



# Island Council

Island Ordinance containing rules for traffic and road safety  
on the roads of Saba, and to revoke the Road Traffic  
Ordinance Leeward Islands (Official Bulletin 1963, No. 5).

**2022**

DRAFT

**No. 3**

**THE ISLAND COUNCIL OF THE PUBLIC ENTITY OF SABA,**

Having regard to:

Article 136 and Article 149 of the Act public entities Bonaire, Statia, and Saba;

Taking into consideration:

that it is advisable to set new rules for traffic and road safety;

**HAS DECREED:**

to enact the following Island Ordinance:

## Chapter I

### GENERAL PROVISIONS

#### Article 1

In this Island Ordinance and the provisions based on it, the following shall be meant by:

- a. trailer: a vehicle that is propelled or is apparently meant to be propelled by a vehicle;
- b. axis lines: lines or strips, whether or not interrupted, on or in a roadway, applied in a contrasting color, dividing the roadway lengthwise into two or more sections of similar or almost similar width;
- c. bus: a motor vehicle designed to transport more than eight persons, not including the driver;
- d. built-up area: the more or less continuous structures marked out by the traffic signs set out in Chapter H;
- e. shoulder: part of the road beside the roadway, whether or not paved;
- f. driver: every road user, not being a pedestrian;
- g. driver of a motor vehicle: the person driving a motor vehicle;
- h. competent authority: the Lieutenant Governor of the public entity of Saba, unless determined differently in this Ordinance;
- i. blue continuous line: parking zone designated by the competent authority, where conditions apply to parking;
- j. block marking: interrupted marking of blocks or lines on the road surface to indicate that a certain roadway can be driven onto or that one can access or exit;
- k. moped: motor vehicle on two or three wheels, not having closed bodywork, equipped with a combustion engine with a cylinder capacity not exceeding 50 cm<sup>3</sup> or an electric motor with a power not exceeding 4 kW, with a speed limit of 55 km/h;
- l. day: the period between sunrise and sunset;
- m. low-beam headlights: lights by which the road in front of the vehicle is illuminated, without blinding or hindering other road users;
- n. bicycle: vehicle meant to be propelled by physical strength, except those vehicles that can manifestly be qualified as children's toys, including vehicles with pedal assistance with a speed limit of 30 km/h;
- o. cycle track or cycle lane: a road section or separate path designated as such, meant for cyclists;
- p. yellow continuous line: no stopping zone;
- q. yellow interrupted line: no parking zone;
- r. warning triangle: triangular red reflector placed on the road to warn following traffic;
- s. high-beam headlights: lights that illuminate the road in front of the vehicle over a long distance;
- t. shark teeth: a series of triangles on the road surface instructing to give way;
- u. taking over: approach and passing of two vehicles or groups of vehicles going in the same direction the distance between which becomes sufficiently less because the rear vehicle or the rear group of vehicles moves faster than the front vehicle or front group of vehicles;
- v. driveway: access to a building or closed yard;
- w. disabled vehicle: vehicle designed to transport a disabled person, whether or not equipped with an engine with a speed limit of 30 km/h, while the vehicle cannot be wider than 1.2 meters;
- x. acceleration roadway: road section separated from the continuing roadway by block marking, meant for drivers accessing the continuing roadway;
- y. license number: the letters and digits on the tax license plate, in accordance with the Motor Vehicle Tax Ordinance Saba;
- z. intersection: road section where roadways come together that has to be kept clear to give way;
- aa. crossing: crossing or Y-junction of roads;
- bb. load capacity: the maximum permitted loading weight that can be transported with a certain vehicle;

- cc. mass of the empty vehicle: mass of the vehicle in running order, including the materials, spare parts, and tools belonging to the normal equipment of a vehicle, load, driver and other persons transported with the vehicle not included;
- dd. maximum permitted mass: the empty weight of a vehicle plus the load capacity;
- ee. military column: several military vehicles behind each other in formation, or several troops on foot in any conjoined formation, as far as they are on the road to perform the service;
- ff. motorcycle: motor vehicle with a cylinder capacity exceeding 50 cm<sup>3</sup> on two wheels, whether or not with a sidecar;
- gg. motor vehicle: a motorized vehicle not being a moped and a disabled vehicle, meant to be propelled differently than along rails;
- hh. night: the period between sunset and sunrise;
- ii. semi-trailer: trailer designed to be linked to a pulling vehicle, while the pulling vehicle supports the front of the semi-trailer and the semi-trailer transfers considerable vertical load on the pulling vehicle;
- jj. parking: letting a vehicle stand still differently than during the time necessary and used for immediate and continued entering or exiting by passengers or for immediate and continued loading or unloading of goods;
- kk. roadway: every road section meant for driving vehicles, excluding the cycle tracks;
- ll. direction arrows: white arrows on the roadway indicating the mandatory direction for the driver;
- mm. lane: a section of the roadway marked by a continuous or interrupted white line of such width that drivers of motor vehicles on more than two wheels can use it;
- nn. livestock, mounts, and draught animals: these include inter alia horses, ponies, donkeys, mules, cattle, sheep, goats, and pigs;
- oo. roundabout: a circular square with one-way traffic;
- pp. stop line: a white line, strip or stripe, whether or not interrupted, applied across in or on the road surface;
- qq. sidewalk: side of the road marked by curbs along the roadway;
- rr. exit lane: a road section separated from the continuing roadway by interrupted block marking, meant for drivers exiting the continuing roadway;
- ss. exit: exit from a building or closed yard;
- tt. gore: section of the roadway with diagonal stripes to guide traffic;
- uu. paved roads: roads with artificially applied solid surfacing;
- vv. traffic: all road users;
- ww. speed bumps: rise in the road meant to make the road user reduce speed;
- xx. traffic lights: lights on the public road meant to regulate the flow of traffic;
- yy. traffic signs: traffic lights, road signs, and signs on the road surface;
- zz. vehicles: bicycles, mopeds, disabled vehicles, motor vehicles, self-propelling machines, and carts;
- aaa. pedestrian crossing or zebra crossing: a place, indicated by white stripes applied perpendicular to the direction of the road, where pedestrians and disabled vehicles can cross the roadway;
- bbb. footpath: a road section separated from the roadway, whether or not raised, only meant for pedestrians, unless determined differently in this Ordinance;
- ccc. giving way: letting the drivers concerned continue their way unhindered;
- ddd. truck: motor vehicle on more than three wheels with a maximum permitted mass exceeding 3,500 kilograms, exclusively and mainly designed to, or as appears from their original construction meant for transporting goods;
- eee. cart: a vehicle drawn by mounts or draught animals;
- fff. roads: all roads or paths open to public traffic; including the bridges and culverts located in them, and the paths and shoulders or sides belonging to those roads;
- ggg. road users: pedestrians, cyclists, moped drivers, drivers of a disabled vehicle or of a motor vehicle, equestrians, escorts of mounts or draught animals or livestock, and drivers of harnessed or unharnessed carts;
- hhh. self-propelling machines: machines that can move by means of their own mechanical power.
- iii. Motor vehicle with automatic transmission: motor vehicle, not being a motor vehicle with manual transmission, whether or not provided with a switch or a lever, with which the driver can influence the gear

change of the motor vehicle.

#### Article 2

1. The rules of this Island Ordinance for pedestrians shall also apply to drivers of a disabled vehicle, if they use a footpath or sidewalk or cross from one to the other footpath or sidewalk. Unless this Ordinance determines differently, drivers of disabled vehicles shall follow the cyclist rules in other cases.
2. The rules of this Island Ordinance for pedestrians shall also apply to persons on foot who are walking with a motorcycle, moped, or bicycle, as well as persons moving with objects that are not vehicles.

#### Article 3

Everyone is prohibited from behaving in such a way that danger is or may be caused on the road, or that the traffic on the road is hindered or may be hindered.

### Chapter II

#### INSTRUCTIONS, ORDERS, AND TRAFFIC SIGNS

##### Paragraph 1

#### GENERAL PROVISIONS

#### Article 4

1. Road users shall follow the traffic signs, contained in annexes 1 and 2 belonging to this Ordinance, giving instructions or containing prohibitions.
2. The traffic signs contained in annex 1 can be changed or revoked by island decree.

#### Article 5

Road users shall follow the orders and instructions contained in annex 2, given orally or by means of gestures by the competent traffic controllers and traffic policemen recognizable as such, or other competent officials recognizable as such.

#### Article 6

1. Orders and instructions as referred to in Article 5 shall have priority over traffic signs and traffic rules.
2. Traffic lights shall have priority over traffic signs regulating right of way.
3. Traffic signs shall have priority over traffic rules, as far as these rules are incompatible with these signs.

#### Article 7

1. For the benefit of road safety and guaranteeing freedom of traffic, orders and instructions can be given to road users by or on behalf of the Lieutenant Governor upon advice obtained.
2. The Lieutenant Governor or a body designated by him shall decide on placing and installing traffic signs upon advice obtained.
3. The Lieutenant Governor or the body designated by him for this purpose can only deviate from the advice referred to in the first and second paragraph substantiated with reasons.
4. Traffic signs shall be placed or installed by or on behalf of the Lieutenant Governor.
5. Others than those authorized to do so by this Ordinance are prohibited from installing, causing to be installed, keeping installed, or removing traffic signs on, along, or over the roads or from blocking the visibility of traffic signs.
6. It is prohibited to install, cause to be installed, or keep installed objects, installations, or signs of any kind that could confuse traffic on, along or over the roads.

#### Paragraph 2

#### ROAD SIGNS

#### Article 8

1. Road signs shall apply over the entire width of the road or roadway on or along which they have been placed.
2. If a road is divided into lanes, the application of a road sign can be limited to one or more lanes.
3. The road signs E1, E2, and E3 of annex 1 shall only apply to the side of the road at or on which they have been placed.

#### Article 9

1. Additional signs installed below road signs and traffic lights may mean:
  - a. a detailed explanation of the road sign;
  - b. if only symbols are featured on an additional sign: the road sign only applies to the road users specified as such or the traffic behavior specified as such;
  - c. if the word "except" is featured on an additional sign combined with symbols: the road sign does not apply to the road users specified as such or the traffic behavior specified as such.
2. Symbols on additional signs shall have the same meaning as those contained in annex 1.
3. If the intended traffic behavior is indicated by texts or signs, whether or not combined with symbols, the intended traffic behavior appears from the additional sign.

#### Paragraph 3

## TRAFFIC LIGHTS

### Article 10

1. In case of three-colored traffic lights:
  - a. green light shall mean: continue;
  - b. yellow light shall mean: stop; for drivers who have approached the light so closely that stopping is reasonably impossible: continue;
  - c. red light shall mean: stop.
2. If a three-colored traffic light or a one-colored traffic light added to it shows a lit arrow, the light shall only apply to the direction indicated by the arrow.
3. If a lit bicycle picture is shown, the light shall apply to cyclists and drivers of a disabled vehicle.

### Article 11

1. In case of two-colored traffic lights:
  - a. yellow light shall mean: stop; for drivers who have approached the light so closely that stopping is reasonably impossible: continue;
  - b. red light shall mean: stop.
2. The second and third paragraph of Article 10 shall apply by analogy.

### Article 12

1. In case of bus lights:
  - a. white light or white flashing light shall mean: continue;
  - b. yellow light shall mean: stop; for drivers who have approached the light so closely that stopping is reasonably impossible: continue;
  - c. red light shall mean: stop.
2. The white light and the white flashing light shall only apply to the specified directions.

### Article 13

1. In case of pedestrian lights:
  - a. green light shall mean: pedestrians are permitted to cross;
  - b. green flashing light shall mean: pedestrians are permitted to cross; the red light will appear soon;
  - c. red light shall mean: pedestrians cannot begin to cross anymore; pedestrians already crossing have to walk on as quickly as possible.
2. If the red light has been replaced by a yellow flashing light as referred to in Article 14, pedestrians are permitted to cross, provided that they give right of way to the other traffic on site.
3. For the benefit of the blind and visually impaired, traffic lights can be equipped with a sound signal.

### Article 14

Yellow flashing light shall mean: black spot; caution advised.

### Article 15

Further traffic light rules can be given by or on behalf of the Executive Council.

#### Paragraph 4

### TRAFFIC SIGNS ON THE ROAD SURFACE

#### Article 16

A continuous line shall have the following meaning:

- a. if the line is between lanes or on paths with traffic in both directions: drivers cannot cross the line to the left, and not be to the left of the line, unless an interrupted line has been drawn to the right of the continuous line;
- b. if the line is between lanes or paths for one-way traffic: drivers cannot cross the line, unless an interrupted line has been drawn between the driver and the continuous line.

#### Article 17

Drivers are not permitted to use the gores.

#### Article 18

At a crossing, drivers following the roadway shall take the direction indicated by the lane they are in.

#### Article 19

Drivers shall stop before the stop line meant for them.

#### Article 20

Before the shark teeth drivers shall give way to drivers on the intersecting road.

### Chapter III

### TRAFFIC BEHAVIOR

## Paragraph 1

### ROAD SAFETY

#### Article 21

1. It is prohibited to throw, drop, place, lay, or leave substances or objects on a road that are a nuisance or hazardous to traffic.
2. It is prohibited to transport objects dragging over a road so that the road can be damaged.

#### Article 22

The driver is prohibited from turning into a road or road section for which traffic in the opposite direction has right of way, when a vehicle, mount or draught animal or livestock has approached that road or road section from aforementioned direction or is on it. Moreover, he is prohibited from loitering in front of that road or road section in such a way that traffic coming from the opposite direction is hindered when exiting it.

#### Article 23

1. It is prohibited to leave a vehicle, trailer or semi-trailer that is not in running order or is otherwise defective on a public road for more than two times 24 hours.
2. In case of violation of the first paragraph, and if any vehicle, trailer or semi-trailer is found on a road in a way that is a nuisance to traffic, the persons referred to in Article 127 are authorized to transport the vehicle or cause it to be transported to a impoundment lot or repair site at the risk and expense of the owner or holder.

#### Article 24

1. The driver of a motor vehicle is prohibited from transporting persons on a road with it, and the owner or holder is prohibited from letting persons be transported with it, other than on the seats made for this purpose by the manufacturer of the vehicle in the driver's cabin.
2. The first paragraph shall not apply to:
  - a. transportation with military trucks and with trucks used for military purposes;
  - b. transportation of police officers in the performance of their duties and of persons escorted by the police or the judiciary;
  - c. transportation with trucks used by utility companies as far as this transportation takes place to perform the work of these companies;
  - d. transportation of sick or injured persons and their escorts with trucks specifically designed for this purpose;
  - e. transportation of persons with motor vehicles for which a license has been granted to the owner or holder by or on behalf of the competent authority;
  - f. transportation of persons in the load area of a vehicle.
3. A license as referred to in the second paragraph, subparagraph e, can be granted to the owner or holder of the motor vehicle for a certain ride or continuously upon written application for a period not exceeding one year, if the motor vehicle meets the special requirements for the design of the motor vehicle to be set by decision

of the competent authority. The license shall state the maximum number of persons to be transported with the motor vehicle.

#### Article 25

1. The person driving a motor vehicle is prohibited from driving without holding the steering wheel with at least one hand.
2. Drivers of bicycles and mopeds are prohibited from:
  - a. letting themselves be pulled by another vehicle;
  - b. riding without holding the handlebar with at least one hand;
  - c. during the ride having the feet elsewhere than on the pedals or other places meant for this purpose;
  - d. guiding more than one animal;
  - e. as far as it concerns two-wheel bicycles, transporting more than one person on it. This is only permitted if fixed footrests for these persons have been mounted effectively to the bicycle. The co-rider sitting on the rear seat of a tandem bicycle shall not be considered a passenger for the purposes of this Article.

#### Article 26

No other trailer shall be linked behind a trailer.

#### Article 26A

The driver of a motor vehicle, moped, or disabled vehicle equipped with an engine is prohibited from holding a device that can be used for communication or data processing while driving.

#### Paragraph 2

### COMPETENCE OF THE DRIVER

#### Article 27

A driver of a vehicle is prohibited from driving on a road if he is manifestly incompetent to do so due to old age, sickness, weakness, fatigue, or any other cause.

#### Article 28

1. Everyone is prohibited from driving a vehicle or causing it to be driven as driver when he is under such influence of a substance of which he knows or may reasonably know the use of which, whether or not combined with the use of another substance, can reduce the ability to drive, that he should be considered to be incapable of driving properly.

2. Everyone is prohibited from driving a vehicle or causing it to be driven as driver after such use of alcoholic beverages that:
  - a. the alcohol content of his breath during a test appears to exceed 352 micrograms of alcohol per liter of exhaled air, or
  - b. the alcohol content of his blood during a test appears to exceed 0.8 milligrams of alcohol per milliliter of blood.

#### Article 29

When the driver of a motor vehicle, including the person who causes the motor vehicle to be driven under his direct supervision, is suspected of having acted in conflict with Article 28, second paragraph, the investigating officer referred to in Article 127 or the Public Prosecutor or Assistant Public Prosecutor can order him to cooperate in the test as referred to in Article 5a, first paragraph, of the BES Act on liability of drivers, right to drive and ability to drive.

#### Paragraph 3

#### RULES OF CONDUCT

#### Article 30

Road users shall not block a crossing.

#### Article 31

1. The person who is involved in a traffic accident or whose behavior has caused a traffic accident is prohibited from leaving the scene of the accident if:
  - a. to his knowledge or reasonable assumption, in that accident another person has been killed, injury or damage has been cause to another person, or damage has been caused to any property of another person than the driver, before the identity of his person or the vehicle has been properly established;
  - b. to his knowledge or reasonable assumption, another person who has been injured in this accident is left behind helpless.
2. Prosecution pursuant to the first paragraph, subparagraph a, shall be excluded against the person who, within three hours after the accident, before he has been arrested or heard as a suspect, voluntarily notifies a person referred to in Article 127 of the accident, and also makes the statements required to determine the identity of his person and the vehicle.

#### Article 32

A driver or the person who causes a vehicle to be driven is prohibited from driving it on a road during the period for which the driver has been imposed a driving ban as referred to in Article 5a, second paragraph, BES Act on liability of drivers, right to drive and ability to drive.

### Article 33

It is prohibited to intentionally use a vehicle belonging to another person on the road illegally.

### Article 34

1. It is prohibited to organize or participate in a race with vehicles or animals on a road without a license from the Lieutenant Governor.
2. For the purposes of this Article, a race shall also mean all driving or propelling of vehicles or animals to compare the performance of either the animals, or the participants or the vehicles.
3. For the purposes of this Article, a participant shall mean the driver of the vehicle and the rider of an animal with which one participates in a race, as well as the owner or holder hereof.

### Paragraph 4

### PLACE ON THE ROAD

### Article 35

1. Drivers shall keep to the right as much as possible.
2. If a roadway consists of two or more lanes, drivers shall use the lane meant for this purpose, considering their direction.

### Article 36

Where traffic has to stand still, drivers of motor vehicles shall place themselves in order of arrival behind each other on the road section meant for them, and clear the road section meant for traffic from the opposite direction. Drivers of carts, disabled vehicles, mopeds, and bicycles shall place themselves in such a way that motor vehicles are not hindered.

### Article 37

1. Pedestrians shall use the sidewalk or footpath.
2. They shall use the cycle track if there is no sidewalk or footpath.
3. They shall use the shoulder or edge of the roadway, if there is also no cycle track.
4. They may only cross roadways and cycle tracks perpendicular to the direction of traffic, carefully and without needless interruption. When pedestrian crossings are available within a 30-meter radius, they shall use them.
5. This Article shall not apply to military columns.

### Article 38

1. Cyclists shall use the cycle track or cycle lane.

2. If there is no cycle track or cycle lane, they shall keep as much as possible to the right on the roadway.
3. Two cyclists are permitted to ride beside each other.

#### Article 39

Drivers of a disabled vehicle shall use the roadway, the cycle track or the cycle lane, the footpath or the sidewalk. When they use the footpath or the sidewalk, they shall drive slowly.

#### Article 40

1. Equestrians shall use the shoulder.
2. They shall use the cycle track or cycle lane if there is no shoulder, and if there is no cycle track they shall use the edge of the roadway.

#### Article 41

Other drivers than those referred to in Articles 38 through 40 shall only use the roadway.

#### Paragraph 5

#### TAKING OVER

#### Article 42

1. One shall take over on the left.
2. Cyclists shall pass each other on the left, they are permitted to pass other drivers on the right.
3. Drivers who have selected the left lane and have indicated to want to turn left shall be taken over on the right.
4. Drivers who are at the right side of a block marking are permitted to take over drivers who are at the left side of this marking on the right.
5. It is prohibited to come on the road section meant for traffic from the opposite direction while taking over, if it causes or may cause danger or an impediment for oncoming traffic.
6. It is prohibited to take over a vehicle right before or on a crossing, if the road section meant for oncoming traffic has to be used.

#### Article 43

It is prohibited to take over a vehicle right before or on a pedestrian crossing.

#### Paragraph 6

## GIVING RIGHT OF WAY AND RIGHT-OF-WAY RULES

### Article 44

1. At crossings drivers shall give right of way to drivers coming from the right.
2. The following exceptions to this rule shall apply:
  - a. drivers shall give right of way to drivers on a priority road;
  - b. drivers on a dirt road shall give right of way to drivers on a paved road;
  - c. drivers shall give right of way to drivers of motor vehicles;
  - d. drivers making a turn shall give right of way to oncoming traffic on the same road or located on the same road beside them or closely to the left or right behind them;
  - e. drivers nearing a crossing and being on the road that ends at that point shall give right of way to drivers on the continuing road.

### Article 45

1. Drivers shall let the blind and visually impaired carrying a white stick with one or more red rings and all other persons who move with difficulty go first.
2. Drivers shall let pedestrians and drivers of a disabled vehicle who cross at a pedestrian crossing or are apparently about to do so go first.
3. The second paragraph shall not apply if a red pedestrian light or a yellow flashing light as referred to in Article 13, second paragraph, applies to the pedestrians and drivers of a disabled vehicle.

### Article 46

1. Road users shall give drivers of a priority vehicle right of way.
2. Priority vehicles shall be considered to be the motor vehicles used by police and fire department and motor vehicles used by emergency medical services and transportation of the sick, as far as they have a rotating or flashing blue light *and* siren.
3. The categories referred to in the first and second paragraph shall have priority over each other in the sequence in which they have been listed.
4. Drivers of priority vehicles are permitted to deviate from the rules of this Island Ordinance and the provisions based on it, as far as the performance of their duties so requires.

### Article 47

Road users shall give drivers of priority vehicles free passage.

### Article 48

Drivers on a roundabout shall have right of way before traffic approaching the roundabout.

Paragraph 7

COLUMNS

Article 49

1. Without a license or dispensation it is prohibited for pedestrians forming a parade or military column to use the roadway.
2. Traffic is not permitted to cut through a funeral procession, a procession, or a military column.

Article 50

1. A column which has been given a license or dispensation and follows a roadway shall comply with the following:
  - a. the leader shall be of age;
  - b. including the leader, it shall not exceed a width of three persons and a length of thirty persons;
  - c. the participants shall walk in close ranks;
  - d. one shall keep at least 30 meters distance from a column ahead;
  - e. at night the column shall carry a lantern emitting white or yellow light to all sides in the front and a lantern emitting red light to all sides at the rear.
2. The leader of the column shall be responsible for violations of the first paragraph.

Paragraph 8

TURNING AND SPECIAL MANEUVERS

Article 51

1. Drivers of motor vehicles that want to make a turn shall give a signal with their blinker before turning, and the other drivers shall give a signal with their arm before turning.
2. Drivers of motor vehicles that want to make a turn shall get in lane by:
  - a. timely driving as much as possible to the right side of the roadway if they want to turn right;
  - b. timely driving as much as possible along the road axis or keeping to the left as much as possible in case of roadways meant for traffic in one direction if they want to turn left.

Article 52

1. Drivers who make a turn shall give right of way to oncoming drivers on the same road or drivers who are beside them on the same road or closely to the left or right behind them.
2. Drivers who turn left shall give right of way to oncoming drivers who turn right at the same crossing.
3. At a crossing the traffic that makes a turn shall make a wide turn to the left and a short turn to the right.

#### Article 53

1. Drivers who perform a special maneuver, such as reverse, exit a driveway onto the road, turn into a driveway from a road, make a U-turn, cross the road, drive onto the continuing roadway from the acceleration lane, and change lanes, shall give right of way to the other traffic.
2. Drivers of vehicles are permitted to reverse only slowly and along the side of the roadway where the vehicle was before it reversed, if this cannot cause danger or hindrance to other road users or cause damage.

#### Article 54

Drivers of motor vehicles shall give a signal with their blinker if they want to drive off, want to take over other drivers of motor vehicles, want to access and exit the continuing roadway, and if they want to change lanes, as well as for all other important sideway movements.

#### Article 55

1. Within the built-up area, drivers shall give drivers of a bus the opportunity to leave a bus stop, when the driver of this bus indicates his intention to drive off by giving a signal with his blinker.
2. The first paragraph shall not apply to drivers of priority vehicles.

#### Article 56

1. If they intend to stop or suddenly slow down, drivers shall indicate this to the traffic behind them in a timely and clearly visible manner.
2. A driver shall be able to stop his vehicle within the distance he can see to be clear.

#### Paragraph 9

#### SPEED

#### Article 57

Unless indicated differently, within the built-up area the following speed limits shall apply:

- a. for motor vehicles 30 km/h;
- b. for mopeds 30 km/h;
- c. for disabled vehicles using the roadway 30 km/h.

#### Article 58

Unless indicated differently, outside the built-up area the following speed limits shall apply:

- a. for motor vehicles 60 km/h;

- b. for mopeds 40 km/h;
- c. for disabled vehicles using the roadway 40 km/h.

#### Article 59

Unless indicated differently, the following speed limits shall apply for self-propelling machines:

- a. 25 km/h within the built-up area;
- b. 40 km/h outside the built-up area.

#### Paragraph 10

### STANDING STILL AND PARKING OF VEHICLES

#### Article 60

1. The driver is only permitted to let his vehicle stand still on the separate road section to the right of the road meant for stationary vehicles, and for lack hereof at the utmost right side of the road.
2. The driver shall not let his vehicle stand still:
  - a. on a crossing or within a distance of eight meters from the intersections of the edges of the roadway;
  - b. on or within a five-meter distance from a pedestrian crossing;
  - c. at a bus stop sign where the marking is or, if there is no marking, at a distance of less than twelve meters from the sign;
  - d. along a yellow continuous line;
  - e. on no stopping roads or road sections;
  - f. on a bridge;
  - g. in or near a bend and on or near the highest point of a slope, all this unless the view for the other traffic remains sufficiently clear;
  - h. beside or at a distance of less than five meters from a traffic island, unless the width of the roadway beside the traffic island is at least six meters.
3. Subparagraph c of the second paragraph shall not apply to immediately letting passengers get in and out.
4. In deviation from the first paragraph, drivers of vehicles are permitted to let the vehicle they drive stand still to the left side of the roadway or path in a parallel direction:
  - a. on roads closed in the opposite direction for the traffic the drivers belong to;
  - b. on roads with a stopping prohibition or waiting restrictions for the right side.

#### Article 61

1. The driver shall park his vehicle on the separate road section to the right of the road meant for parked vehicles, and for lack hereof at the utmost right side of the road:
2. With the exception of bicycles, a driver shall not park his vehicle:
  - a. at a crossing at a distance of less than five meters from it;
  - b. in front of a driveway or exit;
  - c. where the competent authority has installed a parking meter or ticket machine, if he does not follow the instructions given for use of the parking meter or ticket machine;

- d. where the competent authority has designated a parking zone, if he does not follow the conditions applicable to this zone;
  - e. outside the built-up area on the roadway of a priority road;
  - f. in a parking space if his vehicle does not belong to the category for which this parking space is meant;
  - g. along a yellow interrupted or continuous line;
  - h. at or within a five-meter distance from a water source;
  - i. at or within a five-meter distance from a pedestrian crossing;
  - j. on a location meant for immediate loading and unloading of goods.
3. The driver shall not park his vehicle in such a manner that other vehicles are hindered when they drive off.
  4. The Executive Council can designate parking zones. The Executive Council shall set rules for the specification and use hereof by island decree of general scope.

#### Article 62

1. It is only permitted to park the following in a disabled parking space:
  - a. a disabled vehicle;
  - b. a motor vehicle on more than two wheels showing a clearly visible, valid disabled parking badge; or
  - c. if the disabled parking space has been reserved for a certain vehicle.
2. Rules can be given for the use of disabled parking spaces and the disabled parking badge by or on behalf of the Executive Council.

#### Article 63

Bicycles, mopeds, and disabled vehicles shall be placed on the sidewalk, on the footpath, or on the shoulder, or in any other places designated by the competent authority, on the understanding that on sidewalks and footpaths at least one meter and twenty centimeters is left for pedestrian use.

#### Paragraph 11

#### SIGNALS

#### Article 64

1. To avert imminent danger, drivers of motor vehicles and mopeds can give one of the following signals:
  - a. by day a sound signal with the horn;
  - b. by night flash signals by repeatedly switching the high-beam headlights on and off quickly.
2. Moreover, they can give a sound signal by day as referred to in the first paragraph, subparagraph a, to notify other road users that they want to take over.
3. They shall avoid scaring mounts or draught animals or livestock on the road when giving signals.
4. Drivers of motor vehicles and mopeds shall not cause unnecessary noise with their vehicles, including needlessly increasing the engine speed.

#### Article 65

1. Drivers of motor vehicles as referred to in Article 46, second paragraph, shall only use rotating or flashing blue light and siren to indicate that they perform an urgent duty.
2. Drivers of motor vehicles used for work to be specified in detail shall use rotating or flashing yellow or orange light during this work.
3. The competent authority can set further rules for the signals referred to in the previous paragraphs, for the use of the signals, and for the work and circumstances referred to in the second paragraph.

#### Article 66

1. Cyclists are permitted to give a bell signal or another mechanical signal when there is imminent danger to a road user because of their approach.
2. Outside the built-up area they are also permitted to give a signal to indicate to other road users that they want to take over.

#### Paragraph 12

### USE OF LIGHTS AND WARNING TRIANGLE

#### Article 67

1. Drivers of motor vehicles and mopeds shall use low-beam headlights by night and by day, if the view is seriously restricted.
2. Using high-beam headlights instead of low-beam headlights is permitted, except in the following cases:
  - a. when encountering another road user; and
  - b. when following another vehicle at a short distance.
3. Taillights and the lights of the rear license plate shall always be on simultaneously with the high-beam headlights or low-beam headlights.
4. Cyclists and drivers of disabled vehicles and carts shall use headlights and taillights by night and by day, if the view is seriously restricted.

#### Article 68

1. Attached trailers shall use taillights and lights of the rear license plate by day, if the view is seriously restricted, and by night.
2. Outside the built-up area on the roadway, by day, if the view is seriously restricted, and by night, detached trailers and semi-trailers or stationary carts shall have:
  - two red triangle reflectors with sides of at least 15 cm at the rear;
  - two white round or square reflectors at the front, and
  - two orange round or square reflectors on both sides.

#### Article 69

Drivers of vehicles on more than two wheels that stand still outside the built-up area on the roadway shall use parking lights by day, if the view is seriously restricted, and by night.

#### Article 70

1. Simultaneously with high-beam headlights or low-beam headlights, drivers of motor vehicles are permitted to use sidelights, guide lights or lights to indicate the contours of the motor vehicle or the load at the front.
2. Drivers are prohibited from using other lights than prescribed or permitted in this paragraph.

#### Article 71

1. Stationary motor vehicles on more than two wheels, trailers and semi-trailers, and carts shall be indicated by means of a warning triangle, if the vehicle is an obstacle that cannot timely be noticed as such by approaching drivers.
2. The warning triangle shall be placed on the road in a clearly visible manner at a distance of approximately 30 meters from the vehicle and in the direction of the traffic for which the vehicle constitutes a hazard.
3. The first paragraph shall not apply when flashing warning lights are used.

#### Paragraph 13

#### ROUNDBABOUTS

#### Article 72

Drivers of motor vehicles are permitted to drive other than on the right side of the roadway right before or on roundabouts.

#### Article 73

Right before or on roundabouts drivers are permitted to take over on the right.

#### Paragraph 14

#### LIVESTOCK

#### Article 74

1. It is prohibited to let mounts or draught animals or livestock be on the road section meant for traffic without an escort or under the supervision of persons younger than sixteen.
2. The first paragraph shall not apply to roads designated for this purpose by the competent authority.

#### Article 75

1. By day, if the view is seriously restricted, and by night, equestrians and escorts of mounts or draught animals or livestock shall carry a lantern emitting white or yellow light to all sides at the left front and a lantern emitting red light to all sides at the left rear.
2. Escorts of mounts or draught animals or livestock shall have sufficient control of the animals when they are on a road, and shall only guide or herd them slowly within the built-up area.

#### Paragraph 15

#### TOWING

#### Article 76

Drivers of motor vehicles are prohibited from towing another motor vehicle if the distance from the rear of the pulling vehicle to the front of the towed vehicle exceeds five meters.

#### Paragraph 16

#### SEATBELTS AND HELMETS

#### Article 77

1. As far as not determined differently in this Ordinance, drivers of motor vehicles and passengers shall use the available seatbelts.
2. As far as not determined differently in this Ordinance, passengers shorter than 1.30 meters shall use a child protection system suitable for them, meeting internationally acceptable safety standards and carrying a quality seal.
3. Drivers and passengers older than 3 who are shorter than 1.50 meters shall use a three-point seatbelt as lap belt.
4. The first paragraph shall not apply to drivers of motor vehicles:
  - a. on two wheels, with or without sidecar;
  - b. to which the obligation does not apply as evidenced by an entry in the certificate of approval issued for this purpose;
  - c. who are unable to fasten a seatbelt due to a physical impairment as evidenced by an entry in the driver's license issued to the driver.
5. The second paragraph shall not apply to passengers:
  - a. of motor vehicles as referred to in the fourth paragraph, subparagraphs a and b;
  - b. of motor vehicles having dispensation from wearing a seatbelt, and
  - c. who are transported in the load area.

#### Article 78

The driver and the passengers are prohibited from being on a moped, motorcycle or other motor vehicle without closed bodywork without wearing a properly fitting helmet that:

- a. has been fastened on the head properly by means of a buckle;
- b. meets internationally acceptable safety standards and carries a quality seal, and
- c. is in good condition.

#### Paragraph 17

#### LOAD OF VEHICLES

#### Article 79

If the load of a motor vehicle protrudes more than one meter at the front or rear or more than 10 centimeters on the sides outside the contours of the vehicle, by day a red flag of 0.40 meters x 0.40 meters shall be fastened to the end of the load, and by night a lantern emitting white light shall be mounted at the front and a lantern emitting red light at the rear.

#### Article 80

1. At the front the load shall not protrude more than 3.5 meters from the heart of the steering wheel.
2. At the rear the load shall not protrude more than 5 meters from the heart of the rear axle of the motor vehicle.
3. The vehicle including the load shall not be wider than 3 meters.
4. The vehicle including the load shall not be higher than 4 meters.

#### Article 81

1. Only long objects consisting of one piece may protrude outside the vehicle.
2. The objects referred to in the first paragraph shall be supported and fastened on the load area in such a manner that they cannot tilt or shift.
3. The objects referred to in the first paragraph shall not create major vibrations or adversely affect the vehicle's stability.
4. The objects referred to in the first paragraph shall not touch the road surface.
5. When transporting diabase, gravel, sand, or other loose load, it shall be covered or fastened in such a manner that it does not constitute a risk for the load to fall on the road.

#### Article 82

1. A vehicle or combination of vehicles with trailer or semi-trailer shall not be overloaded. The maximum permitted axle load shall be 10 tons. The maximum permitted mass shall be 50 tons.

2. A vehicle shall not be loaded in such a manner that the driver has insufficient view to the front, the sides, or, whether or not with the assistance of mirrors, on the road section behind him to the left.
3. The driver shall not be hindered by the load in any manner while driving.

## Chapter IV

### TECHNICAL REQUIREMENTS

#### Paragraph 1

#### MOTORCYCLES

#### Article 83

1. The following requirements shall apply to the design of motorcycles.
  - a. Measurements:
    - 1) they shall not be higher than 2 meters;
    - 2) they shall not be wider than 1.5 meters;
    - 3) they shall not be longer than 3 meters;
  - b. Marks:

They shall carry the following specifications applied in a properly readable place in simply readable, indelible characters:

    - 1) the name or trademark of the manufacturer;
    - 2) the factory number or serial number on the frame or the bodywork;
    - 3) the engine number on the engine;
  - c. Seats:

They shall have no more than two seats;
  - d. Steering system:

They shall have a proper steering system;
  - e. Tires:
    - 1) the wheels shall have proper tires;
    - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
  - f. Suspension springs:

They shall have properly functioning suspension springs;
  - g. Brakes:

They shall have two proper brakes. The deceleration shall be at least 3.86 m/sec<sup>2</sup> on a dry or almost dry and more or less horizontal road when both brakes are used simultaneously;
  - h. Horn:

They shall have one horn with a fixed pitch and sufficiently loud. A combination of horns functioning simultaneously shall be considered to be one horn;

- i. Design:  
The design shall be such that a risk of fire, explosion and hindrance for other road users caused by (thick) smoke or fume is prevented as much as possible;
  - j. Muffler:  
They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;
  - k. Brake lights:  
They shall have at least one brake light;
  - l. Lights:
    - 1) they shall have at least one low-beam headlight;
    - 2) they shall have at least one high-beam headlight;
    - 3) they shall have at least one taillight;
    - 4) they shall have a red reflector at the rear;
    - 5) the headlight and taillight and the light of the rear license plate shall be lit simultaneously.
  - m. Blinkers:  
They shall have blinkers.
2. Further design requirements can be set by or on behalf of the Executive Council.

#### Paragraph 2

### THREE-WHEELED MOTOR VEHICLES

#### Article 84

1. The following requirements shall apply to the design of three-wheeled motor vehicles not being motorcycles. For the determination of the number of wheels, two wheels mounted next to each other of similar size shall be considered to be one wheel, if the distance between the insides of the tires mounted on these wheels does not exceed the width of one of these tires in normal inflated and unloaded condition.
- a. Measurements:
    - 1) they shall not be higher than 3.5 meters;
    - 2) they shall not be wider than 2.5 meters;
    - 3) they shall not be longer than 6 meters;
    - 4) the total length with an attached trailer shall not exceed 10 meters;
  - b. Marks:  
They shall carry the following specifications applied in a properly readable place in simply readable, indelible characters:
    - 4) name or trademark of the manufacturer;
    - 5) the factory number or serial number on the frame or the bodywork;
    - 6) the engine number on the engine;
  - c. Mirrors:  
They shall have a mirror so that the driver can see the road section behind him to the left;
  - d. Wipers:  
They shall have wipers, unless they do not have a windshield;
  - e. Steering system:  
They shall have a proper steering system;

- f. Tires:
    - 1) the wheels shall have proper tires;
    - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
  - g. Suspension springs:

They shall have properly functioning suspension springs; this does not apply to the wheel mounted in the symmetry plane;
  - h. Brakes:

They shall have proper brakes. The deceleration shall be at least 3.86 m/sec<sup>2</sup> on a dry or almost dry and more or less horizontal road;
  - i. Horn:

They shall have one horn with a fixed pitch and sufficiently loud. A combination of horns functioning simultaneously shall be considered to be one horn;
  - j. Design:

The design shall be such that a risk of fire, explosion and hindrance for other road users caused by (thick) smoke or fume is prevented as much as possible;
  - k. Muffler:

They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;
  - l. Brake lights:

They shall have at least one brake light in the middle or on the left side;
  - m. Blinkers:

They shall have blinkers;
  - n. Lights:
    - 1) they shall have at least one properly functioning low-beam headlight and one properly functioning high-beam headlight;
    - 2) they shall have at least one taillight;
    - 3) they shall have at least two red reflectors that are not triangular;
    - 4) they shall have rear license plate lighting emitting clear white light;
    - 5) the headlight and taillight and the light of the rear license plate shall be lit simultaneously.
2. Further design requirements can be set by or on behalf of the Executive Council.

### Paragraph 3

## MOTOR VEHICLES

### Article 85

1. The following requirements shall apply to the design of motor vehicles the empty weight of which plus the load capacity does not exceed 3,500 kilograms, designed to transport persons, with no more than eight seats, not including the driver.
  - a. Measurements:
    - 1) they shall not be higher than 3.5 meters;
    - 2) they shall not be wider than 2.5 meters;
    - 3) they shall not be longer than 10 meters;
    - 4) the total length with an attached trailer shall not exceed 18 meters;

b. Marks:

They shall carry the following specifications applied in a properly readable place in simply readable, indelible characters:

- 1) name or trademark of the manufacturer;
- 2) the factory number or serial number on the frame or the bodywork;
- 3) the engine number on the engine;

c. Windows:

- 1) the motor vehicle shall have a windshield;
- 2) the windshield, side, and rear windows shall be made of safety glass and of sustainable material, transparent from the inside as well as the outside, and not have cracks or discolorations hindering the driver's view. Persons and objects shall be seen properly recognizable through this material;
- 3) without dispensation it is prohibited to attach, stick, or affix any material to, on or against the windshield and side windows, restricting the driver's view, or on account of which persons and objects can be seen vaguely, distortedly or not at all from the inside as well as the outside;
- 4) tinted windshields and side windows in the front of the car shall let at least 35% of the light through. Along the top of the windshield, a tinted strip of 17,78 cm is permitted.

d. Wipers:

They shall have at least one wiper, covering the entire windshield;

e. Mirrors:

They shall have an interior mirror and a left outside mirror. If the view is restricted in the interior mirror, a right outside mirror is also required.

f. Design passenger cabin:

- 1) if one or more persons are seated beside the driver, the free space of the seats shall be at least 60 centimeters for the driver and 40 centimeters for each of the other persons;
- 2) only permitted to be beside or behind the driver are persons who are seated in the designated seats;
- 3) motor vehicles of any year of manufacture after 1986 shall have proper fasteners for the seats that are available and used in the front, and seatbelts in good condition and properly mounted;
- 4) motor vehicles of any year of manufacture after 1996 shall have a system preventing condensation at the inside of the windshield;
- 5) they shall have a proper speedometer and a proper odometer that are properly readable to the driver by night, without causing hindrance;

g. Steering system:

They shall have a proper steering system;

h. Tires:

- 1) the wheels shall have proper tires;
- 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;

i. Suspension springs:

They shall have properly functioning suspension springs;

j. Brakes:

They shall have two proper brakes; one brake, the service brake, shall brake all wheels; the braking force shall be divided over the wheels in such a manner that the chance of skidding of the vehicle is as small as possible; in case of combinations of a pulling vehicle and semi-trailer the wheels of the semi-trailer shall be braked simultaneously with or before and as much as the wheels of the pulling vehicle. The other brake shall brake at least two wheels, while those wheels shall be symmetrically on both sides of the vehicle; it shall be possible to secure it in operating condition, unless the vehicle has a separate securing device. The deceleration shall be at least 3.86 m/sec<sup>2</sup> on a dry or almost dry and more or less horizontal road when exclusively using the service brake, and 1 m/sec<sup>2</sup> when only using the other brake;

k. Horn:

They shall have one horn with a fixed pitch and sufficiently loud. A combination of horns functioning simultaneously shall be considered to be one horn;

l. Design:

The design shall be such that a risk of fire, explosion and hindrance for other road users caused by (thick) smoke or fume is prevented as much as possible;

m. Muffler:

They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;

n. Brake lights:

They shall have two brake lights on both rear sides of the vehicle;

o. Blinkers:

They shall have blinkers on both sides at the front and at the rear of the vehicle;

p. Lights:

- 1) they shall have two low-beam and high-beam headlights on both sides of the motor vehicle emitting clear white or yellow light to the front;
- 2) they shall have two taillights on both sides of the motor vehicle, not triangular, emitting clear red light to the rear;
- 3) they shall have two properly functioning red reflectors on both sides of the motor vehicle at the rear that are not triangular, whether or not built in in the red taillights;
- 4) they shall have rear license plate lighting emitting clear white light;
- 5) the headlight and taillight and the light of the rear license plate shall be lit simultaneously.

2. Further design requirements can be set by or on behalf of the Executive Council.

Paragraph 4

TRUCKS

Article 86

1. The following requirements shall apply to the design of trucks.

a. Measurements:

- 1) they shall not be higher than 4 meters;
- 2) they shall not be wider than 2.5 meters;
- 3) they shall not be longer than 10 meters;
- 4) - the total length with an attached trailer shall not exceed 18.75 meters;  
- the total length with an attached semi-trailer shall not exceed 17.30 meters;

b. Marks:

They shall carry the following specifications applied in a properly readable place in simply readable, indelible characters:

- 1) name or trademark of the manufacturer;
- 2) the factory number or serial number on the frame or the bodywork;
- 3) the engine number on the engine;

c. Windows:

- 1) the truck shall have a windshield;

- 2) the windshield, side, and rear windows shall be made of safety glass and of sustainable material, transparent from the inside as well as the outside, and not have cracks or discolorations hindering the driver's view. Persons and objects shall be seen properly recognizable through this material;
  - 3) without dispensation it is prohibited to attach, stick, or affix any material to, on or against the windshield and side windows, restricting the driver's view, or on account of which persons and objects can be seen vaguely, distortedly or not at all from the inside as well as the outside;
  - 4) tinted windshields and side windows in the front of the car shall let at least 35% of the light through. Along the top of the windshield, a tinted strip of 17,78 cm is permitted.
- d. Wipers:  
They shall have at least one wiper, covering the entire windshield;
  - e. Mirrors:  
They shall have a left and a right outside mirror.
  - f. Design passenger cabin:
    - 1) if one or more persons are seated beside the driver, the free space of the seats shall be at least 60 centimeters for the driver and 40 centimeters for each of the other persons;
    - 2) only permitted to be beside or behind the driver are persons who are seated in the designated seats;
    - 3) motor vehicles of any year of manufacture after 1986 shall have proper fasteners for the seats that are available and used in the front, and seatbelts in good condition and properly mounted;
    - 4) motor vehicles of any year of manufacture after 1996 shall have a system preventing condensation at the inside of the windshield;
    - 5) they shall have a proper speedometer and a proper odometer that are properly readable to the driver by night, without causing hindrance;
  - g. Steering system:  
They shall have a proper steering system;
  - h. Tires:
    - 1) the wheels shall have proper tires;
    - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
  - i. Suspension springs:  
They shall have properly functioning suspension springs;
  - j. Brakes:  
They shall have two proper brakes; one brake, the service brake, shall brake all wheels; the braking force shall be divided over the wheels in such a manner that the chance of skidding of the vehicle is as small as possible; in case of combinations of a pulling vehicle and semi-trailer the wheels of the semi-trailer shall be braked simultaneously with or before and as much as the wheels of the pulling vehicle. The other brake shall brake at least two wheels, while those wheels shall be symmetrically on both sides of the vehicle; it shall be possible to secure it in operating condition, unless the vehicle has a separate securing device. The deceleration shall be at least 3.86 m/sec<sup>2</sup> on a dry or almost dry and more or less horizontal road when exclusively using the service brake, and 1 m/sec<sup>2</sup> when only using the other brake;
  - k. Horn:  
They shall have one horn with a fixed pitch and sufficiently loud. A combination of horns functioning simultaneously shall be considered to be one horn;
  - l. Design:  
The design shall be such that a risk of fire, explosion and hindrance for other road users caused by (thick) smoke or fume is prevented as much as possible;
  - m. Muffler:  
They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;
  - n. Brake lights:  
They shall have two brake lights on both sides at the front and at the rear of the vehicle;

o. Blinkers:

They shall have blinkers on both sides at the front and at the rear of the vehicle;

p. Lights:

- 1) they shall have two low-beam and high-beam headlights on both sides of the motor vehicle emitting clear white or yellow light to the front;
- 2) they shall have two taillights on both sides of the motor vehicle, not triangular, emitting clear red light to the rear;
- 3) they shall have two properly functioning red reflectors on both sides of the motor vehicle at the rear that are not triangular, whether or not built in in the red taillights;
- 4) they shall have rear license plate lighting emitting clear white light;
- 5) the headlight and taillight and the light of the rear license plate shall be lit simultaneously.

2. Further design requirements can be set by or on behalf of the Executive Council.

Paragraph 5

BUSES

Article 87

1. The following requirements shall apply to the design of buses.

a. Measurements:

- 1) they shall not be higher than 4 meters;
- 2) they shall not be wider than 2.5 meters;
- 3) they shall not be longer than 12 meters;
- 4) the total length with an attached trailer shall not exceed 18.75 meters;

b. Marks:

They shall carry the following specifications applied in a properly readable place in simply readable, indelible characters:

- 1) name or trademark of the manufacturer;
- 2) the factory number or serial number on the frame or the bodywork;
- 3) the engine number on the engine;

c. Windows:

- 1) the motor vehicle shall have a windshield;
- 2) the windshield, side, and rear windows shall be made of safety glass and of sustainable material, transparent from the inside as well as the outside, and not have cracks or discolorations hindering the driver's view. Persons and objects shall be seen properly recognizable through this material;
- 3) without dispensation it is prohibited to attach, stick, or affix any material to, on or against the windshield and side windows, restricting the driver's view, or on account of which persons and objects can be seen vaguely, distortedly or not at all from the inside as well as the outside;
- 4) tinted windshields and side windows in the front of the car shall let at least 35% of the light through. Along the top of the windshield, a tinted strip of 17,78 cm is permitted.

d. Wipers:

They shall have at least one wiper, covering the entire windshield;

e. Mirrors:

They shall have a left and a right outside mirror.

f. Design passenger cabin:

They shall have a proper speedometer and a proper odometer that are properly readable to the driver by night, without causing hindrance;

- g. Steering system:  
They shall have a proper steering system;
  - h. Tires:
    - 1) the wheels shall have proper tires;
    - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
  - i. Suspension springs:  
They shall have properly functioning suspension springs;
  - j. Brakes:  
They shall have two proper brakes; one brake, the service brake, shall brake all wheels; the braking force shall be divided over the wheels in such a manner that the chance of skidding of the vehicle is as small as possible; in case of combinations of a pulling vehicle and semi-trailer the wheels of the semi-trailer shall be braked simultaneously with or before and as much as the wheels of the pulling vehicle. The other brake shall brake at least two wheels, while those wheels shall be symmetrically on both sides of the vehicle; it shall be possible to secure it in operating condition, unless the vehicle has a separate securing device. The deceleration shall be at least 3.86 m/sec<sup>2</sup> on a dry or almost dry and more or less horizontal road when exclusively using the service brake, and 1 m/sec<sup>2</sup> when only using the other brake;
  - k. Horn:  
They shall have one horn with a fixed pitch and sufficiently loud. A combination of horns functioning simultaneously shall be considered to be one horn;
  - l. Design:  
The design shall be such that a risk of fire, explosion and hindrance for other road users caused by (thick) smoke or fume is prevented as much as possible;
  - m. Muffler:  
They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;
  - n. Brake lights:  
They shall have two brake lights on both sides at the rear of the vehicle;
  - o. Blinkers:  
They shall have blinkers on both sides at the front and at the rear of the vehicle;
  - p. Lights:
    - 1) they shall have two low-beam and high-beam headlights on both sides of the motor vehicle emitting clear white or yellow light to the front;
    - 2) they shall have two taillights on both sides of the motor vehicle, not triangular, emitting clear red light to the rear;
    - 3) they shall have two properly functioning red reflectors on both sides of the motor vehicle at the rear that are not triangular, whether or not built in in the red taillights;
    - 4) they shall have rear license plate lighting emitting clear white light;
    - 5) the headlight and taillight and the light of the rear license plate shall be lit simultaneously.
2. Further design requirements can be set by or on behalf of the Executive Council.

Paragraph 6

TRAILERS

## Article 88

1. The following requirements shall apply to the design of trailers.
  - a. Measurements:
    - 1) they shall not be higher than 4 meters;
    - 2) they shall not be wider than 2.5 meters;
    - 3) they shall not be longer than 10 meters;
    - 4) the sum of the surfaces of the load area of two-axle or multi-axle trailers, located before the front axle and behind the rear axle, shall not exceed the surface of the load area located between the front and rear axle;
    - 5) the axle of single-axle trailers shall be approximately in the middle under the load area;
  - b. Coupler:

They shall have a sufficiently strong, properly functioning coupler;
  - c. Lights:
    - 1) they shall have the same lights at the rear as required for the vehicle they have been attached to;
    - 2) they shall have two triangular red reflectors at the rear;
    - 3) they shall have rear license plate lighting emitting clear white light;
    - 4) the taillight and the light of the rear license plate shall be lit simultaneously.
  - d. Brake lights:

They shall have two brake lights functioning simultaneously with the brake lights of the pulling vehicle;
  - e. Blinkers:

They shall have blinkers at the rear functioning simultaneously with and meeting the requirements for the blinkers of the pulling vehicle;
  - f. Tires:
    - 1) the wheels shall have proper tires;
    - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
2. Further design requirements can be set by or on behalf of the Executive Council.

## Paragraph 7

## SEMI-TRAILERS

## Article 89

1. The following requirements shall apply to the design of semi-trailers.
  - a. Measurements:
    - 1) they shall not be higher than 4 meters;
    - 2) they shall not be wider than 2.5 meters;
    - 3) they shall not be longer than 13.60 meters;
    - 4) they shall be designed in such a manner that in case of even, normal load of the load area at least one-fourth (1/4) of the mass of the load rests on the coupler;
  - b. Coupler:

They shall have a sufficiently strong, properly functioning coupler;
  - c. Lights:
    - 1) they shall have the same lights at the rear as required for the vehicle they have been attached to;
    - 2) they shall have two triangular red reflectors at the rear;

- 3) they shall have rear license plate lighting emitting clear white light;
  - 4) the taillight and the light of the rear license plate shall be lit simultaneously.
- d. Brake lights:  
They shall have two brake lights functioning simultaneously with the brake lights of the pulling vehicle;
- e. Blinkers:  
They shall have blinkers at the rear functioning simultaneously with and meeting the requirements for the blinkers of the pulling vehicle;
- f. Tires:  
1) the wheels shall have proper tires;  
2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
2. Further design requirements can be set by or on behalf of the Executive Council.

#### Paragraph 8

#### MOPEDS

#### Article 90

1. The following requirements shall apply to the design of mopeds.
  - a. Measurements:
    - 1) they shall not be wider than 0.75 meter, including the load;
    - 2) mopeds on more than two wheels, designed for transportation of goods or persons other than the driver, and mopeds with sidecars shall not be wider than 1.5 meters, including the load;
  - b. Steering system:  
They shall have a proper steering system;
  - c. Horn, bell:  
They shall have one horn with a fixed pitch and sufficiently loud or a properly functioning bell or another device that gives a mechanical sound signal. A combination of horns functioning simultaneously shall be considered to be one horn;
  - d. Brakes:  
They shall have two proper brakes. The deceleration shall be at least  $3.86 \text{ m/sec}^2$  on a dry or almost dry and more or less horizontal road while using both brakes together;
  - e. Blinkers:  
They shall have blinkers at the front and at the rear. This does not apply if the driver occupies such a seat that the signals he gives with his arm are clearly visible to the traffic behind him and in front of him.
  - f. Muffler:  
They shall have an original, or at least similarly noise-reducing, proper muffler, discharging the waste gas while reducing the noise;
  - g. Brake lights:  
They shall have at least one brake light at the rear of the vehicle;
  - h. Lights:
    - 1) they shall have a properly functioning headlight;
    - 2) they shall have at least one properly functioning taillight;
    - 3) they shall have rear license plate lighting emitting clear white light;
    - 4) the taillight and the light of the rear license plate shall be lit simultaneously;

- i. Tires:
  - 1) the wheels shall have proper tires;
  - 2) the tires shall have a tread depth of the main grooves of at least 1.6 millimeters;
2. Further design requirements can be set by or on behalf of the Executive Council.

#### Paragraph 9

#### BICYCLES

#### Article 91

1. The following requirements shall apply to the design of bicycles.
  - a. Measurements:
    - 1) they shall not be wider than 0.75 meter, including the load;
    - 2) bicycles on more than two wheels, designed for transportation of goods or persons other than the driver, and bicycles with sidecars shall not be wider than 1.5 meters, including the load;
  - b. Steering system:

They shall have a proper steering system;
  - c. Bell:

They shall have a properly functioning bell or another device that gives a mechanical sound signal;
  - d. Brake:

They shall have proper brakes;
  - e. Lights:
    - 1) they shall have a properly functioning headlight;
    - 2) they shall have at least one properly functioning taillight.
2. Further design requirements can be set by or on behalf of the Executive Council.

#### Paragraph 10

#### CARTS

#### Article 92

1. The following requirements shall apply to the design of carts.
  - a. Measurements:
    - 1) they shall not be higher than 3.5 meters;
    - 2) they shall not be wider than 2.5 meters;
    - 3) carts not meant to be hitched up shall not be wider than 1.5 meters, including the load;
  - b. Lights:
    - 1) they shall have two yellow or white reflectors that are not triangular on both sides at the front of the cart;
    - 2) they shall have two triangular red reflectors on both sides at the rear of the cart.
2. Further design requirements can be set by or on behalf of the Executive Council.

## Chapter V

### ROADWORTHINESS CERTIFICATES AND MARKS FOR VEHICLES IN INTERNATIONAL TRAFFIC

#### Paragraph 1

#### CERTIFICATE OF APPROVAL

##### Article 93

The driver is prohibited from driving a motor vehicle or moped on a road, unless he carries a valid certificate of approval issued for that motor vehicle or moped.

##### Article 94

1. The certificate of approval for vehicles older than five years, being motor vehicles in the sense of the Island Ordinance Bus Services Saba and the Rental Motor Vehicle Tax Ordinance Saba, trucks, and self-propelled machines shall be valid for one year after its date.
2. The certificate of approval for vehicles older than five years other than those referred to in the first paragraph shall be valid for two years after its date.
3. Restrictive conditions can be set on the certificate of approval, also in connection with the type of transportation the vehicle is meant for.
4. If there are justified reasons to assume that a vehicle for which a valid certificate of approval has been issued does not meet the requirements set, the owner shall cause the vehicle to be re-inspected on the demand of or on behalf of the Lieutenant Governor within a period to be set by him.
5. If the re-inspection shows that the vehicle does not meet the requirements set in this Island Ordinance, the certificate of approval shall be declared invalid.

##### Article 95

Rules can be set by or on behalf of the Executive Council for:

- a. the application for and issue of roadworthiness certificates;
- b. the creation, organization, and management of registers concerning roadworthiness certificates issued;
- c. the provision of information from the registers referred to in subparagraph b and the costs of this information.

##### Article 96

1. If a motor vehicle or moped is transferred to another owner or holder, this new owner or holder shall register it within thirty days after the transfer, submitting proper proof of ownership, in the register referred to in Article 95, subparagraph b, and cause the relevant certificate of approval to be modified accordingly.
2. The owner or holder has a similar obligation if the license number of a motor vehicle or moped has been modified.

#### Paragraph 2

### MARKS AND DISTINGUISHING MARKS

#### Article 97

1. In case of motor vehicles, except mopeds and motorcycles, the license number shall be attached clearly visible to the front and rear side of the motor vehicle.
2. In case of mopeds and motorcycles, the license number shall be attached clearly visible at the rear of the vehicle.
3. If the motor vehicle pulls a trailer, the license number shall be attached clearly visible at the front side of the pulling vehicle and at the rear side of the trailer.
4. Rules can be set by or on behalf of the Executive Council for:
  - a. the application for and issue of license numbers;
  - b. the creation, organization and management of registers concerning license numbers issued;
  - c. the provision of information from the registers referred to in subparagraph b and the costs of this information;
  - d. how the license number shall be attached to the vehicle.

#### Article 98

Rules can be set by or on behalf of the Executive Council for:

- a. the application for and issue of registration certificates;
- b. the creation, organization, and management of registers concerning registration certificates issued;
- c. the provision of information from the registers referred to in subparagraph b and the costs of this information.

#### Article 99

Reserved

### Chapter VI

### DRIVER'S LICENSES

#### Article 100

1. With the exception of the provisions in Articles 112, 113, 115, subparagraphs b and c, the driver is prohibited from driving a motor vehicle on a road, unless he has a valid driver's license registered in his name for driving a motor vehicle of the type that he drives, which driver's license has been issued by or on behalf of the

Lieutenant Governor, and has been designed in accordance with a model belonging to this Ordinance, to be determined by the Lieutenant Governor.

2. A driver of a moped is prohibited from driving on a road unless he has reached the age of 16, and:
  - a. carries a valid license registered in his name, issued by or on behalf of the Lieutenant Governor, designed in accordance with a model belonging to this Ordinance, or
  - b. has a valid driver's license as referred to in Article 101, paragraph 1.
3. The first and second paragraph shall not apply to military drivers, as far as these drivers carry a valid driver's license or valid license for driving the type of military vehicle or moped that they drive, issued by the competent military authority.
4. A driver is prohibited from driving on a road with a self-propelling machine, unless he has reached the age of 18 and has a valid driver's license B, C, or D, designed in accordance with a model belonging to this Ordinance.
5. Further rules can be set for the licenses referred to in the second and third paragraph by or on behalf of the Executive Council.

#### Article 101

1. Driver's licenses as referred to in Article 100, first paragraph, shall be issued for driving the following categories of motor vehicles:
  - a. motorcycles with or without sidecars, and three-wheeled motor vehicles: driver's license A;
  - b. motor vehicles not being vehicles referred to in subparagraph a, meant for transportation of persons with no more than eight seats beside that of the driver, and motor vehicles meant for goods transportation the maximum permitted mass of which does not exceed 3,500 kg (7,700 lbs). The motor vehicles of this category may pull a light trailer: driver's license B;
  - c. motor vehicles meant for transportation of goods, the maximum permitted mass of which exceeds 3,500 kg (7,700 lbs). The motor vehicles of this category may pull a light trailer: driver's license C;
  - d. motor vehicles meant for transportation of persons with more than eight seats beside that of the driver. The vehicles of this category may pull a light trailer: driver's license D;
  - e. motor vehicles referred to in subparagraphs b, c, and d, for which the driver has a driver's license, with a trailer other than a light trailer: driver's license B-E, C-E, or D-E;
  - f. motor vehicles referred to in subparagraph b, with automatic transmission: driver's license B provided with code 78.
2. A driver's license as referred to in the first paragraph shall be issued for driving a motor vehicle by a driver who can only drive a motor vehicle meeting certain requirements due to a physical impairment, only for driving a motor vehicle meeting those requirements. This impairment shall be specified on the driver's license.
3. It is prohibited to drive a motor vehicle not being a motor vehicle as referred to in the first paragraph, subparagraphs a through e, without a license issued by or on behalf of the Lieutenant Governor. Further rules can be given for the requirements to qualify for such license by or on behalf of the Executive Council.
4. "Light trailers" shall be those the maximum permitted mass of which does not exceed 750 kg (1,650 lbs).
5. For driving motor vehicles meant for transportation of persons with more than fifteen seats beside that of the driver, the driver shall have a license issued by or on behalf of the Lieutenant Governor beside a driver's license as referred to in subparagraph d of the first paragraph.
6. Further rules can be set for the requirements to qualify for a license as referred to in the fifth paragraph by or on behalf of the Executive Council.

#### Article 102

A driver's license as referred to in Article 100, first paragraph, shall only be issued for the first time to the person who:

- a. has reached the age of 18, on the understanding that the driver of motor vehicles as referred to in Article 101, first paragraph, subparagraphs c, d and f, must have reached the age of 21;
- b. submits a certificate issued by or on behalf of the head of the body charged by the Executive Council with examining the ability to drive, showing competence and skill to act as driver of a motor vehicle of the type for which he applies for a driver's license;
- c. submits a certificate of his physical and mental fitness, issued by a person authorized to practice medicine in Saba. This certificate shall not be issued more than two months before the examination referred to in subparagraph b is taken, and shall be designed in accordance with a model belonging to this Ordinance.

#### Article 103

By or on behalf of the Executive Council it shall be determined what requirements of competence the applicant of a driver's license has to meet to obtain the certificate referred to in Article 102, subparagraph b, and rules shall be given for the composition and working method of the body referred to in Article 102, subparagraph b.

#### Article 104

1. It is prohibited to intentionally make an incorrect statement in the application or when giving information to obtain a driver's license, duplicate driver's license, or license.
2. The person charged with the issue of driver's licenses shall declare a driver's license issued by him invalid for one or more categories of motor vehicles if in his opinion there is evidence that the driver's license for this category or these categories of motor vehicles has been issued based on incorrect information provided and the driver's license would not have been issued if the inaccuracy of the statement would have been known at the time of the application.
3. The person who declares the driver's license invalid for one or more categories shall promptly notify the person concerned hereof by certified letter.
4. The invalidation referred to in the second paragraph shall have effect as of the seventh day after the date of the notice.
5. The person whose driver's license has been declared invalid shall surrender it within seven days after that of the notice to the Lieutenant Governor or a body designated by him.

#### Article 105

1. A register shall be kept by or on behalf of the Lieutenant Governor, stating:
  - a. the date on which and the type of the motor vehicle or motor vehicles for which the driver's license is issued;
  - b. the name, residence, and the date and place of birth of the holder of the driver's license;
  - c. the date on which the driver's license is revoked, loses its validity, or becomes valid again.
2. Information from the register referred to in the first paragraph shall only be provided to the bodies charged with judicial investigation.

#### Article 106

The Lieutenant Governor can set further requirements for the documents to be submitted by the applicant of a driver's license.

#### Article 107

No driver's license shall be issued to the person:

- a. whose driver's license has been revoked, for the duration of the revocation, and also as long as the reason for the revocation has not ceased to exist;
- b. who has been denied the right to drive motor vehicles in case of a judicial decision that has become irrevocable, for the duration of this denial;
- c. regarding whom there are justified reasons to assume that he can be prosecuted for an offense based on which, in case of a conviction, he can be denied the right to drive motor vehicles by judicial decision;
- d. who has been denied the right to drive a motor vehicle pursuant to Article 3 of the BES Act on liability of drivers, right to drive and ability to drive, for the duration of this denial;
- e. who has been demanded to surrender the driver's license pursuant to Article 125, and to whom this driver's license has not been returned.

#### Article 108

The Lieutenant Governor or a body or person designated by him shall notify the person concerned of the refusal to issue a driver's license, stating the reason the refusal is based on.

#### Article 109

A driver's license issued pursuant to Article 100, first paragraph, shall be valid for five years, counting from the date of issue.

#### Article 110

1. In case of issue of driver's licenses to persons who have a driver's license issued pursuant to Article 112, third paragraph, a certificate as referred to in Article 102, subparagraph c, shall be submitted.
2. If the applicant of a driver's license has a driver's license issued pursuant to this Ordinance, or issued in the public entities of Bonaire or Statia, the countries of Aruba, Curaçao, the Netherlands, or St. Maarten, the validity of which has expired for more than two years, a certificate referred to in Article 102, subparagraph b, shall be submitted.

#### Article 111

1. Duplicates can be issued for lost, worn, wholly or partially illegible, or destroyed driver's licenses and licenses by or on behalf of the Lieutenant Governor.
2. Worn or wholly or partially illegible driver's licenses and licenses for which replacements are issued shall be surrendered. The driver's licenses and licenses for which replacements are issued shall lose their validity.

#### Article 112

1. Article 101, first paragraph, shall not apply to the driver of a motor vehicle living outside the public entity of Saba, who as owner uses a valid international driver's license issued outside the public entity of Saba pursuant to Article 24 of the Geneva Convention of September 19, 1949, on Road Traffic.

2. Put on a par with an international driver's license as referred to in the first paragraph shall be a driver's license issued by the competent authority of states or individual parts hereof that are parties to aforementioned Convention, as far as not determined differently by the Lieutenant Governor.
3. Driver's licenses issued by the local competent authorities in the Netherlands, Aruba, Curaçao, or St. Maarten or the public entities of Statia or Bonaire shall be put on a par with driver's licenses issued pursuant to Article 100, first paragraph.
4. Residents of Saba with a driver's license issued by the local competent authorities in Statia or Bonaire, shall by expiration exchange this driver's license for a driver's license issued by the Lieutenant Governor of Saba.
5. Residents of Saba with a driver's issued by the local competent authorities in the Netherlands, Aruba, Curaçao or St. Maarten, shall exchange this driver's license for a driver's license issued by the Lieutenant Governor of Saba within three (3) months after registration with the Census Office Saba.

#### Article 113

Persons who reside in the public entity of Saba temporarily and who meet the provision in Article 102, subparagraph a, can be granted a license to act as driver of motor vehicles for a period not exceeding three months by the Lieutenant Governor on presentation of a valid foreign driver's license issued in their name.

#### Article 114

1. A practice license for three months can be issued by or on behalf of the Lieutenant Governor to become skilled in driving a motorcycle on the road.
2. Further rules can be set for the practice license by or on behalf of the Executive Council.

#### Article 115

No driver's license is required for:

- a. drivers of motor vehicles who have to subject themselves to an examination of their ability to drive, on the date and around the time the examination is conducted. They shall have a notice for that examination. This notice shall be surrendered for inspection immediately upon request of an investigating officer;
- b. drivers of motorcycles who have a practice license issued by the Lieutenant Governor to become skilled in driving a motorcycle on the road;
- c. drivers of motor vehicles on more than two wheels during the time the driver has driving lessons, provided that the driver does not transport any other persons than the driving instructor;
- d. military drivers for driving military vehicles, provided that these drivers have a valid military driver's license for driving the category of military motor vehicle that they drive, issued by the competent military authority.

#### Article 116

1. The person under whose supervision another person drives a motor vehicle shall meet the following conditions:

- a. he occupies such a seat as compared to the person who drives the motor vehicle under supervision that he can intervene adequately;
- b. the person who drives the motor vehicle under supervision:
  - has reached the age of eighteen;
  - has not been denied the right to drive motor vehicles;
  - and his driver's license has not been collected or revoked.
2. It is prohibited to drive a motor vehicle on the road under supervision if the supervisor acts in conflict with the first paragraph.
3. Further rules can be set for the implementation of this Article by or on behalf of the Executive Council.

#### Article 117

Driver's licenses and licenses as referred to in this chapter, as well as their duplicates, shall be issued against payment of an amount to be determined by or on behalf of the Executive Council.

#### Article 118

1. The driver's license shall lose its validity and be revoked by the Lieutenant Governor if it has been determined medically upon admitting the holder to a mental hospital that the holder is not able to drive a vehicle of the category the driver's license relates to due to his mental condition.
2. The Lieutenant Governor is authorized, stating the reason to the person concerned in writing, to revoke the driver's license if there are justified reasons to assume that the holder hereof:
  - a. is unfit or incompetent to drive a motor vehicle of a category or motor vehicles of categories as stated in that driver's license;
  - b. is guilty of a criminal offense, for which, in case of a conviction, he can be denied the right to drive motor vehicles by judicial decision.
3. The driver's license can be revoked for one or more categories.
4. The Lieutenant Governor has similar authority as referred to in the second paragraph regarding driver's licenses issued abroad during the period of denial of the right to drive, but never longer than during the holder's stay in the public entity.

#### Article 119

The revocation shall be in effect for the duration for which the driver's license has been issued, unless:

- a. in the case referred to in Article 118, first paragraph, it has been determined medically upon dismissal from a mental hospital that revocation is no longer necessary;
- b. in the case referred to in Article 118, second paragraph, subparagraph a, a certificate as referred to in Article 102, subparagraph b or c, issued after the revocation, shows that the driver is fit and competent;
- c. in the case referred to in Article 118, second paragraph, subparagraph b, the court has decided by irrevocable decision that the person is innocent or the Public Prosecution Service refrains, according to written notification to the Lieutenant Governor, from the prosecution of the driver based on which the license has been revoked.

#### Article 120

For the purposes of the provisions of this chapter, voluntary compliance with the condition set by the competent official of the Public Prosecution Service by virtue of Article 76 of the Criminal Code BES shall be put on a par with a judicial decision that has become irrevocable.

#### Article 121

1. The bodies charged with enforcement and supervision of this Ordinance shall be notified of the revocation of the driver's license in writing by or on behalf of the Lieutenant Governor.
2. The person concerned shall promptly be notified of the revocation of the driver's license by certified letter, stating reasons, by or on behalf of the Lieutenant Governor.

#### Article 122

1. The person whose driver's license has been revoked shall surrender it immediately and if he does not carry it with him, surrender it within two times 24 hours to the Lieutenant Governor or a body designated for this purpose.
2. The person who knows or should reasonably know that his driver's license has been revoked or has been declared invalid as referred to in Article 104 is prohibited from driving a motor vehicle on a road during the period of this revocation.
3. A similar obligation to surrender the driver's license shall exist:
  - a. if it has lost its validity pursuant to Article 3 of the BES Act on liability of drivers, right to drive and ability to drive. The person who has issued the driver's license shall return it to the person in whose name it is registered after the period of denial has expired;
  - b. if this driver's license has been declared invalid for one or more categories of motor vehicles pursuant to Article 104.

#### Article 123

1. If there are justified reasons to assume that the holder of a driver's license lacks the knowledge or skill or the physical or mental capacity to drive one or more categories of motor vehicles for which this driver's license has been issued, he can be demanded to submit to an examination of his ability to drive or his fitness. The Lieutenant Governor can give further rules for exercising this power.
2. In case of refusal to cooperate in the examination referred to in the first paragraph, or if this examination shows that the holder of a driver's license lacks the knowledge or skill or the physical or mental capacity to drive one or more categories of motor vehicles for which this driver's license has been issued, the driver's license shall be revoked by the Lieutenant Governor.

#### Article 124

1. If the driver's license has not been declared invalid for all categories for which it has been issued as referred to in Article 104, or has been revoked for one or more categories, the person charged with the issue of driver's licenses shall issue a driver's license that is valid for the category or categories the invalidation or revocation does not relate to.
2. For the holder of a valid driver's license who no longer has the physical or mental capacity to drive one or more categories of motor vehicles for which this driver's license has been issued, or who has this capacity for a period shorter than the period for which this driver's license is still valid, a new driver's license shall be issued on his request, valid for the categories of motor vehicles for which the person concerned has the physical or

mental capacity or valid for the period during which the person concerned has this capacity. The driver's license for which a new driver's license is issued shall be surrendered and lose its validity.

#### Article 125

1. Immediately upon request of the investigating officer as referred to in Article 184 of the Code of Criminal Procedure BES, the driver against whom a report is made for violation of Article 27 or 28 shall surrender the driver's licenses, license or driver's licenses as referred to in Article 118, issued to him pursuant to this Ordinance.
2. The driver's license, license or driver's license as referred to in Article 118 that has been collected shall be sent to the Public Prosecutor within 48 hours, together with the official report. He is authorized to retain this driver's license or license until the judicial decision has become final and conclusive or, if the driver has been denied the right to drive motor vehicles by this decision, until the time this decision can be enforced with regard to the additional punishment of denial. In the latter case, the Public Prosecutor shall surrender the driver's license, license or driver's license as referred to in Article 118 after that time to the person who has issued this license or these licenses.
3. Driver's licenses issued abroad shall never be retained longer than during the stay of the holder in the public entity.
4. If the first paragraph is applied, the motorcycle or moped can be impounded by the investigating officer who draws up the official report. In that case, the motorcycle or moped shall be taken to an impoundment lot at the suspect's expense, and kept in custody there until it is collected by or on behalf of the owner or holder against payment of the costs of transportation and custody. Paragraphs 3 through 10 of Article 129 shall apply by analogy to these costs.
5. The investigating officer who exercises the power referred to in the first paragraph and the Public Prosecutor who exercises the power referred to in the second paragraph shall promptly notify the manager of the register referred to in Article 105 hereof. If the Public Prosecutor returns the driver's license to the holder, he shall give similar notice hereof.

#### Article 126

The holder of a driver's license who knows or should know that his driver's license has been declared invalid as referred to in Article 104 or has been revoked for one or more categories is prohibited from driving a motor vehicle of this category or these categories, unless he has been issued another driver's license, valid for the category of vehicle that he drives.

#### Chapter VII

#### PENAL PROVISIONS

#### Article 127

The investigating officers referred to in Article 184 of the Code of Criminal Procedure BES shall be charged with the supervision of the compliance with the provisions in this Island Ordinance.

## Article 128

1. Immediately upon request of the officers referred to in Article 127, the driver of a vehicle shall stop the vehicle and give these officers the opportunity to verify the compliance with this Island Ordinance.
2. If the driver of a vehicle acts in conflict with the rules set in or by virtue of this Island Ordinance, the officer referred to in Article 127 can impound the vehicle.
3. If the vehicle is impounded, the investigating officer shall enter the vehicle, if necessary, and transport it to an impoundment lot and keep it in custody there.
4. Entering and transporting the vehicle and keeping it in custody shall take place at the suspect's risk and expense. The vehicle shall be kept in custody in an impoundment lot until it has been decided by the Public Prosecutor or judicial decision to return it. The provision in Article 129, seventh paragraph, shall apply to the costs of the transportation and custody.

## Article 129

1. A vehicle, trailer or semi-trailer, stationary on a road, that:
  - causes a hazard;
  - obstructs the freedom of traffic;
  - is in a location not meant for it;
  - does not meet the conditions applicable to a parking zone as referred to in Article 61, second paragraph, number 2, or
  - in the cases referred to in Article 23;can be impounded by the investigating officer referred to in Article 127 and transported to a place designated by the Lieutenant Governor and placed in custody.
2. Awaiting the transportation of a vehicle, trailer or semi-trailer by virtue of the provision in the first paragraph, the investigating officer can attach a wheel clamp to the vehicle, trailer or semi-trailer.
3. Before transportation of the vehicle, trailer or semi-trailer to the place referred to in the first paragraph begins, the wheel clamp can be removed by the investigating officer on the request of the owner or holder of the vehicle, trailer or semi-trailer upon payment of the costs for attaching and removing the wheel clamp to a person or body designated by the Lieutenant Governor.
4. The vehicle, trailer or semi-trailer shall be towed, placed in custody, and a wheel clamp shall be attached at the risk and expense of the owner or holder.
5. An entry of the cases in which the power referred to in the first or second paragraph is exercised shall be made by or on behalf of the Lieutenant Governor in a register created for this purpose.
6. Custody of the vehicles placed in custody pursuant to the first paragraph shall be taken care of by or on behalf of the Lieutenant Governor.
7. The vehicle, trailer or semi-trailer shall be returned to the owner or holder who had it in use at the time of the transportation by or on behalf of the Lieutenant Governor against payment of the costs of transportation and custody.
8. When the vehicle, trailer or semi-trailer has not been collected within 48 hours after it has been placed in custody, the Lieutenant Governor shall notify the owner or holder or the person who has reported it missing if possible within seven days after the transportation and placement in custody.
9. Further rules can be set by island decree of general scope for:
  - the transportation and cost of transportation;
  - the placement in custody and the costs of the custody;
  - the costs of attaching and removing wheel clamps;
  - the sale, transfer of ownership free of charge, and destruction;

- the register referred to in the third paragraph, and anything else required for the implementation of this Article.

#### Article 130

1. If an offense penalized by this Island Ordinance has been committed with a motor vehicle, moped, or disabled vehicle by a driver of this vehicle who has remained unknown, and the owner or holder of this vehicle has not already been penalized for the offense beside the driver, the owner or holder of this vehicle or the person in whose name the license number is registered shall disclose the identity of the driver immediately upon request of an investigating officer within 48 hours.
2. The person who, if he is not able to disclose the identity of the driver, discloses the identity of the person to whom he has made the motor vehicle or moped available shall not be liable to punishment.
3. The first paragraph shall not apply if the owner or holder or the person in whose name the license number is registered has not been able to determine who the driver was and he cannot reasonably be blamed for it.

#### Article 131

1. Acting in conflict with Articles 10, first paragraph, subparagraph c, 27, 28, 29, 31, 32, 33, 100, 104, first paragraph, 118, second paragraph, subparagraph b, and 126 shall be considered a minor offense and be punished with imprisonment not exceeding three months or a fine of the second category.
2. Acting in conflict with the other provisions of this Island Ordinance shall be considered to be a minor offense and shall be punished with imprisonment not exceeding thirty days or a fine of the first category.

#### Article 132

1. Confiscation can be ordered in case of conviction of an offense penalized by this Island Ordinance.
2. Subject to confiscation shall be the objects owned by the convicted person:
  - a. through which the offense has been committed;
  - b. with which the offense has been committed.

### Chapter VIII

#### DISPENSATIONS AND LICENSES

#### Article 133

1. The Lieutenant Governor can grant dispensation or a license with regard to Article 24, first paragraph, Article 4, first paragraph, as far as it concerns the road signs C1, C2, C4, C6 through C16, D2, D4 through D7, E1 and E2, E6, E7, F7, G1 and G3 and the traffic signs referred to in Articles 16, 17, 18, as far as it concerns large buses as referred to in the Island Ordinance Bus Services Saba, and with regard to Articles 60, second paragraph, subparagraphs b, d, and e, 61, second paragraph, subparagraphs a, b, e, d, and f, and 82, and as far as it concerns motor vehicles, Article 34, first paragraph, Article 49, first paragraph, Article 77, Article 85, first paragraph, subparagraph c, Article 86, first paragraph, subparagraph c, number 3, and Article 87, first paragraph, subparagraph c, number 3.
2. The Lieutenant Governor can grant dispensation from the provisions of this Island Ordinance for the public services or companies put on a par with them.
3. Conditions can be attached to dispensations, exemptions, and licenses granted by or by virtue of this Island Ordinance.
4. Dispensations and licenses as referred to in this Ordinance shall be issued against payment of an amount to be determined by or on behalf of the Executive Council.

## Chapter IX

### TRANSITIONAL AND FINAL PROVISIONS

#### Article 134

All measures, orders, instructions, and specifications on road traffic, which are in effect or have been installed when this Island Ordinance takes effect, shall be deemed to have been issued or installed pursuant to this Island Ordinance, until they have been replaced with new measures, orders, instructions, and specifications based on this Ordinance.

#### Article 135

The road signs already installed under the old ordinance shall remain in effect until they have been replaced with new signs.

#### Article 136

Roadworthiness certificates, registration certificates, and driver's licenses and licenses issued before this Island Ordinance takes effect shall be deemed to have been issued in accordance with the provisions of this Island Ordinance, and shall remain valid for the period for which they have been granted.

#### Article 137

Dispensations granted by or by virtue of the Road Traffic Ordinance Leeward Islands (Official Bulletin 1963, No. 5) shall be deemed to have been issued in accordance with the provisions of this Island Ordinance, and shall remain valid for the period for which they have been granted.

#### Article 138

1. This Island Ordinance shall take effect one month after promulgation, except Articles 77 paragraphs 1,3 and 4, 93, 94, 95, and 96.
2. Articles 93, 94, 95, and 96 shall take effect on a date to be determined by the Executive Council, which may differ for each Article.
3. Article 77 paragraphs 1, 3 and 4 will take effect one year after promulgation of this Island Ordinance.

Article 139

The Road Traffic Ordinance Leeward Islands (Official Bulletin 1963, No. 5) shall be repealed.

Article 140

This Island Ordinance shall be cited as: Road Traffic Ordinance Saba.

Enacted in the public assembly of

The President,

The Island Registrar,

