

THE MYANMAR MOTOR-VEHICLE RULES.

No. 89

[Amendment : 18.06.1989]

No. 89. - In exercise of the powers conferred by section 3 of the Myanmar Motor-vehicle Act, 1906 (Myanmar Act II of 1906), and in supersession of the rules published in this Department Notification No.14, dated the 23rd January 1907, the Lieutenant-Governor is pleased to make the following rules for regulating the use of Motor-vehicles in streets and public places in Myanmar-

I. - Preliminary.

Application of rules.

1. (1) These Rules shall extend to the whole of Myanmar and, except as provided in sub-rule (6) of Rule 16, sub-Rule (9) of Rule 17, and sub-rule (4) of Rule 18, shall come into force at once.
- (2) These rules apply only to motor-vehicles as defined in the Myanmar Motor-vehicle Act, 1906, and do not apply to vehicles propelled on rails, such as tram-cars, or to any class of vehicle exempted by the Lieutenant-Governor from that definition.

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2. In these Rules unless there is anything repugnant in the subject or context :-

Definitions of "motor-cycle," "motor-car" and of "trailer."

- (a) "motor cycle" means a motor-vehicle designed to travel on not more than three wheels, and weighing unladen not more than 3 cwts;
- (b) "motor-car" means a motor-vehicle not included in the definition of motor-cycle ; and
- (c) "trailer" means a vehicle drawn behind a motor-vehicle.

II. - General.

Motor-vehicles to carry horns, etc.

3. Every person driving a motor-vehicle shall have ready and available for immediate use a suitable horn or, in the case of a motor-cycle, a suitable horn or bell, capable of giving audible and sufficient warning of his approach and position, and shall sound the same whenever expedient to prevent danger to any of the public.

Motor-vehicles to carry lamps.

4. (1) To every motor-car and to every trailer drawn behind a motor-cycle, when in use at night, there shall be attached two lamps, one on either side, exhibiting a white light forward, visible within a reasonable distance. A red light similarly visible shall also be exhibited in the reverse direction either by the said lamps or by a separate lamp attached to the back of the motor-car or trailer.
- (2) Every motor-cycle, when in use at night, shall carry a lamp in front, exhibiting a white light forward, visible within a reasonable distance.
- (3) The said lamps shall be kept lit and free from all obstructions so long as the motor-vehicle is in use during the period between half-an-hour after sunset and half-an-hour before sunrise. The provisions of Rule 18 as regards illumination of the number at the back shall also be complied with.

Approaching restive horses, etc.

5. The driver of a motor-vehicle shall, when approaching a horse or other animal (whether led, driven or ridden) which appears to be restive or frightened thereby, proceed with special caution and, if the occasion so requires, either slow down or stop the motor-vehicle and keep it stationary for so long a time as may be reasonably necessary.

Stoppage at request of the Police or in case of accident, and giving of name and address.

6. (1) The driver shall cause the motor-vehicle to stop and to remain stationary so long as may reasonably be necessary-
 - (a) when requested to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address or for any other reasonable purpose ; or
 - (b) when an accident occurs to any person, or to any animal or vehicle in charge of any person, owing to the presence of the motor-vehicle on the road.
- (2) The request referred to above may be made by such police-officer putting up his hand as a signal to stop, or at night in such manner as the Commissioner of Police, Rangoon, may direct.
- (3) The person in charge of the motor-vehicle shall, on the request of any police-officer or, on the occurrence of an accident such as is referred to in clause (b) of sub-rule (1), on the reasonable request of any other person, truly state his name and address and the name and place of abode or business of the owner of the motor-vehicle.

Directions in regulation of traffic.

7. The person in charge of a motor-vehicle shall obey all directions of police-officers posted or stationed at crossings or other places for the regulation of traffic.

Construction and maintenance.

8. (1) A motor-vehicle shall not be used unless it is so constructed as to admit of its being at all times under full control so as to prevent undue interference with passenger or other traffic, and unless it is maintained in such a condition as to prevent danger to the public or to any person riding on it.

(2) A motor-vehicle shall not be used unless it is provided with two independent brakes or other means of stoppage approved in Rangoon by the Commissioner of Police, and elsewhere by the Deputy Commissioner of the District, in good working order and of such efficiency that the application of either will be capable of forthwith stopping the motor-vehicle :

Provided that nothing in this Rule shall prevent a motor-vehicle which has become defective from being driven to the owner's house or to a repairer at a safe speed, having regard to the nature of the defect, if no danger is thereby caused to the public.

Motor-vehicle not to be left unattended unless special precautions taken.

9. No motor-vehicle shall be allowed to stand in any street or public place unattended by a person licensed under Rule 16, unless all reasonable precautions have been taken to ensure that it cannot be put in motion except by a person experienced in motor driving

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Prohibition of reckless or negligent driving.

10. A motor-vehicle shall not be driven in a street or public place recklessly or negligently, or at a speed or in a manner which is likely to endanger human life, or to cause hurt or injury to any person or animal, or to damage any goods carried in any vehicle or by any person, or which would be otherwise than reasonable and proper, having regard to all the circumstances of the case including the nature, condition and use of the street or public place and to the amount of traffic which is actually on it at the time, or which may reasonably be expected to be on it.

Speed limit in a certain area south of the Railway in Rangoon.

Provided always that under no circumstances shall a motor-vehicle be driven at a greater speed than fifteen miles an hour in that part of Rangoon Town which is bounded-

on the north and north-east, by the northern side of Hanthawaddy Road from the Hlaing River to the Railway bridge, and by the main line of the Myanmar Railway Company from that bridge to the Stockade Road bridge ;

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on the east, by the eastern side of that portion of Stockade Road which is south of the Railway and by the eastern side of Judah Ezekiel Street : and

on the south and west, by the Rangoon and Hlaing Rivers from a point south of Judah Ezekiel Street to the Hanthawaddy Road.

Provided also that when passing through or near any road-side village, within such limits as the Deputy Commissioner of the District may indicate by means of notice boards, the driver of a motor-vehicle shall not allow the speed to exceed six miles an hour or such higher rate as may be shown on the board.

Prohibition against driving on footways or in places closed to motor-vehicles.

11. A motor-vehicle shall not be driven on any footway, or in any street or public place in which the Commissioner of Police in Rangoon, or elsewhere the Deputy Commissioner of the District, may for the time being, by public notice, prohibit such traffic as being especially dangerous.

Rule of the road.

12. The driver of a motor-vehicle shall keep on the left side of the road except that he shall keep to the right of any vehicle or horse proceeding in the same direction which he may be desirous of passing. When a motor-vehicle enters or is about to enter a main street (including a main road) from a side street or entrance, the driver of the motor-vehicle shall avoid causing any unexpected or unreasonable obstruction to traffic, and especially to fast traffic, proceeding along the main street, and if necessary for that purpose he shall stop the motor-vehicle before turning on to or attempting to cross the main street.

Restrictions on driving backwards.

13. The driver of a motor-vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn the vehicle.

Driver to be in position to control engine.

14. The driver of a motor-vehicle shall not, whilst the engine is working, be in such a position that he cannot have control over the same.

Prohibition against obstruction.

15. The person in charge of a motor-vehicle shall not allow it to stand in any street or public place so as to cause undue obstruction thereof.

III. - Driving Licenses and Registration.

Driving licenses.

16. (1) No person shall drive a motor-vehicle unless he holds a subsisting license granted by the Commissioner of Police, Rangoon, or the Deputy Commissioner of a District, authorising him to drive such class of motor-vehicle; and no person shall employ any one to drive a motor-vehicle who is not so licensed. A license shall not ordinarily be issued to a person under 18 years of age.

Fees.

- (2) A fee of Rs.10 shall be payable for such driver's license in respect of a motor-car and of Rs.2 in respect of a motor-cycle. In the case of any person holding a subsisting driving license granted elsewhere in British India under any law or regulation thereof, the fee shall be remitted.

Period.

- (3) A license shall remain in force for such period, not being less than twelve months, as the authority issuing it may direct. The fee payable on renewal of a license shall be one-fourth of the amount specified above.

Cancellation.

- (4) A license may be cancelled by the Commissioner of Police, Rangoon, or by the Deputy Commissioner of a District, or may be suspended for such period as he may deem necessary, when the holder has been convicted of an offence under the Myanmar Motor-vehicle Act, 1906, or of an offence under any other Act in connection with the use of a motor-vehicle.
- (5) A license under this rule, whether issued in Rangoon or elsewhere, shall be in force in the whole of Myanmar.
- (6) Sub-rule (1) of this rule shall come into force in Rangoon Town at once, and elsewhere on the 1st August 1907.

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Registration of motor-vehicles.

17. (1) No motor-vehicle shall be used until it has been registered by the Commissioner of Police, Rangoon :
Provided that no person shall be liable under this rule if he has had no reasonable opportunity of registering the motor-vehicle in accordance with this rule.

Fees.

- (2) The fee for registration shall be Rs. 16, except in the case of motor-cycles, for which it shall be Rs. 4. In the case of any motor-vehicle that has been registered within the preceding twelve months elsewhere in British India under any law or regulation in force, the fee shall be remitted.

Numbers, transfer of ownership, etc.

- (3) The Commissioner of Police, Rangoon, shall assign a distinguishing number to the car or cycle, and shall record the name and address of the owner. Every transfer of ownership or change of address shall be forthwith intimated by the registered owner to the Commissioner of Police, Rangoon, who shall cause the transfer and new address to be entered in the register.
- (4) In the case of a manufacturer of, or dealer in, motor-cars or motor-cycles a general number may, on payment of an annual fee of Rs.15, be assigned to be used on any car or cycle when on trial after completion, importation, repairs or adjustments, or when on trial by an intending purchaser, or when being used, by a person licensed under Rule 16, for the purpose of instructing any other person in the use of the car or cycle.

Requirements before registration.

- (5) Before registering a motor-car or motor-cycle, the Commissioner of Police, Rangoon, shall, among other matters, satisfy himself that it conforms to the conditions laid down in these Rules as to brakes or other means of stoppage, lamps, numbers, bell or other instrument for notifying approach, and means of locking or disconnecting the mechanism to prevent the vehicle being started in the driver's absence.

Subsequent defects.

- (6) Should the Commissioner of Police, Rangoon, at any time after a car or cycle has been registered, have reason to believe that it has become defective in any such respect or that it has not been maintained in such a condition as to prevent danger to the public, he may, after notice to the owner, direct that the registration be cancelled until such time as the defects are rectified to his satisfaction.

Expert opinion in case of dispute.

- (7) If the Commissioner of Police, Rangoon, is of opinion that the motor-vehicle is defective in any respect for the purposes of sub-rules (5) and (6) and if the owner of the motor-vehicle deposits a fee to be fixed by the Commissioner of Police for the purpose of obtaining an expert opinion, the Commissioner of Police shall appoint a person trained in motor-engineering to advise him whether the vehicle is defective for the purposes of this rule.

If such expert is of opinion that the motor vehicle is not defective, the fee deposited as aforesaid shall be returned to the owner of the motor-vehicle and the expert shall be paid by the Commissioner of Police.

Special procedure in the case of motor-vehicles kept outside Rangoon.

(8) If the motor-vehicle is kept at any place outside Rangoon and it is inconvenient for the owner to produce it for the inspection of the Commissioner of Police, Rangoon, the owner may apply for registration to the Deputy Commissioner of the District in which the motor-vehicle is kept, and such Deputy Commissioner shall satisfy himself whether the motor-vehicle fulfils the requirements of sub-rule (5) and shall send a report thereon together with the fee paid under sub-rule (2) to the Commissioner of Police, Rangoon, who may register the motor-vehicle if satisfied with such report.

In the case of any motor-vehicle kept at any place outside Rangoon the powers conferred by sub-rules (6) and (7) may be exercised by the Deputy Commissioner of the District, who shall communicate any orders passed under these sub-rules to the Commissioner of Police, Rangoon.

(9) Sub-rule (1) of this rule shall come into force in Rangoon Town at once, and elsewhere on the 1st August 1907.

Display of numbers, size, illumination at night, etc.

18. (1) No motor-vehicle shall be used unless the number referred to in the preceding rule is attached to it in a conspicuous place and to the satisfaction of the Commissioner of Police in Rangoon, or elsewhere of the Deputy Commissioner of the District, in large white figures on a black ground, legible at a reasonable distance, on the front and back of the car or cycle, and on the back of any trailer.

Each figure on a motor car must be at least three inches high, with a margin of half an inch both above and below it and a margin of an inch on either side thereof. On a motor-cycle the figures may be not less than half the above dimension, and the front number may be shown on each side of a plate projecting forward.

(2) During the time when lamps are required by Rule 4, sub-rule (3), to be kept lit, the number at the back of a motor-car, or of any trailer drawn behind it or behind a motor-cycle shall be illuminated in a manner to be approved in Rangoon by the Commissioner of Police, and elsewhere by the Deputy Commissioner of the District, so as to be legible at a reasonable distance ; but it is not necessary that the number-plates for day and for night use should be the same.

(3) The said number shall not be in any way obscured or rendered or allowed to become not easily distinguishable.

(4) This rule shall come into force in Rangoon Town at once, and elsewhere on the 1st August 1907.

IV. - Forms.

Application for license.

19. Every application for a driving license under Rule 16 shall contain the particulars specified in Schedule A.
License.
20. Every driving license granted under Rule 16 shall be in the Form of Schedule B.
Application for registration.
21. Every application for registration shall contain the particulars contained in Schedule C.
Register.
22. The register of motor-vehicles to be kept by the Commissioner of Police, Rangoon, shall be in the form specified in Schedule D.

V. - Special additional rules applicable to certain Hill Roads.

Application of Part V.

23. The following rules shall be in force only on the hill roads specified in Schedule E and such other roads as may be added to the list in that Schedule from time to time by the Local Government by notification in the Myanmar Gazette. Such roads shall be called scheduled hill roads.

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Special caution required on such roads, and speed limit when descending the hill.

24. On a Scheduled hill road the driver of a motor-vehicle shall proceed with special caution, and he shall not, when descending the portions of the road situated between notice boards erected by the Deputy Commissioner of the District, proceed at a greater speed than six miles an hour.

Restriction on night travelling on a hill road.

25. No motor-vehicle shall travel by night on any part of a Scheduled hill road on which the Deputy Commissioner of the District has, with the previous sanction of the Local Government, prohibited night travelling by notification in the Myanmar Gazette and by large notice boards erected at the top and bottom of the hill:

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Exception.

Provided that in the event of the driver of a motor-vehicle being unable to accomplish his journey by nightfall, by reason of a breakdown of the motor-vehicle, on a road to which the above restriction applies, the driver may proceed after executing the necessary repairs, but shall halt at the first Police Station he comes to after dark and there give his name and the number of his motor-vehicle and a statement of the reasons why he was travelling at that hour, and shall drive with grate caution.

Explanation.-In this rule “night” means the period from half an hour after sunset to half an hour before sunrise.

Passing of other vehicles and animals on a Scheduled hill road.

26. (1) On such portions of a Scheduled hill road as may lie between large notice boards to this effect erected by the Deputy Commissioner of the District at the top and bottom of a Scheduled hill road, a motor-vehicle shall, where practicable, pass all animals or vehicles drawn by animals on the outside, in whichever direction such animals may be proceeding, and the driver of a motor-vehicle shall also, when passing animals allow as much space as the width of the road permits.

Explanation.- For the purposes of this rule the “outside” of a hill road means the side from which the slope of the hill is downwards.

H.W.V.COLEBROOK,

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----- Attachment -----

[ATTACH LIST 1] 01 SCHEDULE A. (THE BURMA MOTOR-VEHICLE RULES.)

[ATTACH LIST 2] 02 SCHEDULE B. Form of License. (See Rule 16.) Fee Rupees

[ATTACH LIST 3] 03 SCHEDULE C. (THE BURMA MOTOR-VEHICLE RULES.)

[ATTACH LIST 4] 04 SCHEDULE D. Register of Motor-vehicles registered under the Myanmar Motor-vehicle Act, 1906. (See Rule 22.)

[ATTACH LIST 5] 05 SCHEDULE E. List of Schedule Hill Roads to which Rules 23 to 26 apply.