

# ACT OF 18 JUNE 1965 RELATING TO ROAD TRAFFIC (THE ROAD TRAFFIC ACT)

## CHAPTER I. INTRODUCTION

### § 1 Scope of the Act.

This Act applies to all motor vehicle traffic and other traffic on roads or in areas generally used by motor vehicles.

For the purposes of this Act the term traffic shall also include vehicles and/or pedestrians stopped on roads or in areas where it is generally permitted and usual to drive motor vehicles.

The King may decide that the Act shall apply in whole or in part to areas other than those mentioned in this section, or that it shall not apply in whole or in part to such areas.

In the case of Svalbard (Spitzbergen) and Jan Mayen the Act applies with such modifications as the King may stipulate due to local conditions.

### § 2 Definitions.

For the purposes of this Act, roads shall also mean streets and open squares, including lay-bys, parking places, stopping places, bridges, ferry quays or other quays directly connected with roads.

By vehicle is meant any device which is designed to be driven on the ground without rails.

The King may decide that other devices shall also be regarded as vehicles under this Act. Motor vehicles are vehicles propelled by a power engine.

The King may stipulate the extent to which provisions of or made pursuant to this Act shall apply to tramcars and other vehicles driven on rails on or over roads.

## CHAPTER II. TRAFFIC, ETC.

### § 3 Basic rules of traffic.

A driver shall show consideration and be alert and cautious so that he does not cause damage or risk, and so that other traffic is not unnecessarily obstructed or inconvenienced.

### § 4 Traffic rules.

The King issues general rules for driving, riding and pedestrian traffic.

The Ministry may issue special traffic regulations applicable to delimited areas in order to implement an appropriate traffic clearance and reorganization scheme.

The Ministry may issue special traffic regulations for a municipality or part of a municipality after consulting the chief of police and municipal council concerned.

When necessary the King or the Ministry may authorize the local authorities to take measures to regulate traffic and issue regulations to supplement the regulations mentioned in the first and second paragraphs.

### § 5 Road signs, etc.

A driver shall be alert to the official road signs, signals and road markings, and must comply with prohibitions and instructions so given.

The Ministry issues rules relating to official road signs, signals and road markings, including rules as to which authorities can make decisions to set up signs and signals and to mark roads.

The authority concerned has the right to set up official road signs, signals, traffic control equipment and fixtures for such devices on private and public property and to mark roads. Compensation fixed by assessment is payable for damage and inconvenience caused by such measures. In the case of public roads the costs involved in such measures shall be deemed as road costs pursuant to the provisions of the Road Act, but if the measures are taken in the interest of a particular person, he may be enjoined to refund the cost in whole or in part in accordance with rules issued by the Ministry. In the case of private roads the Ministry may issue rules stipulating who is to defray the costs.

Official road signs, signals or road markings must not be used on or along roads without the permission of the authority concerned. If signs or signals are put up or roads marked without permission, the authority concerned may have the signs, signals or road markings removed or it may demand to have them removed.

It is prohibited to alter, remove or deface official traffic signs, signals, traffic control equipment, road markings or traffic barriers.

## **§ 6 Driving speeds.**

The driver of a vehicle shall adapt the speed of the vehicle according to the local conditions, road conditions, visibility and traffic conditions, so that no danger or inconvenience is caused to others, and so that other traffic is obstructed or disturbed as little as possible. The driver shall always be in full control of the vehicle.

Unless otherwise indicated by a road sign, the speed of a vehicle must not exceed 50 kph in built-up areas, and 80 kph in other areas. The authority authorized by the Ministry may decide whether an area shall be considered a built-up area for the purposes of this Act, and may stipulate the demarcation lines of such an area.

For specific sections of road the Directorate of Public Roads may stipulate a speed limit higher than that stated in the second paragraph, but not over 90 kph. The Directorate of Public Roads may also stipulate a minimum speed limit for specific sections of road. Speed limits over 90 kph shall be determined by the Ministry.

For specific sections of road, a lower speed limit than that entailed by the provisions in the second paragraph may be stipulated. In the case of national highways, county roads and private roads, decisions are taken by the head of county roadworks, and in the case of municipal roads by the municipal executive board. Before such decisions are taken, the chief of police, municipal executive board and county municipality concerned must be consulted.

A lower speed limit than that otherwise applicable to a particular section of road may be provisionally stipulated while road work is being done. In the case of national highways, county roads and private roads, the decision is made by the head of county roadworks or someone authorized by him and for municipal roads the decision is made by the municipal executive board or someone authorized by the board.

Traffic regulations laid down pursuant to § 4 may contain more detailed provisions governing driving speeds, including lower driving speeds for certain categories of motor vehicles.

The speed limits do not apply to speed runs arranged on special tracks or on private roads which are closed to all other traffic, and for which the police have granted permission.

The Ministry may issue special regulations governing speed limits in areas away from roads.

The Ministry may on a trial basis stipulate lower general speed limits than those provided for in the second paragraph for certain areas and/or during certain times.

The Ministry may issue specific regulations concerning the stipulation of reduced speed limits pursuant to the fourth and fifth paragraphs.

## **§ 7 Special traffic prohibitions.**

The King or a person authorized by him may make decisions restricting the use of certain categories of vehicles on or off certain roads. The restrictions may be limited to a specified period of time.

Provisional decisions may be made banning all traffic or restricting traffic on a road if this is necessary due to the road itself or its surroundings, roadwork, or the state of the road. In the case of national highways and county roads such decisions are made by the head of county roadworks or someone authorized by him, and in the case of municipal roads by the municipal executive board or someone authorized by the board.

## **§ 8 Parking.**

The Ministry or someone authorized by the Ministry may decide that parking facilities within specifically delimited areas shall be reserved for residents of the area. For those engaged in business in such areas, or for vehicles belonging to institutions in such areas, parking facilities may be reserved on the basis of need.

The King may issue regulations governing parking fees for vehicles on public roads and prohibitions against such parking unless a fee is paid in advance. The obligation to pay a fee may be made applicable with no time limit or for specified periods of time.

The King shall stipulate an additional fee for parking in contravention of such regulations.

## **§ 9 Traffic regulation.**

The police may regulate the traffic as circumstances require, and may deviate from the provisions stipulated in or made pursuant to §§ 4, 5, 6, 7 and 8. The police may also completely or partly close off a section of road for short periods for the purpose of regulating traffic.

Everyone is required to comply immediately with instructions and prohibitions connected with the regulation of traffic given by the police either verbally or by means of gestures, signs, signals or by any other manner.

## **§ 10 Traffic inspection, etc.**

A driver of a vehicle must stop immediately for inspection when so requested by the police or the Motor Vehicle and Driving Licence Inspectorate. The driver must show the documents which he shall have in his possession when driving, and immediately comply with orders given by virtue of this Act.

The Ministry may authorize other officials to carry out the inspection and give the orders mentioned in the first paragraph.

## **§ 11 Exemptions for emergency vehicles, etc.**

The King shall issue rules on the granting of exemptions from provisions contained in or pursuant to §§ 4, 5, 6, 7, 8 and 9 for the drivers of emergency vehicles, drivers of vehicles in police service, or drivers of road work machinery or other vehicles used for work on or beside roads. The same applies to drivers of vehicles in the service of the Motor Vehicle and Driving Licence Inspectorate and the public parking authorities.

## **§ 12 Obligations in the event of traffic accidents.**

Any person involved in a traffic accident, whether he is at fault or not, shall stop immediately and give assistance to injured people and animals, and otherwise take part in any measures necessitated by the accident. If necessary, such duty also rests on others in the vicinity or who arrive on the scene.

Persons involved in a traffic accident have a mutual duty to exchange names and addresses. The driver of a vehicle shall also give the name and address of the owner and in such case, the licence number of the vehicle.

Where a traffic accident has resulted in the death of or injury to a person, and the injury is not insignificant, those involved in the accident shall see to it that the police are notified as soon as possible. Before the police arrive on the scene after such accident, involved parties must not leave the scene unless necessary or unless the consent of the police has been obtained. Where a person involved in an accident as aforesaid has to leave the scene of the accident, he shall as soon as possible inform the police of his involvement in the accident and leave his name and address. Where a traffic accident has resulted in damage to property, and there is no one present who can take care of the interests of the owner of the property, the person having caused the damage shall as soon as possible notify the owner of the property or the police of the accident.

Vehicles which after an accident are situated so as to endanger or obstruct traffic shall immediately be moved to a suitable place. Where consideration for traffic safety so permits, those who are involved in the accident shall be allowed to undertake measuring and marking before the vehicle is moved. Where the accident has resulted in the death of or serious injury to a person, any vehicle involved should be moved only if the police so consent or if leaving the vehicle in place until the police arrive causes substantial risk to or undue obstruction of the traffic. If vehicles involved in such accident have to be removed before the police arrive, those involved in the accident shall in so far as possible undertake measuring and marking of the position of the vehicle.

Until the police arrive on the scene after a traffic accident which has resulted in the death of or serious injury to a person, no evidence must be removed nor any other facts of significance for the investigation altered unless absolutely necessary. Those involved in the accident shall seek to prevent the removal of evidence and the alteration of other circumstances of importance.

## CHAPTER III. VEHICLES, ETC.

### § 13 Requirements for vehicles.

Vehicles must be constructed, fitted, equipped and maintained so that they can be used without causing unnecessary danger or inconvenience and without damaging roads.

The Ministry issues more detailed regulations governing the construction, fitments, weight, measurements and equipment including safety devices for the various categories of vehicles, and governing the load and number of persons vehicles can carry.

The Ministry may stipulate that vehicles shall be equipped with devices for registering driving and rest periods, etc. (cf. § 21, second paragraph) and may issue special regulations governing the approval, installation and control of such devices. The costs incurred in procuring, installing and controlling such devices shall be borne by the owner of the vehicle.

No alterations shall be made which increase the maximum speed or power of motorcycles (including mopeds) such that they exceed the limits stipulated for the particular category of motorcycle in accordance with the second paragraph.

It is the duty of the owner of a vehicle or the person who drives the vehicle on behalf of the owner to ensure that the vehicle is not used unless it is in proper condition.

### § 14 Approval of vehicles and equipment, etc.

The Ministry issues more detailed regulations governing the inspection and approval (including type approval) of vehicles.

The Ministry may stipulate that certain parts of or equipment for vehicles or for the protection of the driver, passengers or others shall be approved (or type approved) before they are allowed to be used, and may prohibit the sale of parts or equipment which have not been approved.

### § 15 Registration of motor vehicles.

Motor vehicles must be registered. The Ministry issues more detailed regulations governing the official registration of motor vehicles, licence plates (number plates) and registration cards. The Ministry may stipulate that trailers shall be registered as motor vehicles.

It is the duty of the person reporting a motor vehicle for registration to provide all the information required for the registration.

When the title to a motor vehicle changes hands, both the former and the new owner of the vehicle shall notify the registration authorities in writing within 3 days at the latest. In the event of a change of address, the owner of a motor vehicle must notify the registration authorities within 3 days.

A registration card may not be issued until evidence of insurance, provided by an insurance company, is shown in conformity with the provisions of the Automobile Liability Act, or evidence is provided that the vehicle does not need to be insured in accordance with the provisions of said Act.

The cost of licence plates shall be borne by the owner of the motor vehicle unless otherwise decided by the Ministry.

## **§ 16 Exemption from registration.**

The Ministry may exempt certain categories of motor vehicles from registration, etc. in accordance with § 15.

The registration authorities may give permission for a motor vehicle to be used for a short period of time or on one particular occasion without the vehicle being registered, etc. pursuant to § 15. In such case the vehicle must be in good condition and carry a special licence plate. Before permission is given, evidence of insurance, provided by an insurance company, must be shown in conformity with the provisions of the Automobile Liability Act, or evidence must be provided that the vehicle does not need to be insured in accordance with the provisions of said Act.

The Ministry may issue more detailed regulations relating to permission to use a motor vehicle as mentioned in the second paragraph, and may stipulate special conditions for such permission, including the payment of a fee.

## **§ 17 Use of motor vehicles.**

Unless otherwise stated in § 16 a motor vehicle must not be used unless it has been registered, legal licence plates affixed and a registration card issued. The registration card shall be carried in the motor vehicle at all times when it is in use.

The owner of a motor vehicle or the person who drives a motor vehicle on behalf of the owner must always ascertain that any person he allows to use the motor vehicle fulfils the conditions required for driving a motor vehicle.



## **§ 18 Transport of hazardous goods.**

The Ministry may issue regulations governing the transport, including the loading, unloading and inspection of goods which are hazardous or which can cause considerable inconvenience (hazardous goods). The Ministry may issue regulations concerning instruction for drivers of such vehicles.

The competent authority may make decisions concerning mandatory notification in respect of the transport of hazardous goods, and may determine that the transport of certain types of hazardous goods shall be prohibited or permitted only on certain roads, at certain times or on other specific conditions.

## **§ 19 Inspection of vehicles.**

It is the duty of the owner of a motor vehicle or the person who has a motor vehicle at his disposal on behalf of the owner to present the vehicle for inspection when so required by the competent authority. He must also furnish such particulars as required concerning the vehicle.

The competent authority also has the right to carry out inspections for the purpose of controlling motor vehicles and trailers on sale by a dealer.

## **§ 20 Foreign motor vehicles.**

The Ministry issues regulations governing the extent to which and the conditions on which motor vehicles or trailers registered or belonging in a foreign state may be allowed to be used in the Realm.

## CHAPTER IV. DRIVERS OF VEHICLES, ETC.

### § 21 General obligations.

No one must drive or attempt to drive a vehicle when he is in such a state that he cannot be deemed to be capable of driving safely, irrespective of whether this is due to the fact that he is under the influence of alcohol or any other intoxicating or narcotic agent, or to the fact that he is ill, weak, worn out or tired, or to other circumstances.

The Ministry may issue more detailed regulations governing driving and resting periods and concerning working conditions for drivers or groups of drivers, as regards the duty to keep a record of such information and as regards the keeping, sending in and checking of this information.

### § 22 Motor vehicle drivers under the influence of alcohol.

No one must drive or attempt to drive a motor vehicle when he is under the influence of alcohol (not sober) or some other intoxicating or narcotic agent. If he has a larger content of alcohol in his blood than 0.5 pro mille (\*), or he if has in his body an amount of alcohol which may result in such alcohol content in his blood, or the content of alcohol in his breath exceeds 0.25 milligrams per liter of air, he shall in any case be deemed to be under the influence of alcohol (not sober) for the purposes of this Act. Error regarding the degree of alcohol content does not exempt from penalty.

A driver of a motor vehicle must not consume alcohol or any other intoxicating or narcotic agent during the first six hours after he has finished driving, if he realizes or should have realized that there may be a police investigation into his driving. However, this prohibition no longer applies after a blood test or breath test has been taken, or if the police have decided that no such test shall be taken.

(\*) A blood alcohol content of 0,5 pro mille is equivalent to 50 milligrams of alcohol per 100 millilitres of blood.

## **§ 22a Breath tests, blood tests.**

The police may require the driver of a vehicle to undergo a breath test (breathalyser test or the like) if

- 1) there is reason to believe that he has violated the provisions of § 22,
- 2) there is reason to believe that he has violated other provisions of this Act or issued pursuant to this Act, and the Ministry has decided that the violation may have such effect,
- 3) he is involved in a traffic accident, whether he is at fault or not, or
- 4) he has been stopped in a traffic control.

The Ministry issues specific regulations governing breath tests.

If the results of a breath test or other circumstances indicate that the driver of a vehicle has violated § 22, the police may have him examined to ascertain the degree of influence. Such an examination shall generally be carried out when the driver refuses to undergo a breath test.

Blood tests may be performed by a medical practitioner or a registered nurse or medical technician. A clinical examination shall be performed by a medical practitioner if it is suspected that the driver is under the influence of any substance other than alcohol or if other special reasons so indicate.

The Ministry issues specific regulations governing the examination.

## **§ 23 The driver's responsibility for the condition of the vehicle, etc.**

Before putting the vehicle in motion the driver shall make sure that the vehicle is in the proper and prescribed condition and that it is loaded in the proper and prescribed manner. He shall make sure that the vehicle is in proper condition and properly loaded when it is in motion as well.

### **§ 23 a Personal safety equipment.**

The King may decide that personal safety equipment shall be used while driving or riding in a motor vehicle. The King may issue further rules concerning the extent of use and concerning exemption from the requirements. It may be decided that the driver shall be responsible for ensuring that passengers under the age of 15 years use safety equipment.

### **§ 24 General rules relating to driving licences, driving tests, and certificates of proficiency.**

The driver of a motor vehicle must have a valid driving licence, or where applicable a valid certificate of proficiency, for the category of motor vehicle concerned. The driver must always have his driving licence or certificate of proficiency in his possession when driving.

The Ministry may decide that drivers of vehicles for which driving licences are not required must have in their possession official documentation of their age or of having taken certain courses of instruction.

An applicant for a driving licence for a passenger car must be at least 18 years of age. The Ministry may stipulate a higher or lower minimum age limit for certain classes of driving licences.

An applicant for a driving licence must be of sober habits, and he must otherwise be of good character. He must have sufficiently good eyesight and physical mobility, have the necessary mental and physical health and have passed the driving test. The Ministry may decide that anyone applying to take a driving test shall be required to have completed a standard driver's education course.

Driving licences shall be valid for life. The Ministry may decide that a driving licence shall be valid temporarily until specific additional training has been completed. The Ministry may further decide that certain classes of driving licences or driving licences for certain categories of motor vehicles, or in cases where the eyesight, health or mobility of the driver render it necessary, shall be issued for limited periods.

The Ministry issues regulations concerning driving licences, certificates of proficiency, proof of age and proof of having completed special driver's education courses. In connection with this, rules may be laid down concerning driving tests, exemptions

from the obligation to have a driving licence, health requirements, the issuing of licences, period of validity, renewal, temporary driving licences and fees. When taking the driving test, the applicant is regarded as the driver of the motor vehicle.

If the eyesight, health or physical mobility of the holder of a driving licence no longer meets the requirements stipulated pursuant to the sixth paragraph, it is his duty to report this to the county health officer, who must notify the police, cf. § 24.

The Ministry may issue specific provisions concerning the issuing of a Norwegian driving licence on the basis of a valid foreign driving licence. In this connection provisions may be issued concerning the surrender of the foreign driving licence and information to be obtained about the applicant. The Ministry may also decide that no driving test is necessary or that the applicant must pass a simplified driving test.

The Ministry may stipulate special conditions in addition to the conditions in the third and fourth paragraphs for obtaining driving licences in certain classes of driving licences or for certain categories of motor vehicles.

#### **§ 24 a Period for which the issue of a driving licence is barred on account of a punishable act, etc.**

When a person has been sentenced or convicted for intoxication, the chief of police or whoever he so authorizes may decide that the person concerned shall not receive a driving licence for a period of up to two years from the date of the offence.

A person who has driven a motor vehicle despite the fact that he does not hold a driving licence for the category of motor vehicle concerned may not obtain such a driving licence for the first time until at least six months have passed since the date of the unlawful driving. If the driving has caused considerable damage, he may not obtain such a driving licence until at least one year has passed since the date of the said driving.

If a person who does not hold a driving licence is punished or convicted for an offence which would have caused the driving licence to be suspended for a certain minimum period or revoked permanently under the mandatory rules of § 33, or if he otherwise acts in such manner as would have caused revocation under the said rules, the chief of police or a person authorized by him shall stipulate a period during which such person is barred from obtaining a driving licence. The period shall not be shorter than the suspension period which would have been stipulated under the applicable provision of § 33, items 2-4.

If a person who does not hold a driving licence is suspected with just cause of having committed a punishable offence which may affect his chance to obtain a driving licence, the chief of police or a person authorized by him may decide that a driving licence shall not be issued until the case has been finally decided, but such decision shall not apply for a period longer than three months without a ruling from the Court of Examining and Summary Jurisdiction.

## **§ 25 Repealed.**

## **§ 26 Practice driving.**

Practice driving must not endanger or unnecessarily inconvenience other traffic. The police may in view of traffic conditions prohibit or restrict practice driving in certain areas and at certain times.

Practice driving with motor vehicles must not take place more than 12 months prior to the time the learner reaches the age at which he may obtain a driving licence or permit for the category of motor vehicle concerned. If practice driving is part of driving instruction against remuneration, such driving may only be practised when an instruction vehicle is used and the learner is accompanied by an approved instructor. Otherwise the learner must be accompanied by a person who is at least 21 years of age, who holds a valid driving licence for the category of motor vehicle concerned, and who has driven a similar motor vehicle for at least three years.

Obligatory instruction in driving under slippery conditions may only be carried out on training tracks which are specially approved by the Directorate of Public Roads.

The Ministry may issue regulations governing practice driving, and may on certain conditions give permission for practice driving with certain motor vehicles or in certain areas without an instructor or escort in the vehicle.

During practice driving, the instructor or escort is regarded as the driver of the motor vehicle. However, provisions of or issued pursuant to Chapter II and §§ 21, 22 and 22a also apply to the student driver.

## **§ 27      Driving instructors and driver's education schools.**

Any person applying for approval as a driving instructor must be at least 21 years of age. He must be of sober habits and his conduct must be such that he is considered suitable to be a driving instructor. He must hold a valid driving licence for the category of motor vehicle in which he is to give instruction, and he is required to have passed a driving instructor's test.

The Ministry may issue specific regulations concerning the approval of driving instructors, the establishment and operation of driver's education schools, and fees.

The Ministry may lay down provisions concerning how instruction to achieve a certificate of proficiency or proof of having completed other obligatory driver's education courses shall be established and operated. The arrangers of such courses may be given the authority to issue certificates of proficiency or the like which entitle the holder to drive particular categories of motor vehicles or special purpose vehicles.

## **§ 28      Traffic instruction.**

The Ministry may issue regulations concerning theoretical and practical instruction in return for remuneration from persons wishing to receive a driving licence, a certificate of proficiency or proof of having completed some other specified traffic instruction course. The Ministry shall approve the textbooks to be used in such instruction, and may decide that the instruction vehicle, classroom and teaching materials shall be approved by the competent authority.

## **§ 29      (Repealed.)**

## **§ 30      Motor vehicle drivers holding foreign driving licences.**

The Ministry issues regulations concerning the extent to which, and the conditions on which, the holder of a valid driving licence issued in a foreign state may drive a motor vehicle in the Realm.

## CHAPTER V. PENALTY AND REVOCATION, ETC.

### § 31 General penal provisions.

Any person who wilfully or negligently violates the provisions of this Act or of regulations issued pursuant to this Act shall be punished by fines or by imprisonment for a term not exceeding one year, unless the offence in question is subject to more severe penal provisions. The same penalty shall apply to violations of conditions laid down in decisions made pursuant to this Act or violations of the prohibitions imposed in §§ 35 and 36. Violation is a misdemeanour irrespective of the severity of the penalty. Any person who through the negligent use of a motor vehicle causes significant injury to or the death of another person shall be punished according to § 238 or § 239 of the Penal Code.

Any person who violates § 22, first paragraph, shall generally be liable to

- a) a fine and a conditional sentence to a term of imprisonment if his blood alcohol content is less than 1.0 pro mille or the alcohol content in his breath is less than 0.5 milligrams per liter of air,
- b) a fine and a conditional or unconditional sentence to a term of imprisonment if his blood alcohol content is between 1.0 and 1.5 pro mille or the alcohol content in his breath is between 0.5 and 0.75 milligrams per liter of air,
- c) a fine and an unconditional sentence to a term of imprisonment if his blood alcohol content is higher than 1.5 pro mille or the alcohol content in his breath is higher than 0.75 milligrams per liter of air.

When determining the penalty pursuant to the second paragraph, particular regard shall be paid to the degree of intoxication and the nature of the risks caused by the driving. Repeated violations of § 22, first paragraph, shall be punished by a fine and an unconditional sentence to a term of imprisonment.

Violation of § 22, second paragraph, shall be punished by a fine and imprisonment.

Violation of the regulations issued pursuant to § 8 is not punishable under this Act.

Other parking offences and violations of prohibitions against stopping shall be punished only if the parking or stopping has caused or might have caused a serious traffic obstacle or a hazard to persons or goods. In other cases, a charge will be imposed according to § 31a.



Violation of rules issued pursuant to § 23a is not punishable. The King may decide that a charge shall be imposed for violation of rules issued pursuant to § 23a. In accordance with more specific rules issued by the King, a charge may be imposed in lieu of a penalty also in the event of the violation of other rules prescribed in or issued pursuant to this Act.

Charges in terms of the seventh or eighth paragraphs shall be imposed by the police. The King may decide that § 31a, second, third, fourth, fifth and sixth paragraphs, shall apply correspondingly to the imposition of such charges.

### **§ 31a Charges for certain parking offences.**

Charges for offences in terms of § 31, sixth paragraph, shall be imposed by the police.

If an imposed charge is not paid within a stipulated period, the amount of the charge shall be increased by 50 %.

A charge which has been imposed may be waived by the police.

The imposition of a charge may be appealed to the Court of Examining and Summary Jurisdiction within a specified time limit. If the appeal is lodged after the expiry of such time limit, the appeal shall be rejected unless the court finds that the time limit was exceeded through no fault of the owner or user of the motor vehicle and that the appeal was lodged as soon as possible. The court may cancel an imposed charge if it finds that the conditions for imposing the charge were not satisfied. The decision of the court is made by ruling and may be appealed. Imposition of a charge may not be tried by the distraint authorities.

Charges which are imposed may be collected pursuant to the rules of § 38, first and second paragraphs.

The King shall stipulate the amount of the charge and lay down more detailed rules concerning the imposition and collection thereof, concerning the time limit for payment and of appeal, and concerning the appeal proceedings.

After ascertaining the views of the competent municipal council and chief of police, the King may decide that the authority vested in the police by this section and § 37 may also be exercised by the municipality. The King shall lay down more detailed rules relating to the implementation of such arrangements and shall decide how fines collected by the municipality shall be used.

### **§ 31b Imposition of fixed-rate optional penalties.**

The King may decide that fines for specific traffic violations may be imposed on the spot or subsequently in the form of a simplified fixed-rates optional penalties. In the case of such penalties the penal provision and the offence may be described by code-words or the like.

Optional penalties imposed on the spot do not apply if they are not accepted at once. § 256, item 5, of the Criminal Procedures Act applies correspondingly to optional penalties imposed subsequently. Such optional penalties do not apply if they are not accepted within the time limit. The King may issue specific rules concerning the procedure for optional penalties imposed subsequently.

The prosecuting authority may cancel an accepted penalty in favour of the offender.

Police officers who otherwise do not have authority to impose fines may be authorized to impose simplified fixed-rate optional penalties.

The King shall lay down more detailed rules concerning the use of simplified fixed-rate penalties and shall stipulate rates of penalties and alternative prison terms for the various misdemeanours which will be included in the arrangement.

### **§ 32 Violation of road traffic regulations abroad.**

Pursuant to agreement with a foreign state and on condition of reciprocity on the main points, the King may issue regulations to the effect that violation in that state of specified road traffic regulations in force there shall be punished in the Realm in the same manner as mentioned in § 31. The King may issue regulations governing the violation of the traffic regulations in Denmark, Finland, Iceland or Sweden, irrespective of agreements.

The King may also issue regulations governing cooperation with the other states, including regulations to the effect that cases of violation of Norwegian road traffic regulations shall not be prosecuted in the Realm, and that penalty shall not be served when a request is been made for penal prosecution in another state.

### § 33 Revocation of driving licences.

- 1) If the holder of a driving licence is sentenced or convicted for a punishable act, the chief of police or a person authorized by him may take steps to suspend his driving licence for a specified period or revoke it permanently if this is necessary for reasons of road safety or if it is in the public interest. The same applies if the holder of the driving licence is not of sober habits, or if his conduct is otherwise such that he is deemed unsuited to drive a motor vehicle.
- 2) A driving licence shall be suspended for at least one year if the holder of the licence has been sentenced or convicted for violation of the provisions of § 22, first or second paragraph.
- 3) The licence shall be suspended for at least two years if the holder of the licence refuses to undergo a medical examination or to allow a blood test or any other examination of him to be carried out as mentioned in § 22a, third paragraph.
- 4) If during the last five years the holder of a licence has been sentenced or convicted for violation of the provisions of § 22, or if during that period his licence has been suspended pursuant to subsection (2) or (3) above, his driving licence shall be revoked permanently.
  - a) if the holder is sentenced or convicted for violation of the provisions of § 22, or
  - b) if the holder refuses to undergo a medical examination or to allow a blood test or any other examination of him to be carried out as mentioned in § 22a, third paragraph.

The driving licence shall also be revoked permanently if the holder has caused or contributed to a traffic accident and is sentenced or convicted for failing to give assistance (cf. § 12) to anyone who was injured as a result of the accident.
- 5) If the police find that the driver or owner of a motor vehicle or a person who has at his disposal a motor vehicle on the owner's behalf may with just cause be suspected of a punishable offence which could result in the revocation of his driving licence, the chief of police or a person authorized by him may take the licence from him until the matter has been finally decided, but not for longer than 3 weeks without a ruling from the Court of Examining and Summary Jurisdiction.
- 6) The holder of the licence must hand it over to the police immediately if the police demand it, or if a decision has been made to revoke the licence.

### **§ 34 Revocation of driving licences for special reasons.**

Where the police have just cause to believe that the holder of a driving licence no longer meets the requirements laid down for such a driving licence as regards eyesight, health and physical ability, or that the holder does not possess the knowledge or the driving skill necessary to ensure road safety, the chief of police or a person authorized by him may order the holder - provided he wants to go on utilizing his driving licence - to undergo within a set date such medical examination as is deemed necessary and to submit to all or part of a new driving test. Where the police deem it necessary, they may order him to hand the licence over to the police until further notice.

If the holder fails to comply with such order as mentioned in the first paragraph, or the medical examination proves unsatisfactory, or he does not pass the driving test, the chief of police or a person authorized by him may revoke the licence. § 33, subsection 6 shall apply correspondingly.

If the result of the medical examination does not prevent it, or if the person in question passes the driving test, the authority concerned may issue a new driving licence - with limited validity or on special conditions if warranted.

The chief of police or a person authorized by him may revoke a driving licence if the holder has not presented the required medical certificate within the prescribed time limit, cf. the fifth and sixth paragraphs of § 24.

### **§ 35 Prohibition against driving motor vehicles for which a driving licence is not required.**

When necessary for reasons of road safety or if the interests of the general public call for it, the chief of police or a person authorized by him may prohibit a person from driving a motor vehicle for which no licence is required for a specified period if the person in question

- a) has had his driving licence revoked pursuant to § 33 or § 34, or
- b) has, within the last two years, been sentenced or convicted for intoxication or for violation of the provisions of § 22, or
- c) does not have the necessary qualifications required for driving such a motor vehicle, or
- d) is for other reasons deemed to be unfit to continue to drive such a motor vehicle.

### § 36 Prohibition against using motor vehicles, confiscation of number plates and registration cards.

1. The competent authority may prohibit the use of a motor vehicle or motor vehicle trailer for as long as necessary if
  - a) the motor vehicle is not re-registered according to instructions pursuant to § 15,
  - b) the motor vehicle is not presented for inspection pursuant to § 19 or instructions to repair defects are not complied with within the prescribed time limit,
  - c) the motor vehicle is not in proper condition or its load is not properly distributed or secured,
  - d) the wheels of the motor vehicle have not been provided with sufficient grip by means of studs, chains or the like when the condition of the road surface makes this necessary,
  - e) instructions issued in pursuance of the fourth paragraph of § 36 a) are not complied with.
  - f) rules laid down in pursuance of § 18 concerning the transport of hayardous goods are significantly violated or orders issued by virtue of § 18 are not complied with,
  - g) the motor vehicle has been altered in contravention of § 13, fourth paragraph.
2. When necessary for reasons of traffic safety, the chief of police or a person authorized by him may prohibit the use of a motor vehicle or a motor vehicle trailer for a specified period of up to one year if the owner or someone who regularly uses the vehicle with his consent
  - a) has driven the motor vehicle in a careless manner, or driven a motor vehicle which has been altered in contravention of § 13, fourth paragraph, or
  - b) has driven the motor vehicle when it is in a significantly overloaded condition or used it to carry dangerous goods in contravention of rules laid down pursuant to § 18, or driven it with the load wrongly distributed, or on roads where the motor vehicle is prohibited from driving according to provisions relating to axle load or bogie load, length, width, height, etc., or
  - c) has driven the motor vehicle otherwise contrary to provisions of this Act or regulations issued pursuant to this Act, and has previously been sentenced or convicted for violation of such a provision or for violation of Chapter 22 or § 351 of the Penal Code while using a motor vehicle or motor vehicle trailer.

3. When the use of a motor vehicle or motor vehicle trailer is prohibited in pursuance of subsections 1, 2 or 5, the competent authority may confiscate the licence plates and registration card if the vehicle is registered. The same applies to cases mentioned in the first paragraph of § 5 of Act no. 2 of 19 June 1959 relating to Motor Vehicle and Boat Fees.
4. When necessary for reasons of traffic safety, the chief of police or a person authorized by him may prohibit the use of vehicles other than motor vehicles and motor vehicle trailers for a specified period of up to 6 months if the vehicle is not in proper running order, or if the owner or someone who regularly uses the vehicle with his consent has used it for careless driving in contravention of provisions of this Act or regulations issued pursuant to this Act.
5. If the title to a vehicle is transferred after the appearance of the conditions for prohibiting its use pursuant to subsections 2 and 4, the prohibition against its use may also be imposed or maintained in relation to the person to whom the title to the vehicle is transferred.  
If the police have reason to believe that use of the vehicle will be prohibited pursuant to subsection 2 or 4, the police may provisionally prohibit use of the vehicle until a decision pursuant to subsection 2 or 4 can be taken.
6. In such cases as mentioned in subsections 3 and 4 the police may take custody of the vehicle if this is deemed necessary. If the vehicle is not collected within 3 months after the expiry of the prohibition, it may be sold following notification of the owner by registered letter. The provisions of § 37, second paragraph, second and third sentences, and the third, fourth and fifth paragraphs apply correspondingly.

### **§ 36a Charges for overloading.**

The King may decide that the owner of a vehicle which has been used while considerably overloaded in terms of the permissible axle load or bogie load or totals thereof shall pay an overload charge to the Treasury in proportion to the extent of the overload according to specific rules issued by the King. In the case of repeated overloading, rules may be issued to increase charges.

When a vehicle is found to be carrying an overload which entails liability for a charge under the preceding paragraph, the police or such authority as designated by the King may take the vehicle into its custody at the expense and risk of the owner or prohibit any use of the vehicle until the charge has been paid or security has been furnished for such payment. § 31a, fourth paragraph, shall apply correspondingly to overload charges.

If a trailer has been used in violation of the rules mentioned in the first paragraph of this section, the owner of the motor vehicle is liable for the charge even if he is not the owner of the trailer. Payment of the charge may be enforced by distraint also against the owner of the motor vehicle, cf. § 38, second paragraph. The provisions of the first sentence of the preceding paragraph may also be applied to the motor vehicle, and a lien may be attached thereon according to § 38, first paragraph.

The King shall issue more specific regulations for the implementation of the provisions of this section, including rules relating to weighing, to the obligation to drive to an indicated weighing station, the imposition and collection of charges, terms of payment and appeal, the waiver of charges in special cases and the confiscation of licence plates and documents in cases as mentioned in the second paragraph of this section.

### **§ 36b Confiscation of a motor vehicle.**

If the driver of a motor vehicle who resides abroad is sentenced to a penalty for contravention of road traffic legislation, the police may confiscate his vehicle until charges and court costs have been paid or until security for such payment has been furnished. This provision applies even if no legally binding decision has been made in the case.

Confiscation may only be resorted to when it is deemed necessary in order to ensure payment of a specified sum of money. Confiscation shall not be employed in respect of drivers residing in Denmark, Finland, Iceland or Sweden.

If the sum is not paid within two months of the date of a legally binding decision, the motor vehicle may be sold. Otherwise the provisions of § 37, second, third and fourth paragraphs, shall apply correspondingly.

### § 37 Removal and custody of motor vehicles, etc.

The police may demand the removal of or if necessary take into custody any vehicle which

- a) is positioned contrary to the provisions of this Act or regulations issued pursuant to this Act, or
- b) is positioned in such a manner that it obstructs traffic or snow clearance or other road work, or
- c) has been positioned on private or public property at the risk or inconvenience of the owner or user of the property, or against his orders.

If a motor vehicle is positioned on ground which is not open to ordinary traffic, this only applies if the owner or user of the ground demands the removal of the motor vehicle.

A vehicle which has been taken into custody by the police pursuant to the first paragraph may be sold if it is not collected within three months after the owner has been notified by registered letter that the motor vehicle has been taken into custody and that it will be sold if it is not collected. If the name or address of the owner is not known, the notice may be published in the press or made known by some other means. If the police find that the condition of the motor vehicle is such that it may be regarded as a wreck, the motor vehicle may be suitably disposed of without regard to the time-limit mentioned above and, if necessary, without notifying the owner.

The provisions of the Act of 29 May 1953 concerning the right of craftsmen, etc. to sell articles which have not been collected apply correspondingly to sales pursuant to the second paragraph and to the payment of the sales amount.

Any motor vehicle which is taken into custody shall be at the owner's expense and risk.

If the owner claims the return of a motor vehicle which the police are about to remove or have taken into custody, he must first pay the charges incurred for the removal and custody of the motor vehicle.



### **§ 38      Liens on motor vehicles, etc.**

A lien may be attached to a motor vehicle considered as security for payment of an additional fee under § 8, or a charge under § 31, fourth paragraph, cf. § 31a, or under § 36a. Said lien takes precedence over all other claims on the vehicle, but becomes invalid if the motor vehicle is transferred to a new owner who neither knew nor had reason to know about the lien. However, the lien ranks after claims for taxes and charges to the State and municipality which are secured by the motor vehicle, provided a distraint has been registered before the additional fee or charge was incurred. The motor vehicle may be confiscated without court order, and it may be sold to cover any additional fee or charge under the rules of the Enforcement Act concerning enforced sale of movable property, if the additional fee or charge is not paid by the due date.

Additional fees under § 8 or charges under § 31, fourth paragraph, may also be collected by distraint, levied either on the debtor or on the person who at the time of the parking or stopping was registered as the owner of the motor vehicle, unless he was at that time deprived thereof by a criminal offence. Payment of any charge under § 36a may be enforced in the same manner against the person who at the time of the overloading was the owner or registered as the owner of the vehicle, cf. § 36a, third paragraph. Charges pursuant to § 31, fifth paragraph, may be collected from the debtor by distraint.

Persons responsible for ensuring the observance of the regulations issued pursuant to § 8 may remove, demand to have removed, or take into custody any motor vehicle which is parked contrary to the said regulations. The provisions of § 37 shall apply correspondingly.

### **§ 39      Appeal and new decisions in cases concerning suspension or revocation of driving licences, etc.**

There is no time limit on the appeal of a decision to suspend a driving licence under § 33.

Regardless whether an appeal has been lodged, the Ministry may prolong the stipulated suspension period if the person concerned is notified of the new decision within three months from the date on which the decision to suspend the licence was validly taken. However, if a considerable disproportion exists between the stipulated suspension period and the offence which led to the suspension, it is sufficient to notify the person concerned of the prolongation before two-thirds of the stipulated suspension period has elapsed.

The Ministry may in cases as mentioned in § 33, subsections 2 and 3, reduce the suspension period to less than the minimum period provided therein if suspension for such a length of time appears unreasonable and particularly mitigating circumstances exist.

In cases as mentioned in § 33, subsection 4, the Ministry may decide that the suspension shall apply only for a specified period. However, the suspension period may not be made shorter than five years, unless the conditions mentioned in the preceding paragraph are satisfied.

The Ministry's decision in cases concerning a reduction of the suspension period to less than the minimum period specified in § 33, subsections 2-4, may not be appealed.

The rules of this section apply correspondingly to decisions concerning time limits for refusal of driving licences pursuant to § 24a, first and third paragraphs.

## **§ 40 Motor Vehicle and Driving Licence Inspectorate.**

The Ministry issues specific provisions concerning the organization and authority of the Motor Vehicle and Driving Licence Inspectorate. The Ministry may establish instructions for the Motor Vehicle and Driving Licence Inspectorate.

### **§ 40a Responsibility for promoting road safety.**

The county administration is responsible for recommending and coordinating measures to promote road safety in the county.

### **§ 40b Expenses in connection with special transport escorts.**

A transporter responsible for transport which because of length, width, height or weight requires special assistance from the authorities may be required to meet the expenses incurred by the authority concerned in connection with such assistance.

### **§ 41 Vehicle bought on hire purchase terms.**

Any person who buys a vehicle on hire purchase terms is deemed to be the owner of the vehicle for the purposes of this Act.

**§ 42 Vehicles belonging to the Armed Forces or the Civil Defence.**

The King may make exemptions from provisions of this Act or issued pursuant to this Act for vehicles belonging to the Armed Forces or the Civil Defence, and the use of these vehicles.

**§ 43 Implementation of the Act.**

The King may issue transitional regulations and other regulations relating to the implementation and supplementation of the provisions of this Act.