

No. S 60

**ROAD TRAFFIC ACT
(CHAPTER 68)**

ROAD TRAFFIC (COMPOSITION OF OFFENCES) RULES, 2016

ARRANGEMENT OF RULES

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**ROAD TRAFFIC ACT
(CHAPTER 68)**

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In exercise of the power conferred by section 91 of the Road Traffic Act, the Minister of Communications, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Rules —

Citation and commencement

1. These Rules may be cited as the Road Traffic (Composition of Offences) Rules, 2016 and are deemed to have commenced on 1st January 2014.

Offences which may be compounded

2. The offences set out in the Schedule may be compounded by the Commissioner of Police or any police officer authorised by him in writing in that behalf, or the Director or any person authorised by him in writing in that behalf in accordance with section 91(1).

Form

3. An offer to compound shall be in such form as the Commissioner of Police or Director may determine.

Methods of payment

4. (1) When an offer to compound an offence is made and accepted, payment for it shall be made within 14 days from the date the offer to compound was made —

(a) by cash to the Commissioner of Police, the Director or a police officer or person authorised to make the offer to compound pursuant to rule 2, as the case may be, at the place where the offer to compound was made or at the office or police headquarters of the appropriate Police District specified in the offer to compound and he shall account for it in the ordinary way and issue a receipt for such payment to the person to whom the offer to compound was made; or

(b) by an electronic fund transfer system whereby payment may be effected by directing the transfer of funds electronically from the bank account of the payer to a bank account designated by the Commissioner of Police or the Director, who shall account for the payment.

(2) The Commissioner of Police or the Director may stipulate the various electronic fund transfer systems as he may think fit to be used for the purposes of these Rules.

Effect of payment

5. On the payment of such sum of money for the offer to compound, no further proceedings shall be taken against the person who has been reasonably suspected of having committed an offence.

Issue of summons

6. Any person who —

(a) fails to appear at the office or police headquarters of the appropriate Police District specified in the offer to compound;

(b) fails to make payment within the period referred to in rule 4(1); or

(c) furnishes any information which is false or misleading,

shall be issued with a summons.

Repeal of S 57/1967

7. The Road Traffic (Compounding of Offences) Rules, 1967 are repealed.

SCHEDULE

(rule 2)

COMPOUNDABLE OFFENCES

<i>General nature of offence</i>	<i>Provision creating offence</i>
1. Road Traffic Act (Chapter 68)	
Motor vehicles to be licensed	8(1)
Driving without driving licence	16
Production of licence to police officer	23
Exceeding speed limit imposed on road or on vehicle up to 30 km/h	24
Exceeding speed limit imposed on road or on vehicle by more than 30 km/h up to 40 km/h	24

SCHEDULE – (Continued)

Exceeding speed limit imposed on road or on vehicle by more than 40 km/h up to 50 km/h	24
Exceeding speed limit for vehicle by more than 50 km/h up to 60 km/h	24
Exceeding speed limit for vehicle by more than 60 km/h	24
Failure to surrender driving licence to licensing officer	26A(3)
Use of mobile telephone while driving	29A
Failure of driver of vehicle to render assistance to injured person	31
Failure to stop in case of accident	33(1)
Taking hold of or getting on motor vehicle in motion	35
Driving motor vehicle without consent	36(2)
Offences in connection with stationary motor vehicles	37
Neglect of traffic directions	39(1)
Unlicensed public service vehicles	56
Public service vehicle with more passengers than is permitted to carry	72(3)
Public service vehicle or heavy vehicle without certificate of fitness	76(1)
Failure to comply with order of Commissioner of Police and direction of police officer	78A
Failure to produce licences etc. on demand	82
2. Road Traffic (Speed Limit Directions) Regulations (First Schedule to Road Traffic Act)	
Speed limit direction not printed in plate and not fixed at rear elevation of vehicle	3
3. Road Traffic Regulations (Rg 1 of Chapter 68)	
Vehicle does not comply with regulations as to construction etc.	3

SCHEDULE – (Continued)

Motor vehicle and trailer not equipped with springs except in certain cases	11
Windscreens	18
Windscreen wipers	19
Silencers	21
Wings and mudguards	23
Rear reflectors	24
Vehicles to be kept in good condition etc.	26
Loads to be secured	27
Vehicles to be used for suitable purposes only	28
Projecting loads	29
Tyres and track of vehicles	31
Excessive noise	33
Emission of smoke and other substances	33A
Use of horns when vehicles parked	34
Precaution to be taken when motor vehicle is left unattended	36
Restriction on carriage of passengers	40
Lights to be provided between sunset and sunrise	104
Prohibition against red lights being shown to front	106
Prohibition against white lights being shown to rear	107
Lights to be fixed	108
Obligatory front lamps	109
Vehicles to be parked on left hand side of road during hours of darkness	112
Dipping mechanism	113
Lines and other markings on carriageways	134
Damage to traffic signs	146

SCHEDULE – (Continued)

Vehicle to keep to left	147
Priority over other vehicles	147A
Overtaking	148
Parking	149(2)
Signals	150
When driving or in charge of vehicle, causes or permits person to be carried on running board or otherwise than within body of vehicle	152(a)
When driving or in charge of vehicle, causes or permits person to stand or to sit in such manner or position as to hamper him in control of vehicle	152(b)
When riding or in charge of motor cycle, carries more than one person or carries such other person otherwise than sitting astride such motor cycle on proper seat securely fixed to motor cycle behind driver's seat	152(c)
When riding or in charge of bicycle, carries any other person on bicycle	152(d)
When riding or in charge of bicycle, rides bicycle otherwise than, when seated in saddle his feet rest easily on the footrests or pedals when at their lowest level	152(e)
When riding or in charge of bicycle, rides bicycle so that it is beside and to right of another bicycle going in same direction, other than when passing such other bicycle	152(f)
When driving or in charge of motor vehicle and using its obligatory front lamps, on meeting another vehicle approaching from the opposite direction, fails to operate the anti-dazzle device	152(g)
Driving etc. into yellow box	152A
Maximum load to be carried on trailers, heavy vehicles or motor cars	161
4. Road Traffic (Brunei Town Municipal Board) (Bus and Taxi Stands) Rules, 1963 (S 160/1963)	
Parking forbidden if obstruction caused	3

SCHEDULE – *(Continued)*

Parking of taxi cab, motor bus or goods vehicle in parking place with no Municipal Notice	4
Vehicle parked where sign indicates parking is prohibited	5
Parking place	6
Non-demarcated parking place	7
Washing and repairing of vehicles in parking place prohibited	8
5. Road Traffic (Kuala Belait/Seria Municipal Board) (Bus and Taxi Stands) Rules, 1963 (S 35/1964)	
Parking forbidden if obstruction caused	3
Parking of taxi cab, motor bus or goods vehicle in parking place with no Municipal Notice	4
Vehicle parked where sign indicates parking is prohibited	6
Parking place	7
Non-demarcated parking place	8
Washing and repairing of vehicles in parking place prohibited	9
6. Motor Cycles (Protective Helmets) Regulations, 1977 (S 42/1977)	
Failure to wear protective helmet	4
Sale etc. of headgear which is not protective helmet	5
7. Motor Vehicles (Seat Belts) Regulations, 1988 (S 14/1989)	
Failure to wear body-restraining seat belt	8(1)
8. Road Traffic (Collection of Tolls) Order, 2000 (S 32/2000)	
Failure to stop, pay toll or produce a valid coupon	7(1)(b)
9. Road Traffic (Pedestrian Crossings) Regulations, 2002 (S 45/2002)	
Failure to use pedestrian crossing	3(1)

SCHEDULE – (Continued)

Failure to give precedence to pedestrian	5
Failure to slow down vehicle approaching pedestrian crossing	6
10. Road Traffic (Seat-Belts for Children) Regulations, 2004 (S 14/2004)	
Driving motor vehicle with child not using seat-belt	4
11. Road Traffic (Motor Vehicles (Speed Warning Device)) Regulations, 2002 (S 46/2002)	
Adjust, tamper with or break seal on, etc. speed warning device etc.	10(3)
12. Road Traffic (School Crossing Patrol) Regulations, 2006 (S 32/2006)	
Failure to stop vehicle when prescribed sign exhibited	8
13. Road Traffic (Bicycles) Regulations, 2006 (S 50/2006)	
Bicycle towed by other vehicle	3
Failure to comply with restriction on number of persons carried on bicycle	4
Failure to give signals	5
Failure to make signal in sufficient time	6
Travelling abreast prohibited	7
Failure to ride bicycle on left side of road	8
Overload on bicycle	9
Failure to ride bicycle in orderly manner	10
Bicycle fails to carry lights during darkness	11
Bicycle fails to show correct lighting	12
Failure to wear protective helmet	13
14. Road Traffic (Identification Marks), Regulations, 2008 (S 73/2008)	
Identification mark not in compliance with Regulations etc.	16

11th. OCTOBER, 2016

Made this 9th. day of Muharram, 1438 Hijriah corresponding to the 10th. day of October, 2016.

DATO PADUKA AWANG HAJI MUSTAPPA BIN HAJI SIRAT
Minister of Communications,
Brunei Darussalam.