergency stop with trailer
5. Applicant to show competence in reversing with trailer through a narrow gateway and around corners
6. Applicant to show competence in performing such other manoeuvres with trailer, if any, as the Constable may require him to perform

SCHEDULE 4

**SARK ROAD TRAFFIC COMMITTEE
INVALID CARRIAGE LICENCE APPLICATION FORM
(INCLUDING ELECTRIC BICYCLES)**

1. Name
2. Address and contact telephone number

3. Date of birth
4. Description of invalid carriage, including make, model and engine power

I enclose a copy of the certificate of insurance relating to the invalid carriage

**SARK ROAD TRAFFIC COMMITTEE
INVALID CARRIAGE LICENCE RENEWAL FORM
(INCLUDING ELECTRIC BICYCLES)**

1. Name
2. Address and contact telephone number

3. Date of birth
4. Description of invalid carriage, including make, model and engine power

5. Number of current invalid carriage licence

*I **enclose** a copy of the certificate of insurance relating to the invalid carriage*

Signed

Dated

SCHEDULE 5

**SARK ROAD TRAFFIC COMMITTEE
INVALID CARRIAGE DRIVING LICENCE APPLICATION FORM
(INCLUDING ELECTRIC BICYCLES)**

1. Name
2. Address and contact telephone number

3. Date of birth
4. Category of licence required:
 - A Invalid carriage other than electric bicycle (fee: £20)
 - B Electric bicycle (fee: £11)

I enclose:

- (i) a cheque payable to "The Inhabitants of Sark" in the sum of £20, or in the case of an electric bicycle, £11*
- (ii) a copy of my invalid carriage driving competency test pass certificate*
- (iii) a copy of a doctor's certificate relating to my need for an invalid carriage*

Signed

Dated

**SARK ROAD TRAFFIC COMMITTEE
INVALID CARRIAGE DRIVING LICENCE RENEWAL FORM
(INCLUDING ELECTRIC BICYCLES)**

1. **Name**
2. **Address and contact telephone number**

3. **Date of birth**
4. **Number of current invalid carriage driving licence**
5. **Category of licence required:**
 - A **Invalid carriage other than electric bicycle (fee: £20)**
 - B **Electric bicycle (fee: £11)**

I enclose a cheque payable to "The Inhabitants of Sark" in the sum of £20, or, in the case of an electric bicycle, £11.

AND

I enclose a copy of a doctor's certificate relating to my need for an invalid carriage

OR

I declare that the Sark Road Traffic Committee may contact my doctor to confirm that

I still need to use an invalid carriage

(delete as appropriate)

Signed

Dated

**SARK ROAD TRAFFIC COMMITTEE
TEMPORARY INVALID CARRIAGE DRIVING LICENCE APPLICATION FORM
(INCLUDING ELECTRIC BICYCLES)**

1. Name
2. Address and contact telephone number

3. Date of birth
4. Period of use of invalid carriage (maximum 3 months)
From:
To:
4. Category of licence required:
A Invalid carriage other than electric bicycle
B Electric bicycle

*I **enclose** a copy of a doctor's certificate relating to my need for an invalid carriage*

Signed

Dated

SCHEDULE 6

**SARK ROAD TRAFFIC COMMITTEE
CONSTRUCTION VEHICLE LICENCE APPLICATION FORM**

Note: an application should be made in the name of an individual. If that individual is making the application on behalf of a company, please identify that company on the application form. Please continue any answers on a separate sheet if necessary.

A LICENCE MUST BE GRANTED BEFORE THE VEHICLE IS IMPORTED

1. Name
2. Address and contact telephone number
3. (Where application is being made on behalf of a company) Name and address of company

4. Description of vehicle

5. Make and model of vehicle
6. Dimensions of vehicle (in metres/centimetres):
 - Length:
 - Width:
 - Height:
7. Engine power of vehicle
8. Purpose for which you are applying to use the vehicle (if the application is in respect of a specific construction or other project, please provide full details)

9. Location/s at which the vehicle would be used
10. Proposed date of import
11. Proposed period of use of the vehicle (note: this must be for the shortest possible period. The Committee may not grant a licence that extends beyond the calendar year in which it is granted)
12. If a licence is granted, is it proposed to export the vehicle from the Island after the licensed period of use has expired? If not, what would happen to the vehicle?
13. Names and addresses of proposed operators of the vehicle
14. Relevant experience of proposed operators of the vehicle
15. The Committee may only grant a licence if satisfied that no smaller or less powerful vehicle could reasonably be used in place of the vehicle in respect of which the application is made. What other smaller or less powerful vehicles have been considered for this work, and why was their use rejected?

16. The Committee may only grant a licence if satisfied that the vehicle is safe and roadworthy. Please enclose any relevant copy documentation in this regard, and briefly describe that documentation below.

17. Any other relevant information

I enclose:

- (i) a cheque made payable to "The Inhabitants of Sark" in the sum of £100*
- (ii) copy certificate of insurance relating to the vehicle*
- (iii) (where available) a photograph of the vehicle, or of a vehicle of the same make and model*
- (iv) copy documentation relating to the safety and roadworthiness of the vehicle*
- (v) copy documentation relating to the qualifications and experience of the proposed operators*
- (vi) any other copy documentation relevant to my application*

Signed

Dated

**SARK ROAD TRAFFIC COMMITTEE
CONSTRUCTION VEHICLE LICENCE RENEWAL FORM**

Note: an application should be made in the name of an individual. If that individual is making the application on behalf of a company, please identify that company on the application form. Please continue any answers on a separate sheet if necessary.

1. Name
2. Address and contact telephone number
3. (Where application is being made on behalf of a company) Name and address of company
4. Number of current construction vehicle licence
5. Proposed further period of licence. (note: this should be for the shortest possible period)
6. Please set out below any change of circumstances from those set out in the application for the current construction vehicle licence, including any change in operators and, where relevant, an update on the progress of the project for which the vehicle is needed

I enclose:

- (i) a cheque made payable to "Sark Road Traffic Committee" in the sum of £100*
- (ii) copy certificate of insurance relating to the vehicle*
- (iii) any new copy documentation relating to the safety and roadworthiness of the vehicle*
- (iv) any new copy documentation relating to the qualifications and experience of the proposed operators*
- (v) any other copy documentation relevant to my application*

Signed

Dated

SCHEDULE 7

**SARK ROAD TRAFFIC COMMITTEE
TRACTOR IMPORT LICENCE APPLICATION FORM**

1. Name
2. Address and contact telephone number
3. Relevant tractor licence number
4. Proposed date of importation
5. Would the tractor replace a tractor currently on Sark? Yes / No

If so –

- (i) which tractor would it replace?
- (ii) would the tractor being replaced be exported from the Island? If not, to what use would that replacement tractor be put (if any) and where would it be stored?

Signed

Dated