[1] BURMA ACT No. V OF 1907.

(APPLIES TO UPPER AND LOWER BURMA.)

[*14th March, 1907; 4th May, 1907.*]

An Act for the regulation of traffic and the preservation of the surface of public roads and places in Burma.

Preamble.

WHEREAS it is expedient to provide for the regulation of traffic and the preservation of the surface of public roads and places in Burma; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Burma Highway Act, 1907.

(*2*) This section shall extend to the whole of Burma and shall come into force at once.

(*3*) The rest of this Act shall apply to such local areas and from such dates as the Local Government may by notification direct.

Power to make rules.

2. (*1*) The Local Government may make [2] rules for the regulation of traffic on public roads and places and for the preservation of the surface of such roads and places.

(*2*) Without prejudice to the generality of the foregoing power, such rules may contain directions as to all or any of the following matters, namely:—

(*a*) prohibiting or restricting the use of vehicles of any particular class or description considered likely to cause damage or excessive wear to the surface of the roadway or to drop materials or obstructions thereon, and in particular, where

---

[1] For Statement of Objects and Reasons, *see* Burma Gazette, 1907, Pt. III, p. 3; and for Proceedings in Council, *see ibid*, pp. 14 and 18.

[2] For rules, *see* Burma Gazette, 1908, Pt. I, p. 491.

Univ Calif - Digitized by Microsoft ®

a berm or side-track is provided, confining such vehicles to the berm or side-track during the dry season;

(*b*) prohibiting or restricting the use of vehicles not provided with brakes of such character as may be required by the rules;

(*c*) prohibiting or restricting the use of vehicles or animals which are of such a nature or in such a condition as to be likely to cause annoyance, inconvenience or danger to the public;

(*d*) providing for the granting of licenses to drive vehicles of any particular class or description, the fees chargeable in respect of such licenses and the authority by which and the conditions upon which such licenses may be granted, suspended and revoked;

(*e*) prohibiting the driving of any such vehicles by unlicensed persons;

(*f*) prohibiting the leaving of vehicles or animals unattended or in the charge of incompetent persons;

(*g*) the speed at which vehicles or animals may be driven or ridden;

(*h*) the rule of the road;

(*i*) the registration of vehicles plying for hire, the fees chargeable in respect of such registration and the carrying of number or name plates on vehicles so registered;

(*j*) prohibiting the driving or riding of vehicles or animals on footways or other places where their use may be attended with danger to the public;

(*k*) prohibiting the halting of vehicles or animals at places other than the proper camps or refuges;

(*l*) the carrying and use on vehicles and animals of a bell or other instrument for giving audible and sufficient warning of their approach or position;

(*m*) the carrying of lights on vehicles between sunset and sunrise, and the description of lights to be carried and the position in which they should be placed;

(*n*) the stoppage of vehicles or animals when required by the Police for the regulation of traffic or for other reasonable purpose;

(*o*) the maximum weight or the number of passengers to be carried on each description of vehicle or animal;

(*p*) empowering specified officers to issue notices requiring owners or occupiers of land—

(*i*) to lop the branches of any trees growing on such land and over-hanging the road so as to cause obstruction or danger, and

Univ. Calif. - Digitized by Microsoft ®

(*ii*) to cut or trim any hedges or noxious vegetation, growing on such land, which may be considered likely to intercept a view of approaching traffic on the road, or on any side road or other approach thereto, and

(*iii*) to remove from the road any branches, trimmings and vegetation lopped or cut by such owners or occupiers;

(*q*) imposing on such owners or occupiers of land the duty to comply with such notices within a reasonable time, and authorising such officers to lop, cut or trim such trees, hedges and vegetation in a case of default;

(*r*) and generally the prevention of obstruction to traffic and of annoyance, danger or injury to the public.

(*3*) All rules made under this section shall be made after previous publication, and when made shall be finally published in the Gazette, and shall come into operation from the date of such final publication.

Penalties.

3. Any breach of any rule made under this Act may on conviction be punished with fine which may extend to fifty rupees, or, in the case of a second or subsequent conviction, to two hundred rupees.

Arrest of offenders without warrant.

4. (*1*) Any police-officer may, without an order from a Magistrate and without a warrant, arrest any person committing in his view a breach of any rule made under section 2, if the name and residence of such person be unknown to such officer and cannot be ascertained by him then and there.

(*2*) When any such arrest has been made, the provisions of section 57, sub-sections (*2*) and (*3*), and sections 60 to 63 of the [1] Code of Criminal Procedure, 1898, shall apply. V of 1898