

Jersey Law 5/1958

ROAD TRAFFIC (AMENDMENT) (JERSEY) LAW, 1958.

A LAW to amend the Law with regard to the regulation of road traffic, sanctioned by Order of Her Majesty in Council of the

14th day of MARCH, 1958.

(Registered on the 8th day of April, 1958).

STATES OF JERSEY.

The 14th day of January, 1958.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law : -

ARTICLE 1

For Article 28 of the Road Traffic (Jersey) Law, 1956,¹ (hereinafter referred to as the “principal Law”), there shall be substituted the following Article –

“ARTICLE 28

**TAKING VEHICLE WITHOUT OWNER’S CONSENT OR
OTHER AUTHORITY**

(1) Every person who takes and drives away any vehicle, without having either the consent of the owner thereof or other lawful authority, shall be liable –

¹ Tome 1954–1956, page 524.

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- (a) if the vehicle is a motor vehicle –
 - (i) in the case of a first offence, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months ;
 - (ii) in the case of a second or subsequent conviction, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment ;
- (b) if the vehicle is not a motor vehicle –
 - (i) in the case of a first offence, to a fine not exceeding five pounds ;
 - (ii) in the case of a second or subsequent conviction, to a fine not exceeding ten pounds.

Provided that if the court or jury, as the case may be, is satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(2) If, on the trial of a person on a charge of stealing a vehicle, the court or the jury, as the case may be, is of the opinion that he was not guilty of stealing the vehicle but was guilty of an offence under this Article, he may be found guilty of that offence and thereupon he shall be liable to be punished accordingly”.

ARTICLE 2

This Law may be cited as the Road Traffic (Amendment) (Jersey) Law, 1958, and this Law and the principal Law may be cited together as the Road Traffic (Jersey) Laws, 1956 and 1958.

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To be printed, published and posted.

F. DE L. BOIS,

Greffier of the States.