



# REPUBLIC OF SAN MARINO

DELEGATED DECREE no. 81 of 26 May 2008  
(*Ratifying Delegated Decree no. 67 of 28 April 2008*)

## **We the Captains Regent of the Most Serene Republic of San Marino**

*Having regard to Delegated Decree no. 67 of 28 April 2007 "Road Traffic Rules", which has been promulgated:*

*Having regard to Article 1 of Law no. 51 of 20 March 2008;*

*Having regard to Congress of State Decision no. 58, adopted during its sitting of 14 April 2008;*

*Having regard to the amendments to the above-mentioned Decree, which were introduced at the time of its ratification by the Great and General Council in its sitting of 14 May 2008;*

*Having regard to Articles 8 and 9, paragraph 5, of Qualified Law no. 186/2005;*

*Promulgate and order the publication of the final text of Delegated Decree no. 67 of 28 April 2008, as amended following the approval of the Great and General Council when ratifying it:*

## **ROAD TRAFFIC RULES**

### **TITLE I GENERAL PROVISIONS**

#### **Art. 1**

*(General principles)*

The circulation of persons, vehicles and animals on the territory of the Republic shall be governed by the following:

- a) the provisions contained in this Delegated Decree, the provisions enacted to implement this Delegated Decree, the provisions contained in laws and decrees dealing specifically with road traffic, vehicles and circulation permits;
- b) the provisions contained in international conventions to which the Republic has acceded.

Road traffic rules and the relevant implementing measures are inspired by the principles of road safety and pursue the objective of improving the quality of life, including through the protection of the environment.

These rules and the provisions implementing or modifying them shall be adopted by means of a delegated decree, in accordance with the criteria established in delegating Law no. 51/2008

#### **Art. 2**

*(Road classification)*

The Republic's road system is indicated in the plan attached to the law on the General Town Planning Scheme.

For the purposes of this Delegated Decree, the roads are classified as follows:

- a) expressways: all the roads linking the Townships of the Republic (*Castelli*) and the Townships with areas across the border. These can be dual carriageways (highway) or single carriageways, each with at least two lanes;
- b) linking roads: single carriageways with two lanes that connect the individual areas of each Township to expressways or to another linking road;
- c) local roads: roads having urban and agricultural functions.
- d) cycling and pedestrian roads: local, urban, non-urban or rural roads mainly destined to pedestrians and cyclists.

The roads falling within categories a) and b) of the preceding paragraph are normally equipped with verges, footpaths and entrances to private properties, with parking and service areas that are signalled and in any case are not an obstacle to ordinary traffic.

Roads are usually public property. Only local roads can be private roads when they are built on privately owned land (even if there are public rights of way over them), provided that no transfer to the State has been made, or they were not declared of public utility for expropriation purposes.

All roads, including private ones, have place-name signs, with the exclusion of paths, sheep tracks and exclusively cycling and pedestrian roads.

The Congress of State shall establish, by means of a regulation, the technical, building and geometric specifications for each type of road, with which new building interventions and works to change the existing road network will have to comply.

### **Art. 3**

*(Regulations governing circulation)*

In addition to the road traffic rules and the provisions implementing them, road traffic shall be regulated, in particular cases and for extraordinary and temporary needs, by means of orders issued by the Ministry of Internal Affairs in accordance with a regulation adopted through a Congress of State decision. These orders shall be enforced through the police corps and State offices, which shall make them public by affixing bills and appropriate signs in the places concerned. Public or private firms that perform authorised road works may directly affix the appropriate signs regulating traffic also through the employees of the contractor. In this case, the police corps and AASP (Public Works Autonomous State Corporation) shall perform the necessary supervision activities.

Road traffic rules, implementing provisions and orders shall be observed even if they relate to circulation on private roads. The competent Authorities shall apply the sanctions provided for by these Road Traffic Rules even if violations occur on a private road.

### **Art. 4**

*(Traffic police services)*

Traffic police services on the territory shall be a responsibility of the Civil Police, the Gendarmerie and the Fortress Guard.

Following a specific decision of the commanders of the aforesaid corps, certain traffic police functions may be temporarily delegated to the trainees of the individual corps, to officers of the militia or to specially designated civilians.

Traffic police services shall consist of: a) prevention and establishment of road traffic violations; b) detection of road accidents; c) preparation and implementation of services aimed at regulating traffic; d) any other service related to protecting and monitoring the use of roads, including private ones.

In compliance with Article 70 hereunder, traffic police bodies shall be required, in accordance with the modalities established in said Article, to provide people involved in road accidents and their lawyers or successors in title with the information concerning the identification of the vehicles, drivers, owners and insurance coverage.

Traffic police activities shall be organised by the commanders of the individual corps, who may require the cooperation of the State offices in case of special investigation, detection and health needs.

#### **Art. 5**

*(Working Group on road safety)*

The Working Group on road safety shall be hereby established. It shall be composed of the Coordinator of the Department of Territory as President, the Director of the Public Works Autonomous State Corporation (AASP), the Directors of the Planning Office, Vehicle Registration Office, Town Planning Office and the Commanders of the Police Forces. The members of the Working Group may resort to the staff of their respective offices and delegate one of their staff members to participate in the works of the Working Group in their place.

The Working Group shall have the task of processing the requests for installing the most appropriate devices for traffic calming and regulation, by acting:

- on their own initiative, also on the basis of annual reports and statistics of Police Forces;
- upon proposal of the Township Councils, which can collect and submit the citizens' requests;
- in response to what provided for in public projects and private ones, in relation to which an agreement with the State has been entered into;
- in implementation of Congress of State proposals under Article 6 hereunder.

The Working Group shall also perform consulting, proposing and training functions with regard to road safety and road traffic in general. For road safety education programmes in schools, the Working Group shall be supplemented by two representatives of the teachers appointed by the Minister of Education.

#### **Art. 6**

*(Installation of works and devices)*

Pursuant to Title 3 hereunder, the Congress of State shall grant any authorisation for installing or removing a traffic calming work or device and determine its type and location. The Congress of State shall also authorise the installation of the above mentioned devices and works on roads with a 70 km/h speed limit, if this is deemed necessary.

The authorisations referred to in the preceding paragraph shall be granted by the State Congress after the Working Group on Road Safety referred to in Article 5 has completed the processing of the requests.

Traffic calming works and devices shall be installed by the Public Works Autonomous State Corporation following the decision of the Congress of State.

The works mentioned above shall not be subject to any licensing or authorisation under Article 159 of Law no. 87 of 19 July 1995 "Consolidated Text on Town Planning and Building Laws".

#### **Art. 7**

*(Sanction system)*

Any violations of the provisions of these Rules shall be considered crimes or administrative violations. These Rules shall also regulate cases envisaging the immobilisation and subsequent precautionary seizure of the vehicle, withdrawal of the documents, suspension and revocation of driving license.

If the violation is considered a crime, reference shall be made to the provisions of the Criminal Code applicable to the specific crime, or the kind of crime shall be expressly indicated under Article 20 of the Criminal Code.

Administrative violations shall be governed by Law no. 68 of 28 June 1989. With regard to this Delegated Decree, administrative violations shall be classified into three categories, each of which sanctioned as indicated in the table contained in Annex A. The amounts of the sanctions for

each category may be amended by means of an annual decree under Law no. 68/1989 mentioned above. For violations punishable with a pecuniary administrative sanction, the owner of the vehicle, or, in lieu thereof, the usufructuary or the user by virtue of a financial leasing, shall be jointly and severally liable with the offender to pay the amount due by the latter, unless he demonstrates that the vehicle was circulating against his will.

The vehicle registration documents withdrawn pursuant to Article 61 shall be transmitted, accompanied by a report, by the police officer to the Director of the Vehicle Registration Office. The latter, within 10 days from the withdrawal, shall carry out the tasks referred to in the second paragraph of Article 61 and, in the cases mentioned in Article 64, the administrative seizure of the vehicle. Paragraph 3 of Article 61 shall regulate the cases in which documents can be withdrawn directly by the police officer. The ancillary measure of confiscation following the administrative seizure shall be ordered by the Director of the Vehicle Registration Office. This order may be appealed against by the interested person pursuant to Law no. 68/1989. When the confiscation measure becomes final, the relevant enforcement shall be a responsibility of the Central Bank in accordance with Law no. 70/2004.

When the law envisages the criminal seizure of the vehicle under Article 56, the police officer shall order the immobilisation of the vehicle and transmit the relevant verbatim record or report to the investigating magistrate. Within 72 hours, the latter shall order, following the confirmation of the immobilisation, the seizure of the vehicle or its return to the owner.

The administrative suspension of the driving licence shall be ordered, for the time established for each violation, directly by the Director of the Vehicle Registration Office on the basis of the report of the police officer. The jurisdiction of the Judge under paragraph 2 of this Article shall remain applicable. In case of precautionary suspension ordered by the judge by means of a reasoned decree, or in the event of a conviction entailing a driving disqualification through a judgement for the same facts that gave rise to the administrative suspension, the actual suspension period shall be deducted from the period of precautionary suspension or driving disqualification imposed by the Judge. For this purpose, the Director of the Vehicle Registration Office shall be required to transmit the suspension and return measures to the judge responsible for the same facts. A specific regulation adopted by means of a Congress of State decision shall govern the administrative procedures relating to the suspension of the driving licence, including the procedures and effects of the suspension of foreign driving licences or the enforcement on the territory of measures adopted by foreign Authorities to suspend San Marino driving licence.

## **TITLE II ROADS**

### **Art. 8**

*(Construction, maintenance and management of roads)*

The construction, maintenance and management of roads shall be a responsibility of the Public Works Autonomous State Corporation (hereinafter AASP or Corporation), which shall act according to the budget laws and in compliance with the directions given by the Government and with safety rules. The Corporation shall be granted decision-making autonomy in relation to road signage, technical choices of the works and urgent and unpostponable interventions to guarantee road safety. For this purpose, adequate funds shall always be provided in the State budget.

AASP shall adopt the provisions and directives in force in the countries of the European Union or provided for by international conventions for any technical intervention necessary to ensure traffic safety, including the technical, functional and construction characteristics of roads and their appurtenances, public lighting, parking areas allowed for cars and motorcycles, and intersections.

AASP shall be required, also through the collaboration of other State entities, to perform the following functions: a) maintenance of roads, excluding private ones, their appurtenances and furnishings, installations, equipment and services; b) technical control of the efficiency of roads and

related appurtenances; c) affixing and maintenance of the prescribed signs; d) execution of works and elimination of obstacles that can be prejudicial to the circulation and safety of roads, also private ones.

Cleaning of the roads shall be a responsibility of the Public Utilities Autonomous State Corporation.

Private road owners shall be required to maintain the roads in a safe condition and to implement the Corporation's regulations regarding the maintenance, safety and signage of private roads.

In case of emergency, for extraordinary and exceptional events, the Corporation, in collaboration with the police corps, shall be required to carry out all the necessary interventions to guarantee the safety conditions of the roads. The other State entities shall be required to collaborate with the Corporation in relation to the specific competences necessary for extraordinary events.

The temporary occupation of roads for construction sites, depots, works on buildings or on land near roads shall be authorised by AASP, following a reasoned written request by the interested party, accompanied by the project delimiting the area to be occupied. AASP, in cooperation with the police forces, shall adopt the systems necessary to ensure the circulation. Anyone applying for temporary occupation of a road shall provide an appropriate bank or insurance guarantee for the corporation's expenses, in accordance with a price list drawn up by the Board of Directors of AASP.

#### **Art. 9** *(Prohibited acts)*

On all roads and their appurtenances it shall be forbidden to: a) damage in any way the works, plantations and road installations; b) create dangerous conditions; c) damage, move, remove, dirt and alter both horizontal and vertical signs; c) prevent the free flow of water in the side ditches and in the collection and discharge works, as well as their natural outflow on the land below; d) discharge on roads and in the ditches mud, dirty and harmful material.

Violations of the rules referred to in the preceding paragraph, unless the facts constitute a more serious offence of damage, shall be subject to a second-category administrative sanction imposed by order of the Director of AASP. Anyone causing the damage shall be required, at his own expense, to repair the damaged works in question.

#### **Art. 10** *(Dangerous installations and works)*

AASP, having consulted the civil protection service if it deems it appropriate, shall verify the possible danger of installations and works located near roads, which may prejudice road safety, and shall propose the necessary interventions for their removal or modification. If the proposed works are not executed within the terms indicated by AASP, the Congress of State, by its own decision, shall authorise the Corporation to execute the works, charging the relevant costs to the private party.

#### **Art. 11** *(Accesses)*

New accesses from public roads to private property shall be authorised, subject to the opinion of AASP, in accordance with the provisions of the town planning law.

All accesses, including those already authorised or acquired due to the expiry of the limitation period, shall be identified by means of special signs; those who benefit from accesses shall take care of their maintenance.

Any transformation of the existing accesses shall be forbidden without the prior approval of the project by the Director of the Town Planning Office, after hearing the opinion of the Director of AASP.

Anyone who violates the provisions of this Article shall be punished with second-category administrative sanction, imposed by order of the Director of the Town Planning Office. In any case, the provisions of the town planning law shall be applicable.

**Art. 12**  
*(Advertising on roads)*

It shall be forbidden to install advertising systems, signs and billboards that may create dangers or confusion to road traffic.

The installation of advertising systems and signs on road appurtenances shall be authorised under the Town Planning Law no. 87/95 by the Director of the Town Planning Office, after hearing the opinion of AASP in relation to road traffic safety. The sanctions provided for in Article 127 of the above-mentioned Town Planning Law shall be applied to offenders.

The temporary advertising referred to in the last paragraph of Article 110 of Law no. 87/95 placed on road appurtenances shall be preventively authorised by AASP. In the absence of a prior authorisation, the Corporation shall order installers to remove the irregularly installed advertising at their expense.

The affixing of advertising billboards or signs on vehicles shall be reported to the Civil Police Commander.

Anyone who violates the provisions of this Article, without prejudice to the second paragraph, shall be punished with second-category administrative sanction, imposed by order of the Civil Police Commander.

**Art. 13**  
*(Road appurtenances)*

Road appurtenances shall be parts of the road that are permanently intended for the service or functional furnishing of the road.

Works that form an integral part of the road and works permanently inherent to the road surface shall be operating appurtenances. Areas intended for the refuelling and rest of users, car parks and permanent structures intended to be used for road maintenance shall be service appurtenances.

Owners of service appurtenances shall be required to comply with the directions given by AASP regarding the maintenance of areas and the affixing of signs and advertising. In case of violation, the sanctions and provisions referred to in Articles 11 and 12 shall apply and shall be imposed by order of the Director of AASP.

**Art. 14**  
*(Buildings, walls and support structures)*

Buildings, fence and support walls, earth slopes and ditches adjacent to roads shall be kept in such a way as not to endanger public safety or cause damage to the roads.

AASP may order owners to carry out the removal, renewal, protection and maintenance works necessary to safeguard the safety and integrity of roads. If the owner does not comply with the above order, the Corporation shall adopt the procedure provided for in Article 10 and apply second-category administrative sanction.

### **TITLE III**

## **WORKS AND DEVICES FOR TRAFFIC CALMING**

#### **Art. 15**

*(Works for traffic calming)*

The following articles shall regulate the use of traffic calming works and devices, either fixed or mobile, permanent or temporary, on expressways, linking roads and local roads with a speed limit equal to or less than 50 km/h in relation to the provisions of Articles 5 and 6 of these Rules.

#### **Art. 16**

*(Environmental islands)*

Environmental islands shall be urban areas served mainly by local roads, inside or at the edge of the main road network, aimed at restoring the quality of life of urban spaces.

On the environmental islands referred to in the preceding paragraph, traffic and speed control may be carried out by means of:

- restricted traffic areas, which limit the number of vehicles circulating in a given area;
- specific areas where a speed limit of 30 km/h is imposed, either because of the presence of structures or because of the specific characteristics of the area itself, which require particular speed moderation;
- pedestrian areas intended only for pedestrian transit and therefore aimed at the protection of central places such as squares or ancient villages.

Limited traffic zones and areas with a speed limit of 30 km/h, specifically identified by means of a decree containing plans on an adequate scale and with appropriate signs, may be subject to the traffic calming systems referred to in the following articles.

#### **Art. 17**

*(Works and devices for traffic calming)*

Traffic calming elements shall be constituted by those interventions inducing users to moderate their speed and, in general, to adopt a driving behaviour that is more compliant with road safety requirements.

#### **Art. 18**

*(Transverse bands with optical, acoustic or vibration effects)*

On all roads, including those with a maximum speed limit of 70 km/h, the speed may be slowed down by means of transverse bands with optical, acoustic or vibration effects, using appropriate means of horizontal signalling or road pavement treatment, across the entire width of the carriageway or along one or more lanes in the direction of travel concerned.

Traffic calming systems with optical effects shall be implemented by applying in series at least four white refracting stripes with increasing width in the direction of travel and decreasing distance. The first stripe shall be 20 cm wide and the width of the following ones shall be increased by at least 10 cm.

Traffic calming systems with acoustic effects shall result from the roughening of the road pavement through surface stripping or incision or by applying thin layers of embossed adherent material, possibly integrated with refracting devices. Such devices may also produce limited vibration effects.

### **Art. 19**

#### *(Factory-built speed bumps)*

Factory-built speed bumps may be installed on the roads referred to in Article 15, excluding expressways, across the width of the carriageway or along one or more lanes in the direction of travel concerned.

Factory-built speed bumps shall be modular relief elements made of rubber or plastic. Their dimensions in relation to the speed limits in force on the road in question and the distance between the bumps installed in series shall be established by means of a decree adopted upon proposal of AASP.

The installation of new factory-built speed bumps shall be mandatorily brought to the attention of the rescue or emergency services.

### **Art. 20**

#### *(On-site built speed bumps)*

On-site built speed bumps may be installed on the roads referred to in Article 15, excluding expressways, across the width of the carriageway or along one or more lanes in the direction of travel concerned.

These bumps shall be made of concrete or asphalt. Their dimensions shall be established by means of a special decree adopted upon proposal of AASP.

The raising of the road pavement for the construction of on-site built speed bumps shall be made mainly in areas with particular problems, such as intersections, or near pedestrian crossings.

The installation of on-site built speed bumps shall be mandatorily brought to the attention of the rescue or emergency services.

### **Art. 21**

#### *(Signalling of speed bumps)*

Speed bumps shall be signalled by yellow and black stripes parallel to the direction of travel, with the same width in terms of both stripes and intervals, visible during the day and at night. In case of urban furnishing projects, the signalling of the bumps can be made, instead of with yellow and black stripes, with materials and colours that create colour combinations in accordance with road safety symbols.

Pre-signalling shall consist of the "maximum speed limit" sign with a value between 50 and 30, together with a smaller "bump" sign, placed at least 20 m. before the bumps.

A series of traffic calming devices shall be indicated by means of similar signs and a supplementary sign with the word "series" or indicating the number of traffic calming devices.

### **Art. 22**

#### *(Pedestrian crossings)*

Pedestrian crossings shall be the infrastructures designed to provide continuity to pedestrian routes at intersections and to allow the crossing of carriageways while respecting road safety conditions.

Crossings may be:

- grade crossings without traffic lights;
- grade crossings with traffic lights;
- raised crossings over on-site built bumps;
- underground crossings or with elevated structures.



The choice of the type of crossing shall be made on the basis of the dangerousness identified by the statistics of the accidents occurred on that road, taking into account the limitations referred to in the previous articles.

Grade crossings without traffic lights shall have the following characteristics:

- they shall be signalled on the carriageway by means of 2.50 m long white stripes parallel to the direction of travel of the vehicles;
- the width of the stripes and intervals shall be 50 cm.

Special derogations in the choice of materials to be adopted for the creation of the white stripes may be granted for crossings that fit into urban furnishing projects. In this case, the signalling shall be made with materials suitable for road safety requirements.

It is also possible to further signal the pedestrian crossing by colouring the stretch of road that precedes the crossing with paints visible also at night, as well as by using optical indicators placed on the asphalt and/or metal portals that support the pedestrian crossing sign, also illuminated and illuminating the area involved in the crossing.

Grade crossings with traffic lights shall have the same characteristics as those without traffic lights and shall be preceded by a traffic light at a safe distance, which shall stop the traffic upon command of the pedestrian who intends to cross, for as long as is necessary to cross the entire carriageway.

Raised crossings shall have the same characteristics as grade crossings without traffic lights and shall be placed over on-site built bumps.

Underground crossings or crossings with elevated structures shall be made on the basis of a design approved in accordance with the town planning law.

On expressways and linking roads, crossings shall be pre-signalled by a "pedestrian crossing" sign placed at least 150 m before.

A series of crossings shall be indicated by means of similar signs and a supplementary sign with the word "series" or indicating the number of crossings.

### **Art. 23**

#### *(Chicanes and roundabouts)*

Chicanes shall be an appropriate misalignment of lanes with respect to the road axis, in long straight stretches or near particularly crowded places, to induce a slowing down of all vehicles and thus increase road safety conditions.

Roundabouts shall be a type of grade intersection between two or more roads. They fulfil the function of calming and streamlining traffic. In this case, crossroads between the roads shall be replaced by a one-way road ring around a more or less circular traffic divider. In roundabouts vehicles shall move counter clockwise.

### **Art. 24**

#### *(Safety islands)*

Safety islands shall be grade or raised islands.

Grade safety islands shall be made of white stripes.

Raised safety islands shall be permanent or removable and made by casting concrete, cut stone or other factory-built material. The edges shall either surmountable or delimited by a barrier.

Safety islands shall preferably be 2.00 m wide, but at least 1.20 m wide, and shall also be interrupted at zebra pedestrian crossings to the same width as the pedestrian crossing to allow pedestrians to cross at the level of the road pavement.

Safety islands may be used as a traffic calming element, either individually or in combination with other works or devices, on the roads referred to in Article 15, excluding expressways.

**Art. 25**  
*(Speed signalling devices)*

Speed signalling devices shall be electronic devices equipped with a detector and display showing the speed of vehicles.

By showing the driving speed to drivers, this device shall induce those who exceed the limits to reduce their speed within the limits allowed by law.

The electronic equipment shall allow to calculate appropriate high speed statistics on a particular road section, providing useful data to the Road Administration and Police Forces.

The device referred to in the preceding paragraphs may be used on all roads, including, by way of derogation from Article 15, those with a maximum speed limit of 70 km/h.

**Art. 26**  
*(Calibrated traffic lights)*

Calibrated traffic lights shall be devices aimed at stopping the driver of the vehicle when the red light comes on, in case the vehicle exceeds the speed set as the maximum value for the traffic light and coinciding with the speed limit on a given road section.

The devices referred to in the preceding paragraph may be used on all roads, including, by way of derogation from Article 15, those with a maximum speed of 70 km/h.

**TITLE IV**  
**SIGNAGE**

**Art. 27**  
*(Placing and maintenance of road signs)*

AASP shall be responsible for the placing and maintenance of road signs, in cooperation with the police headquarters and the Road Safety Working Group.

Road contractors can install the temporary signs required by the work safety standards.

Road signs on private roads shall be placed by the owners.

**Art. 28**  
*(Road signs)*

The Republic of San Marino shall adopt the road signs in force in the countries of the European Union and provided for by the international conventions on traffic to which the Republic has adhered.

Road signs shall be vertical, horizontal or supplementary.

Vertical signs shall include: warning signs, level crossing signs, mandatory signs, except for priority, stop and parking signs, information signs and integration signs. Vertical signs shall include traffic lights.

Horizontal signs shall be divided into longitudinal and transversal stripes, crossings, directional arrows, inscriptions and symbols, stripes for the delimitation of parking spaces, stopping points for public transport vehicles, and any other information useful for traffic. Continuous road lines shall impose a ban on overtaking, which is instead permitted if the lines are discontinuous.

Light road signs shall consist of traffic lights and flashing signs. In traffic lights, the red colour requires stopping; the yellow colour warns of stopping; the green colour allows crossing. Light road signs shall be placed by AASP and shall be in line with those envisaged in Europe.

Supplementary road signs shall provide information on the route, particular bends and critical points, and the presence of obstacles on the road.

Road users shall comply with road signage, even if in contrast with other road rules. Traffic lights, excluding flashing ones, shall prevail over horizontal or vertical signage; vertical signage shall prevail over horizontal signage. In any case, in accordance with Article 36 below, the indications given by traffic agents shall prevail over any signage.

In cases of urgency or necessity, temporary signs may be installed by way of derogation from the existing signage. Users shall respect the road signs placed in cases of urgency and necessity, even if they conflict with other traffic rules.

The road signs pertaining to each group are contained in Annex B; a summary of the prescribed behaviour shall be indicated for each sign. Road signs shown in Annex B may be modified upon decision of AASP. AASP shall determine the dimensions, colours, shapes and symbols of vertical signs, bringing them into line with those envisaged in Europe, as well as the characteristics of horizontal and supplementary signs. With respect to the latter, AASP may adopt the most suitable shapes and colours, according to the place and function for which supplementary signs are intended.

Annex C shall regulate the issue of parking cards for persons with disabilities.

## **TITLE V VEHICLES**

### **Art. 29**

*(Vehicle regulations. Referral)*

Vehicles shall mean machines driven by man with the exception of those used by children and persons with disabilities, even if they are provided with an engine.

The rules of conduct provided for in Title 7 below shall only apply to vehicles not running on rails.

Special legislation adopted by law, decree or regulations and circulars of the Congress of State or State offices shall define and classify the vehicles allowed to circulate on the road or public areas or in any case areas open to the public and shall allow proper registration of such vehicles. In particular, the regulations adopted with special legislation, which may be amended by means of a decree, shall concern the following:

- a) classification of vehicles and regulation of their technical characteristics;
- b) periodic inspection of vehicles;
- c) adaptations and requirements for vehicles driven by persons with disabilities;
- d) registration of vehicles, formalities relating thereto, nature and effects of guarantees and charges relating to the formalities carried out;
- e) registration and regulation of vintage vehicles, vehicles of historical interest or collector's vehicles;
- f) registration of works vehicles, agricultural vehicles and mopeds;
- g) registration certificates and registration, special, provisional and test plates.

The compulsory insurance of motor vehicles shall be regulated by a special law.

A special decree shall define the vehicle circulation taxes.

### **Art. 30**

*(Safety seat belts)*

Four-wheel motor vehicles and, where appropriate, other vehicles or means specified in a decree shall be provided, on both the front and rear seats, with safety belts having the characteristics provided for by the European legislation. The driver and passengers of these vehicles shall be obliged to wear safety belts in all driving situations. Children under 1.50 metres in height shall be restrained in safety seats and with other child restraint systems appropriate to their weight, of a type approved in accordance with the specific European regulations.

The driver of the vehicle shall be responsible for non-compliance with the rules on the installation and use of the belts.

Any failure to comply with the compulsory installation of safety belts shall be subject to the administrative pecuniary sanction provided for in Article 60(3)(h). The sanction provided for in Article 60(5)(m) shall apply to any violation of the obligation to wear safety belts and use child restraint systems. The owner of the vehicle shall be liable under civil law to pay the administrative pecuniary sanction.

Anyone who markets non-approved safety belts shall be punished with second-category administrative pecuniary sanction and with seizure according to the procedures referred to in the fourth paragraph of Article 7.

### **Art. 31**

*(Exemption from the obligation to wear safety belts and use other restraint systems)*

The following shall be exempt from the obligation to wear safety belts:

- 1 the members of the Police Corps in the performance of their duties;
- 2 drivers and operators on board fire-fighting and health vehicles in the performance of their duties;
- 3 the staff employed by the Post and Telecommunications Office while collecting and distributing correspondence;
- 4 taxi drivers during service;
- 5 personnel authorised to drive official or service vehicles in the historic centre;
- 6 meter readers employed by the Public Utilities Autonomous State Corporation in the performance of their duties;
- 7 personnel entrusted with the billposting service in the performance of their duties;
- 8 driving instructors when carrying out their activity.

The exemption shall be extended on the basis of a specific certificate issued by the Director of the Primary Health Care Service of the Social Security Institute, or his delegate, in the following cases:

- a) adults with a height of less than 150 cm. and more than 190 cm;
- b) persons with a particular medical condition that is a specific contraindication for the use of safety belts;
- c) pregnant women for whom the use of safety belts could pose a risk.

### **Art. 32**

*(Child safety seats)*

In order to transport children on four-wheel motor vehicles intended for the transport of persons up to a maximum of nine seats including the driver, on three-wheeler vans with a total weight exceeding 10 quintals and on lorries with a total weight up to 35 quintals, the use of special seats or other restraint systems shall be compulsory as indicated in paragraph 1 of Article 30.

Seats and other restraint systems shall bear the international approval mark required by the European legislation.

Children up to ten years of age shall be exempt from the obligation to use child seats or other means of retention if they are transported on service cars such as public taxis or vehicles used for car and driver hire, provided that they occupy the rear seats and are accompanied by a person aged at least sixteen years.

The violation of the provisions of this Article shall be punished with the administrative sanctions envisaged in Article 30.

### **Art. 33**

#### *(Compulsory use of motorcycle helmets)*

Drivers and any passengers of mopeds and motorcycles shall wear and regularly fasten a safety helmet while driving.

The drivers and passengers of the following shall be exempt from the above obligation:

- 1) three- or four-wheel mopeds and motorcycles with closed body;
- 2) two- and three-wheel mopeds and motorcycles fitted with crash-proof safety cells and other suitable safety devices.

The helmet shall have an international approval mark as required by the European regulations.

Anyone who, although being obliged thereto, fails to wear a safety helmet or wears a non-approved safety helmet, shall be punished in accordance with Article 60(3)(i).

Anyone who sells non-approved helmets shall be punished with third-category pecuniary administrative sanction; anyone who uses non-approved helmets shall be punished with first-category pecuniary administrative sanction.

### **Art. 34**

#### *(Rear view devices)*

Two-wheel mopeds, three-wheelers and cars shall be fitted with a rear-view device on the left-hand side.

The remaining mopeds, motorcycles and motor vehicles, as well as cars towing a trailer, shall be fitted with rear-view devices on both sides.

Cars and motor vehicles for the transport of goods and passengers shall also be equipped with an internal rear-view device.

For the approval of rear-view devices, the Vehicle Registration Office shall refer to international legislation upon registration or inspection.

Anyone who circulates with vehicles not equipped with the above mentioned devices shall be punished with first-category administrative pecuniary sanction.

## **TITLE VI**

### **ENTITLEMENT TO DRIVE**

### **Art. 35**

#### *(Requirements and entitlement to drive vehicles. Referral)*

Anyone who drives vehicles or animals shall meet the necessary physical requirements and be entitled to drive.

Special laws and related implementing decrees shall regulate the following:

- a) psychophysical requirements for driving vehicles and animals;
- b) the licence and the certificate of professional competence, the requirements for obtaining them, their validity and duration and appeals against refusals;
- c) the tests necessary to obtain the licence and the certificate of competence, practice and driving schools;
- d) fees and charges relating to the issue and renewal of licences and certificates;
- e) international driving permits.

## **TITLE VII RULES OF BEHAVIOUR**

### **Art. 36**

*(General obligations for drivers)*

Drivers of vehicles shall not constitute a danger or an obstacle to traffic and shall at all events behave in such a way that road safety is guaranteed. In particular, they shall be obliged:

- a) to stop at the invitation of the officers responsible for road traffic control who identify themselves and to produce, at their request, their driving licence, registration certificate or provisional permits to circulate;
- b) to comply with the orders given by traffic control officers, which shall in all cases prevail over any other signage;
- c) to comply with horizontal and vertical road signs;
- d) to stop when traffic lights emit red or yellow light;
- e) to carry out manoeuvres to enter the traffic flow, change direction or lane, change the direction of travel, reverse, turn right or left, take another road or to stop very carefully, ensuring that these manoeuvres can be carried out without constituting a danger or an obstacle to other road users and giving sufficient notice of their intention.

### **Art. 37**

*(Speed)*

For the purposes of traffic safety and the protection of the safety of persons, the speed limit of 70 km/h shall be established on the entire road network of the territory of the Republic; special signs shall indicate the road sections in which a lower speed limit shall be observed.

By means of a specific decree, the general speed limit established in the preceding paragraph may be increased in case of new roads whose construction and functional characteristics so allow, and always by affixing the appropriate signage.

### **Art. 38**

*(Speed moderation)*

Drivers of vehicles shall be able to maintain control of their vehicles under all circumstances. They shall be obliged:

- a) to observe the minimum and maximum speed limits;
- b) to adjust the speed and the driving behaviour so that:
  - b 1) they do not represent a danger to the safety of persons or property and allow, if necessary, to promptly stop, taking into account the type of vehicle, load, road and traffic conditions and the presence of pedestrians along the route, as well as any other circumstances whatsoever: this shall also apply independently of the other indications, including signage;
  - b 2) they do not cause any disruption or obstacle to traffic, also due to excessively slow driving without any valid reasons.

In particular, the driver shall moderate speed on road sections with limited visibility, on bends, near junctions, schools, parks or other places frequented by children and marked with appropriate signs, in strong descents, in narrow or obstructed passages, at night, in the presence of fog and in front of any foreseeable obstacle.

It shall be prohibited to engage in speed competitions outside authorised sports competitions for which adequate safety services are provided.

### **Art. 39**

*(Right-hand traffic. Priority)*

Drivers of vehicles shall drive alongside the right-hand edge of the carriageway, also on one-way roads, and shall occupy the rightmost free lane when the carriageway is divided into several lanes, unless traffic in parallel rows is permitted by other road signs on roads with several lanes or channelled traffic is envisaged. In any case, the change of lane shall be indicated accordingly. In roundabouts, the driver who intends to leave the roundabout at the first exit shall keep as close as possible to the right-hand edge of his direction of travel; on the contrary, the driver who intends to continue driving on the roundabout may keep as close as possible to the inner circle.

Drivers of vehicles shall also be required to exercise the greatest caution at a road junction to avoid accidents. They shall give priority:

- a) to other vehicles coming from the right, unless otherwise indicated, or which are carrying out and have started the overtaking manoeuvre, as well as to vehicles that have already entered roundabouts, even if they are coming from the left;
- b) to other vehicles when reversing, entering traffic flow or accessing or leaving a private area, paths, sheep tracks or cycling roads;
- c) to pedestrians on pedestrian crossings;
- d) to vehicles running on rails;
- e) to rescue and police vehicles with flashing lights and acoustic warning devices in operation.

### **Art. 40**

*(Safety distances and other obligations)*

Drivers of vehicles shall be required:

- a) to observe a safe distance from the vehicle ahead while driving, in such a way as to ensure in all cases stopping without delay and to avoid collisions with the vehicles ahead;
- b) in all cases of poor visibility, to maintain the lighting devices on while driving, stopping or parking so as to enable other road users to promptly see the vehicle; the use of the lighting devices on during daylight hours is also recommended, irrespective of visibility conditions.
- c) to use dipped-beam headlamps at intersections with other vehicles at night and when following another vehicle at short distance, except for short intermittent use of main-beam headlamps to signal the intention to overtake;
- d) to proceed with the utmost caution, when particularly bulky snow clearing or spreading vehicles and works vehicles are in action, keeping a safety distance of not less than 20 metres from such vehicles. Vehicles moving in the opposite direction shall stop, where necessary, so as not to impede their work.

### **Art. 41**

*(Overtaking)*

Overtaking is the manoeuvre by which a vehicle passes another vehicle, an animal or a pedestrian in motion or standing on the lane or part of the carriageway normally used for traffic. In overtaking manoeuvres the driver of the vehicle shall be obliged to use the utmost caution, by checking: 1) that the visibility conditions and the free road section are such as to permit the manoeuvre and that it can be carried out in complete safety; 2) that the vehicle in front or behind has not signalled its intention to carry out the same overtaking manoeuvre.

Drivers shall be obliged:

- a) to promptly signal overtaking manoeuvres and changes of direction or lane with the arms or by using appropriate devices, by moving, in case of left turn, near the centre of the intersection and as close as possible to the axis of the carriageway, in case of dual carriageway; in case of one-way road, to the left-hand side of the carriageway; in case of multiple carriageway, to the left lane, unless otherwise signalled;

- b) not to accelerate, to move to the right edge of the carriageway and to facilitate the return when overtaken by other vehicles;
- c) to depart, when overtaking, from other road users, even when stationary, in such a way as to leave free sufficient lateral space to avoid danger;
- d) to leave a clear space between themselves and the vehicles in front; to slow down and, where necessary, to stop in order to encourage overtaking by the vehicles behind them, where they are driving slow, bulky vehicles or vehicles obliged to respect a speed limit or a ban on overtaking, if road conditions, road characteristics and traffic intensity do not allow them to be overtaken safely. Drivers of vehicles used for regular public passenger transport services shall not be required to comply with the latter provision.

#### **Art. 42**

*(Warning signals)*

Drivers of vehicles shall be obliged:

- a) to affix the movable warning signal, with which vehicles shall be equipped, at least one hundred metres from the place where the vehicle is stationary on expressways and linking roads and near bends, bumps or intersections, and in any case in poor visibility;
- b) to turn on the warning light signal, with which vehicles shall be equipped, when towing vehicles which are in distress, when forced to proceed at a particularly reduced speed, when sudden decelerations occur and in any event of an emergency stop that constitutes a temporary danger to other road users.

#### **Art. 43**

*(Parking and stopping of vehicles)*

Unless otherwise signalled, drivers of vehicles shall stop on the right-hand edge of the carriageway and parallel to its axis and according to the direction of travel, leaving sufficient free space for pedestrians where there is no raised pavement; they shall also turn off the engine if they stop for more than three minutes in a public area or area open to the public.

In parking areas, drivers shall be required to respect the rules governing parking and to observe the existing signage.

"Stop" shall mean the temporary suspension of travel, even if in an area where parking is not allowed, to enable people to get on or off the vehicle, or for other needs of a very short duration. In any case, the stop shall not cause any obstruction to traffic and the driver shall be present and ready to resume the travel. "Parking" shall mean the protracted suspension of the vehicle's travel, with the possibility for the driver to leave the vehicle.

#### **Art. 44**

*(Vehicle efficiency)*

Vehicle owners and drivers shall be obliged to guarantee the full efficiency of lighting, acoustic and visual warning and braking devices, as well as of mufflers, rear-view mirrors and windscreen wipers. They shall also be obliged:

- a) not to alter the basic technical characteristics of vehicles resulting from type-certificates or approval certificates;
- b) to keep the engines and exhaust systems in such a way as to avoid polluting emissions and fumes beyond the maximum limits established by decree.



#### **Art. 45**

##### *(Obligations in the event of an accident)*

In the event of an accident resulting in injury or death to persons, in which the vehicle driven has been involved, the driver shall be obliged:

- a) not to change the state of the places or the position of the vehicles and things, unless this is necessary to prevent serious danger to traffic;
- b) to assist injured persons;
- c) to remain in place while awaiting the arrival of the police, except for the need to leave in order to assist the injured or to be treated.

In the event of an accident, even with only material damage, the driver shall be obliged to immediately show the damaged or injured persons, or their representatives, the driving licence, as well as the vehicle registration and insurance certificates, or, if this is not possible, to appear within six hours of the accident at a police office of the Republic to produce such documents and explain how the accident took place.

#### **Art. 46**

##### *(Ban on overtaking)*

In addition to specifically signalled places, drivers of vehicles shall be prohibited from overtaking:

- a) near or on bends or over bumps or in poor visibility conditions;
- b) on the right, unless the vehicle ahead is turning to the left or traffic is authorised in parallel rows;
- c) near or at intersections, level crossings, pedestrian crossings or where there is insufficient free space;
- d) vehicles that are also overtaking.

Overtaking, interrupting or inserting between police vehicles forming or escorting a procession shall be prohibited. It shall also be forbidden to interrupt parades, processions and convoys of emergency vehicles.

#### **Art. 47**

##### *(Ban on parking)*

Drivers of vehicles shall be prohibited from parking, in addition to places where parking is prohibited by the required signage:

- a) at or less than five metres, unless otherwise indicated, from intersections, stops of public transport vehicles, level crossings, bends or bumps or otherwise in such a way as to endanger or hinder traffic;
- b) on driveways, pedestrian crossings, in the second row, in pedestrian areas, in restricted traffic areas, in reserved areas, in front of waste bins, on pavements and when the part of the carriageway that remains free is insufficient for the traffic of vehicles in only one direction;
- c) on the carriageway along expressways or linking roads;
- d) without taking precautions to prevent the movement of the vehicle;
- e) on public areas or areas open to the public, at times and periods indicated annually by a specific snowfall ordinance.

#### **Art. 48**

##### *(Other bans)*

Drivers shall also be prohibited:

- a) to circulate with tyres that are not in good condition or whose tread depth is not less than one millimetre at any point in the tread pattern;
- b) to brake sharply unless this is necessary for safety reasons;
- c) to use in inhabited areas acoustic warning devices and main-beam headlamps, except in cases of actual and immediate danger;
- d) to keep the front and rear fog-lamps switched on in cases other than fog, snowfall or heavy rain and simultaneously with the main-beam headlamps;
- e) to engage in speed competitions;
- f) while driving: (1) to use a sound-headset or a radiotelephone device, unless it is fitted with a system that does not require the use of hands for its operation; (2) to keep the volume of radio or sound reproduction equipment so high as to compromise safe driving;
- g) to circulate in vehicles bearing a test plate issued abroad, unless there are international agreements on the matter.

#### **Art. 49**

##### *(Specific prohibitions for transport vehicles)*

Drivers of vehicles used for the transport of goods or passengers shall be prohibited:

- a) to circulate with a vehicle not having a suitable and functioning tachograph and speed limiter, with the characteristics and methods of use provided for by the directives of the European Union, when their installation is envisaged by the same European rules;
- b) to exceed the maximum load weight permitted by the registration certificate, unless specifically authorised;
- c) to carry more than two domestic animals and in any case under conditions that prevent or endanger driving, except for the use of a special compartment separating the animals from the driver.

#### **Art. 50**

##### *(Bans on transport)*

All passengers in motor vehicles shall be seated in such a way that the freedom of movement of the driver is not restricted and that their safety or that of others is not endangered while circulating. It shall be prohibited to carry on motor vehicles a number of persons higher than the maximum number indicated in the registration certificate and, in addition, only on cars, two children under 1.50 m in height, unless they are seated in the rear seats and are accompanied by a person of age other than the driver.

It shall also be prohibited:

- a) to carry another person on bicycles, except for drivers of age carrying a properly restrained child of more than four and less than eight years of age;
- b) to carry on specially built mopeds a number of persons higher than that indicated in the type-certificate, excluding in any case the carrying of children under the age of four;
- c) to carry children of less than 1.50 m in height on the front or rear seats of four-wheeled vehicles used to carry passengers up to a maximum of nine seats, including the driver, on vehicles for the transport of goods and passengers and on trucks with a total weight of up to 35 quintals, without using appropriate restraint systems as provided for in Articles 30 and 32.

#### **Art. 51**

##### *(Obligations of pedestrians)*

Pedestrians shall be obliged:

- a) to circulate on ordinary roads, other than the Dogana-Borgo Maggiore expressway, on pavements and on road platforms or, in their absence, on the left margin of the carriageway; along the expressway, to circulate within the existing bands and by respecting the signage;
- b) to cross on appropriate pedestrian crossings or, if these do not exist or are more than 100 metres away, perpendicularly to the carriageway;
- c) to cross in the manner described in point b) by passing behind the vehicles from which they have alighted and, if these vehicles continue travelling, after they have left;
- d) not to stop on the carriageway;
- e) to give priority to vehicles when they cross the carriageway outside pedestrian crossings;
- f) to observe the directions given by traffic agents, traffic-lights and horizontal and vertical road signs.

### **Art. 52**

*(Obligations of cyclists, moped riders and motorcyclists)*

Cyclists, moped riders and motorcyclists:

- a) shall proceed in a single row and be free to use their hands and arms; they shall hold the handlebars with both hands or with only one hand if necessary for the appropriate manoeuvres or signals. They shall not proceed by lifting the front wheel.
- b) shall not be towed by other vehicles.

### **Art. 53**

*(Other obligations and prohibitions)*

It shall be prohibited to open the door of a vehicle or leave it open or alight from the vehicle without making sure that this does not pose a danger to other road users.

It shall be prohibited for anyone to throw or leave on the road any objects and materials that are dangerous for the circulation of vehicles and pedestrians.

It shall be prohibited for anyone to leave or throw waste and other things of any kind on roads, squares, public or private pavements and their appurtenances.

It shall be prohibited to transport dangerous goods, as defined by international technical regulations, without a valid authorisation, where required, or in violation of the conditions imposed by such authorisation to protect safety.

Goods and other objects carried on vehicles shall be firmly secured and arranged in such a way that:

- a) they do not constitute a danger to persons;
- b) they do not cause damage to public or private property;
- c) they not obstruct the driver's view;
- d) they do not compromise the stability of the vehicle;
- e) they leave lighting devices and plates of vehicles clearly visible;
- f) they do not project longitudinally beyond the outline of the vehicle from the front of the vehicle;
- g) they do not project longitudinally from the rear more than 3/10 of the length of the vehicle;
- h) they do not project laterally beyond the outline of the vehicle more than 30 centimetres from the front and rear position lamps.

Loads projecting beyond the outline of the vehicle shall be signalled by means of reflective square panels alternating red and white diagonal stripes to be installed at the ends of the projections.

#### **Art. 54**

*(Exceptional, animal-drawn and rescue vehicles)*

The circulation on roads or public areas, or in any case on areas open to the public, of exceptional vehicles on account of their dimension or weight, or of vehicles that, with their load, exceed the permitted dimension or weight, shall be subject to a specific authorisation to be granted case by case by the Commander of the Civil Police, after hearing, if necessary, the Vehicle Registration Office and AASP. The authorisation shall be granted taking into account the dimensions of the load, the weights related to the routes to be travelled and the condition of the road network concerned. The transport shall be escorted by the police or by a technical escort. The Commander of the Civil Police shall apply the regulation adopted by means of a specific decree; the amount of the compensation due by the applicant for the service shall be established by the Commander of the Civil Police and agreed with the applicant.

Animal-drawn vehicles, as well as traction, pack or saddle animals, even if isolated, may circulate on roads and public areas only if they have at least one driver, who shall have constant control of them and drive them in such a way as to avoid obstruction and danger to traffic.

Man or animal-drawn vehicles may circulate on roads and public areas at night only if they are equipped with a warning device switched on that projects an orange light visible from all directions.

#### **Art. 55**

*(Circulation of animals)*

When circulating on the road, herds, flocks or any other multitude of animals shall be accompanied during the day by at least one attendant and at night by at least two attendants, one at the front and one at the back, provided with a warning device projecting an orange light visible from all directions: their passage shall be regulated in such a way that the left half of the carriageway remains clear.

It shall be prohibited for man or animal-drawn vehicles to circulate or stay on the expressway from Borgo Maggiore to Dogana and on the other specifically signalled sections, except on crossings of these roads at intersections.

### **TITLE VIII**

### **CRIMINAL AND ADMINISTRATIVE SANCTIONS**

#### **Art. 56**

*(Criminal sanctions)*

Anyone who violates the provisions of Article 45, letters a), b) and c) (*Obligations in the event of an accident*) commits a criminal offence and shall be punished with first-degree daily fine and first-degree disqualification from driving. If the removal of the vehicles referred to in Article 45, letter a) is deliberately carried out to prevent the gathering of evidence, Article 361 of the Criminal Code shall apply.

Anyone who manufactures or distributes illegally or alters plates, vehicle registration certificates, provisional permits, driving licenses, authorisations to practice and certificates of professional competence or anyone who uses such documents that have been manufactured illegally shall be punished in accordance with Article 405 of the Criminal Code.

The same punishment shall apply to anyone who drives vehicles with a plate not belonging to such vehicle.

Anyone who drives or allows the circulation of a motor vehicle without the compulsory insurance against civil liability commits a criminal offence and shall be punished with the fine provided for in Article 84 of the Criminal Code or with first degree imprisonment.

Anyone who violates the provisions of Article 45, paragraph 2 (*Obligations in the event of an accident*) and 53, paragraph 4 (*Prohibition to carry dangerous goods*) commits a criminal offence and shall be punished with first-degree disqualification from driving and first-degree daily fine.

In the event of infringement of the second, third and fourth paragraphs of this Article and Articles 57 (*Driving under the influence of mental and physical alteration*) and 58 (*Driving without a license or qualification*) the vehicle may be subject to precautionary and evidentiary seizure according to the procedures referred to in paragraph 5, Article 7. The vehicle may be returned to the owner against payment of deposit fees. The Judge may order confiscation, if applicable, pursuant to Article 147 of the Criminal Code.

#### **Art. 57**

*(Driving under the influence of mental and physical alteration)*

Anyone who drives vehicles in a state of mental and physical alteration resulting from the use of alcoholic beverages or from taking drugs or psychotropic substances or drug abuse commits a criminal offence and shall be punished with third-degree arrest and a fine, or with one or the other of these punishments, as well as with first-degree disqualification from driving any vehicle.

A person with a blood alcohol content of 0.50 mg/ml or more shall be considered to be drunk.

The mental and physical alterations above can always be inferred from objective factors. These factors, without prejudice to personal confidentiality and physical integrity, can be obtained through non-invasive qualitative checks or tests carried out through portable devices approved by decree. The medical reports shall be compiled promptly and with complete information with regard to any data relevant to the assessment of the alteration.

The punishments in the first paragraph shall also apply to the driver of a vehicle who refuses the invitation of police officers to follow them immediately to an healthcare facility for the necessary examinations, when indications suggest a state of mental and physical alteration resulting from the use of alcoholic beverages or from taking drugs or psychotropic substances.

The sanction referred to in the first paragraph shall also apply to anyone who drives vehicles with temporary restraint means that prevent the correct driving of the vehicle, unless expressly certified by a physician.

#### **Art. 58**

*(Driving without license or certificate of professional competence)*

Anyone who drives vehicles without having the driving license or the certificate of professional competence envisaged by law commits a criminal offence and shall be punished:

- a) with first-degree arrest and daily fine, in case of motorcycles that, under special laws, fall within category A or subcategory A1;
- b) with second-degree arrest and daily fine in case of motor vehicles falling within category B;
- c) with third-degree arrest and a fine in case of cars falling within category B; agricultural and works vehicles;
- d) with third degree-arrest, a fine and second-degree disqualification from driving in case of any other vehicle.

#### **Art. 59**

*(Other criminal sanctions)*

Anyone who violates the provisions of Article 46, letter a) (*Ban on overtaking*), or travels in wrong direction on bends and bumps or in poor visibility conditions or drives along the carriageway in the wrong direction when the road is divided into several separate carriageways commits a criminal offence and shall be punished with first-degree disqualification from driving and second-degree administrative pecuniary sanction.

## Art. 60

### *(Administrative pecuniary sanctions)*

In addition to the sanctions provided for in the individual articles of these rules, pecuniary sanctions marked with progressive numbers and letters shall apply to specific administrative violations, as indicated hereunder:

- 1- Anyone who imports, manufactures, sells or otherwise holds for trading purposes engines or components thereof which, when installed, alter the basic technical characteristics of vehicles resulting from type-certificates shall be punished with third-category administrative sanction.
- 2- Third-category administrative sanction shall be applied to anyone who:
  - a) drives or allows others to drive tracked vehicles or vehicles fitted with iron rimmed wheels on an asphalt road; offenders shall also be required to pay compensation for damage caused to the road surface;
  - b) drives vehicles whose trailer does not have the requirements for matching the tractor;
  - c) circulates in violation of Article 54, paragraph 1 (*Exceptional, animal-drawn and rescue vehicles*);
  - d) drives mopeds without having obtained the certificate of fitness to drive.
- 3- Second-category administrative sanction shall be applied to anyone who:
  - a) violates the provisions of Article 36 letters b) and d) (*General obligations of drivers*); Article 38, paragraph 1, letters a) and b) (*Speed moderation*); Article 39, paragraph 2 (*Right-hand traffic. Priority*); Article 40 letters b) and c) (*Safety distances and other obligations*); Article 44 letters a) and b) (*Efficiency of vehicles*); Article 46, letters b), c), d) and second paragraph (*Ban on overtaking*); Article 47 letter a) (*Ban on parking*); Article 48 letters a) and e) (*Prohibition to circulate with tires that are not in good condition*), (*Prohibition to engage in speed competitions*). Third-category administrative sanction shall be applied for exceeding the speed limit by up to 40 km/h; such administrative sanction shall be doubled if speed limits are exceeded by more than 60 km/h;
  - b) drives vehicles without a plate, registration certificate or provisional permit, since these have never been released or are invalid;
  - c) drives vehicles of a category other than that indicated in the driving licence; third-category sanction shall be applied in case of drivers holding a driving licence for category A vehicles;
  - d) holding a special license, drives vehicles that do not comply with the special restrictions or adaptations envisaged therein;
  - e) drives vehicles or animals without meeting the conditions or the requirements laid down by law, even temporarily, unless the case is expressly provided for and punished by other law provisions;
  - f) permits that other people drive vehicles or animals without meet the conditions or the requirements laid down by law or without holding the driving licence or the required certificates or documents;
  - g) holding a driving license, drives a vehicle without respecting the obligation to use certain devices and in any case the requirements imposed upon issuance of the license, in order to supplement organic deficiencies or anatomic or functional impairments;
  - h) fails to comply with the obligations relating to the installation of safety belts;
  - i) does not wear, in the cases prescribed by law, the motorcycle approved helmet regularly fastened;
  - l) drives with an expired license: if the license has expired for more than three years third-category sanction shall be applied; third-category administrative sanction shall be doubled if driving with a license or professional competence certificate that has been suspended in accordance with Article 66 (*Suspension of driving license*). In case of repeated violations the sanctions provided for in Article 58 (*Driving without license or certificate of professional competence*) shall be applied;
  - m) drives vehicles with a blood alcohol content from 0.50 mg/ml to 0.80 mg/ml;
  - n) fails to communicate within the prescribed time-limit the transfer of ownership of the vehicle.

- 4- First-category administrative pecuniary sanction shall be applied to anyone who:
- a) violates the regulations contained in Title 7 of this Delegated Decree, unless differently sanctioned;
  - b) drives vehicles temporarily lacking the plate or registration certificate or temporary permit or the certificate referred to in Article 7 of Law no. 23 of 10 March 1989;
  - c) uses a vehicle contravening the characteristics and classification indicated in the registration certificate;
  - d) being the owner of an in-service vehicle whose registration certificate has been lost, stolen or destroyed fails to comply with Article 7 of Law no. 23 of 10 March 1989;
  - e) being the owner of a vehicle whose plate has been lost, stolen or destroyed fails to comply with paragraphs 1 and 2 of Article 15 of Law no. 23 of 10 March 1989;
  - f) drives vehicles with a plate that is not readable in a clear and integral way;
  - g) drives vehicles that do not comply with the provisions of Article 18 of Law no. 23 of 10 March 1989;
  - h) drives vehicles that have not been regularly inspected;
  - i) fails to notify the change of registered office or address within 30 days for the purposes of updating the registration certificate;
  - l) drives vehicles that are not fitted with rear-view mirrors;
  - m) being authorised for driving practice, drives without having on his side a person with a valid driving licence as an instructor;
  - n) while holding a valid licence, performs the duties of an instructor without meeting the additional prescribed requirements;
  - o) drives without the authorisation for driving practice, while having on his side a person with a driving license and meeting the prescribed requirements who acts in his capacity and function as instructor; the same sanction shall apply to the instructor;
  - p) carries out the activity of driving instructor on a vehicle not fitted with the prescribed markings;
  - q) practices driving and carries out the activity of driving instructor on vehicles not covered by the special insurance policy;
  - r) being authorised to practice driving, carries other people on the motorcycle.
- 5- A first-category administrative pecuniary sanction shall apply to:
- a) minors under 18 years of age carrying another person on the moped or motorcycle;
  - b) minors under 14 years of age driving mopeds and minors under 18 years of age driving a motorcycle of a category that is higher than the one permitted;
  - c) anyone who, having passed the prescribed examination tests, drives a vehicle to which the examination refers, before completing and obtaining the driving documents, or in contravention of the conditions laid down by law for the issuance of driving licences, without prejudice to the application of more severe sanctions;
  - d) anyone who drives vehicles without holding a driving licence or a certificate of professional competence;
  - e) anyone who fails to have the change of address noted on the driving licence within the time-limit laid down for that purpose;
  - f) anyone who fails to pay the fee for the endorsement of the driving licence within the established time-limit;
  - g) anyone who drives motor vehicles, motorcycles and trailers registered in another State and circulating without the abbreviation of the State of origin;
  - h) anyone who drives without the compulsory third party liability insurance certificate or without having the insurance disc displayed on the vehicle;
  - i) anyone who fails to display the road tax receipt on the vehicle;
  - l) anyone who practices driving a motor vehicle without the prescribed marks;
  - h) anyone who fails to comply with seat belts obligations;

## **Art. 61**

*(Immediate withdrawal of registration and insurance documents, seizure and removal of vehicles)*

Except in the cases referred to in the last paragraph, the police officers shall immediately collect and transmit to the Vehicle Registration Office the registration certificate of the vehicles that circulate in violation of the provisions set forth in the following articles:

- a) 44, paragraph 1 (*Vehicle efficiency*), when there is a dangerous situation;
- b) 44, paragraph 1, letters a) and b) (*Vehicle efficiency*);
- c) 48, letter a) (*Ban on driving vehicles with tyres that are not in good condition*);
- d) 53, paragraph 4 (*Ban on the transport of dangerous goods*); 53, paragraph 5 (*Load securing on vehicles*); 53, paragraph 6 (*Obligation to signal projecting loads*); 54, paragraph 1 (*Exceptional, animal-drawn and rescue vehicles*);
- and 56, paragraph 4) (*Compulsory third party liability insurance*);
- f) 60 number 2 letter a) (*Ban on the circulation of tracked vehicles on asphalt roads*);
- g) 60 number 2, letter b) (*Ban on the circulation of vehicles whose trailer does not have the requirements for matching the tractor*);
- h) 60 number 3, letter n) (*Failure to communicate the transfer of ownership of the vehicle*);
- i) 60 number 4, letters h) (*Driving without regular licence inspection*) and i) (*Failure to notify change of registered office or address*).

The document withdrawn under the previous paragraph shall be returned:

A - to the owner of the vehicle:

- 1) in the cases covered by letters a), b) and c), after the elimination of the violations established and upon payment of the extraordinary inspection fee;
- 2) in the cases covered by letter e) after the submission of a regular insurance contract to the body establishing the violation;
- 3) in the cases covered by letters h) and i) upon fulfilment of the prescribed requirements;

B - to the driver or owner of the vehicle:

- 1) as soon as the necessary authorisations have been produced or the dangerous situations removed or the load secured or the prescribed requirements fulfilled;
- 2) in the case covered by letter f), after having the vehicle equipped with tyres entirely covered with rubber or fitted with other devices that the Director of the Vehicle Registration Office considers suitable to prevent damage to the road surface or after removing it on board of other vehicles and, in any case, after compensation for the damage caused to the road surface;
- 3) in the case covered by letter g) after moving the trailer by means of another tractor to a suitable parking place.

In the cases referred to in Article 53, paragraph 5 (*Load securing on vehicles*), 53, paragraph 6 (*Obligation to signal projecting loads*) and 56, paragraph 4 (*Compulsory third party liability insurance*), the police officer shall hold the vehicle registration documents for the time necessary to remove the danger, or to secure the load, or to verify the existence of an insurance contract; the Commander of the corps to which the officer belongs shall return the documents directly to the offender upon fulfilment of the prescribed requirements.

## **Art. 62**

*(Withdrawal of the test plate)*

In the event of violation of Article 48, letter g) (*Ban on the circulation of vehicles bearing a test plate issued abroad*), the police officers shall immediately withdraw the test plate and relative circulation authorisation and transmit them to the Vehicle Registration Office for their forwarding to the foreign issuing Authorities.



### **Art. 63**

#### *(Withdrawal of driving licence)*

In case of violation of Article 60, number 3 letters b) and l) (*Ban on driving without plate or registration certificate or temporary permit*), (*Driving with expired licence*) and number 5, letters e) and f) (*Failure to have the address change noted on the driving licence*), (*Failure to pay the fee for the endorsement of the driving licence*), the police officers shall immediately withdraw the driving licence and send it to the Vehicle Registration Office. The document shall be returned upon fulfilment of the prescribed requirements.

In the cases referred to in Article 57 (*Driving under the influence of mental and physical alteration*), without prejudice to the powers of the judge, the police officers shall immediately withdraw the driving licence, which will be suspended in accordance with the last paragraph of Article 7 and the first paragraph of Article 66; without prejudice to the right referred to in the fourth paragraph of Article 57, the police officers shall be required to accompany the driver to carry out the compulsory tests on the state of physical and mental alteration, if an accident involving the death or injury of persons has occurred and unless it is clear that the driver is not responsible.

Drivers residing abroad or driving a vehicle not registered in the Republic of San Marino shall immediately pay the minimum amount of the pecuniary sanction envisaged for the established violation or produce a suitable guarantee from a third party that ensures such payment. Failing the above, the police officer shall proceed with the precautionary withdrawal of the driving licence, which shall be returned upon payment of the amount due.

### **Art. 64**

#### *(Administrative seizure and confiscation of the vehicle)*

The vehicle shall be immediately subject to administrative seizure under paragraph 4 of Article 7 and suspended from circulation for up to six months in the cases covered by Article 53, paragraph 4) (*Ban on the transport of dangerous goods*), and number 3, letters b) and f) of Article 60 (*Ban on driving without plate or registration certificate or temporary permit*) (*Ban on allowing people not meeting law conditions and requirements to drive vehicles or animals*); the vehicle shall also be seized, unless and until it can be entrusted to another driver who meets the requirements prescribed by law, in the cases provided for in number 3, letters e) and l) of Article 60 (*Ban on driving vehicles or animals without meeting law conditions and requirements*), (*Driving with expired licence*) and number 4, letter m) of Article 60 (*Driving practice*). The return shall be subject to payment of deposit costs.

In case of violation of Article 44 letter a) (*Efficiency of vehicles*), the vehicle shall be seized and inspected by a technical consultant appointed by the Director of the Vehicle Registration Office at the expense of the owner or of the persons exercising parental responsibility in case of minors under the age of 18. The parts of the vehicle not meeting the approval shall be confiscated. In the event of repeated violation, the vehicle shall be confiscated.

Six months after the order establishing the return of the vehicles seized pursuant to this Article, the Director of the Vehicle Registration Office, if the vehicle is not withdrawn and the deposit costs have not been paid, shall order the confiscation of the vehicle with the procedures referred to in the fourth paragraph of Article 7.

### **Art. 65**

#### *(Forced removal of vehicles)*

Vehicles parked in violation of the prohibitions of Article 47 (*Ban on parking*) shall be removed by the police authorities and returned upon reimbursement of transport and deposit costs. Alternatively, if there is no situation of danger or hindrance to traffic, vehicles may be blocked with special tools and readmitted to circulation upon payment of the service.

**Art. 66**  
*(Suspension of the driving licence)*

Driving licences shall be suspended by means of an administrative measure in accordance with the procedure laid down in Article 7, paragraph 6 for a period of one to four months in case of violation of the speed limit by more than 40 kilometres per hour and of the obligation to moderate speed appropriately in all cases where it is likely to constitute a genuine danger to the safety of persons; for a period of one to six months in case of

- a) driving with a blood alcohol content higher than 0.80 mg/ml or in a state of mental and physical alteration resulting from taking drugs or psychotropic substances or drug abuse;
- b) driver's refusal to undergo examinations to ascertain the state of mental and physical alteration, as provided for in Article 57, paragraph 4.

Driving licences shall be suspended, under the procedure referred to in the first paragraph, for a period of one to four months if the holder, during the previous two calendar years, has violated the following rules of conduct at least three times:

- a) an obligation to give way;
- b) an obligation to stop at stop signs ordered by traffic officers;
- c) an obligation to stop at stop signs ordered by traffic signs or by traffic lights;
- d) a ban on overtaking or driving in wrong direction on roads with more than one separate carriageway, or in the vicinity of or on bends or bumps, or in any other case of poor visibility, when a genuine situation of danger arises;
- e) a ban on leaving the vehicle parked, outside built-up areas, on bends or bumps;
- f) a ban on using main-beam headlamps while crossing other vehicles;
- g) an obligation to drive with corrective lenses or specific equipment, when required;
- h) a ban on carrying dangerous goods;
- i) an obligation to position the load in accordance with Article 53, paragraphs 5 and 6 (*Load positioning on vehicles*), (*Obligation to signal projecting loads*);
- l) a ban on circulation for exceptional vehicles;
- m) driving without a certificate of professional competence, when required;
- n) drink-driving and exceeding speed limits, in cases where the suspension sanction referred to in the first paragraph of this Article is not applicable.

If the violations referred to in paragraph 1 are committed by a driver who has held a driving licence for less than two years, the suspension shall be imposed for a period of four to nine months.

Where the number of violations referred to in the second paragraph is reached within a calendar year or by a driver who has held a driving licence for less than two years, the suspension shall be imposed for the same period of four to nine months.

When it is not possible to notify such violations immediately, the owner, or on his behalf the usufructuary, the user under an agreement for retention of title or the user by virtue of a financial leasing, shall be required to provide to the police officer the identity and place of residence of the person who at the time of the violation was actually driving the vehicle. In case of voluntary and unjustified refusal to release the information requested by the police, the suspension measure shall be imposed on the owner of the vehicle or on the legal representative of the legal person in the name of whom the vehicle is registered.

The suspension of the driving licence shall be applied by the Director of the Vehicle Registration Office for a period between the minimum and the average length depending on the seriousness of the established violation in relation to its consequences; between the average and the maximum length in case of repeated offence, always taking into account the consequences of the violation. For the purposes of these Rules, a repeated offence shall be deemed to have occurred when such offence is committed within two years of the previous violation.

The Director of the Vehicle Registration Office shall request that the theoretical-practical examination be repeated for the return of the driving licence which has been suspended for more than three months.

In the following case, driving licences shall also be suspended until removal of the cause on which the measure is based:

- a) when the holder refuses to undergo a review of the licence, if requested;
- b) when the holder, after a health check, is found temporarily unfit to drive.

#### **Art. 67**

##### *(Revocation of the driving licence)*

The driving licence shall be revoked:

- a) where the holder does not meet the prescribed physical or mental requirements;
- b) where the holder does not hold the moral requirements set out in Article 4 of Law no. 134 of 30 November 1995, with reference to Articles 14, 15 and 16 of the Criminal Code;
- c) where the holder undergoing the review is no longer fit for driving;
- d) where the holder has replaced his licence with another one issued by a foreign State.

Where the reasons for revocation pursuant to letters a), b) and c) of the preceding paragraph no longer apply, the person concerned shall be allowed to undergo the examination for a new driving licence.

#### **Art. 68**

##### *(Establishment of violations, application of sanctions and appeals)*

The violations of this Delegated Decree and other laws on vehicles and road traffic shall be established by the members of the Gendarmerie, Civil Police and Fortress Guard also through the use of mobile or fixed electronic equipment for measuring vehicle speed. The use, approval and certification of such equipment shall be regulated by means of a specific decree. The equipment above may also be used without the presence or direct intervention of the officers, when the structural conditions of the road, traffic or other conditions do not make it possible to stop the vehicle without jeopardising traffic safety.

Administrative violations shall be notified immediately. When this is not possible, an order for payment shall be served, under penalty of forfeiture, through the postal service or the judicial officer within sixty days of the establishment, to the offender if identified and to the holder of the registration certificate, if resident in the Republic, or within one hundred eighty days if resident abroad. Notification shall not be compulsory in the event of connection with an offence that can be prosecuted ex officio: in this case the judge shall impose the sanction with the judgement and shall fix the time limit for the payment of the sanction referred to in the following paragraph.

In accordance with Articles 33, letter a) and 34, paragraph 1 of Law no. 68/1989, the offender may exercise the right to voluntarily pay a sum equal to the minimum pecuniary sanction envisaged for each violation.

If the order to pay is not contested within the time limit prescribed by Law no. 68/1989, the amount of the sanction imposed and notification costs shall be mandatorily paid. The costs and fees of the enforcement procedure carried out in the Republic and abroad shall be borne by the people notified.

The reports concerning the immediate withdrawal of the registration certificate and of the driving licence, as well as of the vehicle seizure shall be sent without delay to the Director of the Vehicle Registration Office for the relevant measures.

Suspension from circulation and confiscation of vehicles or parts thereof shall be ordered by the Director of the Vehicle Registration Office.

The measures of suspension and revocation of the driving licence shall be adopted by the Director of the Vehicle Registration Office after sending a notice to the licence holder, who can submit arguments in his defence within ten days of delivery of the notice. This period shall start to run even in the absence of delivery of the notice. Without prejudice to the provisions of the following paragraph, the above measures may be contested within ten days of their notification to the

Administrative Judge of Appeal pursuant to Title IV of Law no. 68/1989, and shall become ineffective if no decision is made within fifteen days of the lodging of the appeal. Such appeal shall not suspend the enforcement of the measures.

Unless otherwise provided for or unless the vehicle has to be seized, when the registration certificate, the driving licence or other driving documents are immediately withdrawn, the police officer shall issue a provisional driving permit only for the shortest journey to reach the driver's place of residence, or other closer place that the driver may specify, and for the time needed to reach such places.

The holders of the vehicle registration certificate shall pay the administrative sanction jointly and severally with the offender, without prejudice to any action for damages against the offender.

Unless otherwise provided herein, the provisions contained in Law no. 68 of 28 June 1989 and in the decrees referred to in Article 32 of the same law shall apply.

#### **Art. 69**

*(Disqualification adopted by the Criminal Judge)*

If criminal proceedings are pending for an offence punished with disqualification from driving vehicles, the Criminal Judge, in the absence of a suspension measure adopted by the Director of the Registration Office, may apply such punishment as a precautionary measure, ex officio or at the request of the Public Prosecutor, for a period between fifteen days and one year, as provided for in Article 82 of the Criminal Code for first-degree disqualification. Except in cases of urgency, a notice shall be sent to the defendant, who has the right to submit arguments in his defence within ten days of the notification.

The measure adopted pursuant to the previous paragraph may be challenged within ten days of its notification to the Judge of Criminal Appeals and shall become ineffective in the absence of a decision within thirty days of the filing of the appeal. Such appeal shall not suspend the enforcement of the measure.

In the event of refusal of the request for precautionary disqualification, the Public Prosecutor may lodge a complaint with the Judge of Criminal Appeals, who shall decide within fifteen days of notification of the complaint to the defendant. The latter shall have the right to submit his arguments within the same time limit.

The Criminal Judge may order the suspension of the driving licence for up to three years, with a sentence of dismissal of charges following extinction of the offence in case of seriously aggravated negligent injury or negligent homicide, pursuant to the second paragraph of Article 163 of the Criminal Code. Disqualification from driving imposed by a Criminal Judge shall not be subject to probation. The last paragraph of Article 66 shall apply and, to this end, the Enforcement Judge shall transmit the documents to the Director of the Vehicle Registration Office.

#### **Art. 70**

*(Access to documents)*

The owners and the drivers of the vehicles involved, injured parties, insurance companies and any other person interested in compensation may ask the police bodies that have carried out the investigations for information on the accident, residence and domicile of the parties, insurance coverage of the vehicles and data identifying them.

The request for information shall be made directly or by registered letter with acknowledgement of receipt and shall be addressed to the headquarters of the police officer attending the accident.

The headquarters shall provide the requested information within 30 days of receiving the request, following payment of any costs.

Applications for access to the documents referred to in this Article shall be recorded in a special register indicating subjective, objective and chronological data.

**Art. 71**  
*(General provisions)*

The owner and driver of a vehicle shall be jointly and severally obliged to compensate damages caused to persons and things by the circulation of the vehicle, when they do not demonstrate that they have taken every care to prevent the damage from occurring. In any case, they shall be responsible for damages resulting from defects in the construction or maintenance of the vehicle.

In the event of a collision between vehicles, it shall be presumed, unless proved otherwise, that each driver has contributed equally to the damage.

Road users must avoid any behaviour that may constitute a danger or an impediment to road traffic, endanger the safety of persons and cause damage to public or private property.

Doctors working in health facilities shall be required to check through sampling and controls the consumption of alcohol, drugs or psychotropic substances, identified according to the law, by drivers to whom they provide assistance at their facilities, following road accidents or at the request of the police, in the cases provided for in paragraph 2 of Article 63 (*Withdrawal of driving licence*), or of the driver who has been charged with the violation of Article 57 (*Driving under the influence of mental and physical alteration*). In the latter case, the applicant shall have to pay the costs of sampling and analysis.

The results of the analyses and assessments referred to in the previous paragraph shall be communicated by the Director of the Analysis Laboratory, also through the police bodies, to the Vehicle Registration Office and, if the violation is a crime, to the Judicial Authority or to the headquarters of the police corps attending the accident.

The provisions to regulate road traffic shall be taken by the Government, which may delegate the Minister of Territory.

The permanent or temporary authorisations to enter and park within the old city walls, in the pedestrian and reserved areas shall be issued by the Commander of the Civil Police.

Disability cards shall be issued by the Commander of the Civil Police, in accordance with the regulations laid down by the Government.

The administrative pecuniary sanctions provided for by this Delegated Decree may be modified by decree.

Unless otherwise provided for in this Delegated Decree or other laws, the provisions of the Conventions on Road Traffic and Road Signs and Signals, done at Vienna on 8 November 1968 and ratified respectively by Decrees no. 22 and 23 of 4 June 1970 shall apply.

The time limits for the submission of defence or appeal arguments and the body before which such arguments may be submitted shall be indicated in any challengeable measure.

**TITLE IX**  
**FINAL PROVISIONS**

**Art. 72**  
*(Repeal)*

With the entry into force of this Delegated Decree, the following provisions shall be repealed, including their subsequent amendments and integrations:

- 1) Decree no. 118 of 20 September 2004 (Works and devices for traffic calming);
- 2) Law no. 7 of 8 February 1989 (Rules on the introduction of safety measures on vehicles);
- 3) Decree no. 57 of 31 May 1989 (Exemption from the obligation to wear safety belts and use other restraint systems);
- 4) Decree no. 117 of 6 December 1989 (Exemption from the obligation to wear safety belts);
- 5) Decree no. 36 of 19 April 1989 (Introduction of compulsory use of seats for the transport of children under 10 years of age);
- 6) Law no. 158 of 17 December 1985 and amending Law no. 117 of 16 October 1986 (Law establishing the compulsory use of motorcycle helmets);

7) Law no. 24 of 28 February 1996 (Rules of conduct in road traffic and new sanctioning system).

**Art. 73**

*(Enforcement provisions)*

Within one year of the entry into force of these Rules, police forces shall be equipped with approved mobile instruments to detect blood alcohol levels.

The police bodies shall be equipped with approved speed measurement equipment.

Within one year from the entry into force of these Rules, the Vehicle Registration Office shall set up a database containing a list of the various offences and violations of the road traffic rules and traffic regulations with reference to each holder of a driving licence. This database can be used by police bodies and the judicial authority.

Within the same period of one year, the Town Planning Office shall carry out a survey of existing private accesses to roads, with the exception of local roads.

Within 60 days from the publication of these Rules, the Vehicle Registration Office shall disseminate a coordinated collection of road traffic rules, including these Rules and the regulations on motor vehicles and driving licences.

**Art. 74**

*(Entry into force)*

The Road Traffic Rules referred to in this Delegated Decree shall enter into force on 1 July 2008.

*Done at Our Residence, on 26 May 2008/1707 since the Foundation of the Republic*

THE CAPTAINS REGENT

*Rosa Zafferani –Federico Pedini Amati*

MINISTER  
OF INTERNAL AFFAIRS  
*Valeria Ciavatta*

## ANNEX A

### TABLE OF ADMINISTRATIVE SANCTIONS

First-category sanction	from 100 to 250 euros
Second-category sanction	from 200 to 500 euros
Third-category sanction	from 400 to 750 euros

Second and third category sanctions shall be doubled in case of repeated offences and in the other cases envisaged by these Rules.

## ANNEX B

### INTERNATIONAL ROAD SIGNS

#### \* VERTICAL SIGNAGE \*

##### I - Warning signs

##### *1. Dangerous bend or bends*



**Bend to left**



**Bend to right**



**Double bend, or series of bends, first to left**



**Double bend, or series of bends, first to right**

##### *2. Steep hill downwards*



**Steep hill downwards**

##### *3. Steep hill upwards*



**Steep hill upwards**

##### *4. Road narrows*



**Road narrows on both sides**



**Road narrows on left**



**Road narrows on right**



5. *Opening or swing bridge ahead*



**Opening or swing bridge ahead**

6. *Quayside or river bank*



**Quayside or river bank**

7. *Uneven road*



**Uneven road**



**Bump**



**Ditch**

8. *Slippery road*



**Slippery road**

9. *Loose chippings and soft verges*



**Loose chippings**



**Soft verges**

10. *Falling or fallen rocks*



**Falling or fallen rocks on right**



**Falling or fallen rocks on left**

11. *Pedestrian crossing*



**Pedestrian crossing**

12. *School crossing*



**School crossing**

13. *Cycle route ahead*



**Cycle route ahead**

14. *Animals*



**Cattle**



**Wild animals**

15. *Road works*



**Road works**

16. Traffic signals



Vertical traffic signals



Horizontal traffic signals

17. Low-flying aircraft



Aircraft

18. Side winds



Strong side winds

19. Two-way traffic straight ahead



Two-way traffic straight ahead

20. Fire



Fire

21. Other danger



Other danger

II - Mandatory signs

1. Signs regulating right of way at intersections



Distance to "Stop and give way" line ahead



Stop and give way



Distance to "Give way" line ahead



Priority road



End of priority road

2. Warning signs near intersections



Intersection with right of way on right



Intersection with right of way



T-intersection with right of way



T-intersection with right of way



Traffic merging from left ahead



Traffic merging from right ahead



Roundabout

3. Temporary road works signs



Road works



Road narrows on both sides



Road narrows on left



Road narrows on right



Uneven road



Traffic light



Loose chippings



Two-way traffic straight ahead



Mandatory passage for works vehicles



Sign of closed lane (Closing of right lane)



Sign of closed lane (Closing of left lane)



Use of available lanes



Mandatory diversion of lorries head



Mandatory direction for lorries



Recommended direction for lorries

4. Signs regulating priority over oncoming vehicles



Give way to oncoming vehicles



Priority over oncoming vehicles

III - Signs relating to level crossings

1. Warning signs



Level crossing with barrier or gate ahead



Level crossing without barrier or gate ahead



Trams crossing ahead

2. Signs to be placed in the immediate vicinity of level crossings



Warning cross for single-rail railway crossing



Warning cross for multi-rail railway crossing

3. Supplementary signs to be placed near level crossings



Advanced signs

**IV - Mandatory signs except for those concerning priority, stop and parking**

1. Prohibition signs



No entry



No vehicles allowed



No entry for all motor vehicles



No entry for motorcycles



No entry for bicycles



No entry for buses



No entry for vehicles towing a trailer



No entry for goods vehicles



No entry for pedestrians



No entry for hand carts



No entry for animal-drawn vehicles



No entry for agricultural vehicles

2. Supplementary signs



No entry for vehicles carrying explosives or flammable products



No entry for vehicles carrying goods capable of water pollution



No entry for vehicles carrying dangerous goods



No entry for vehicles over width shown (in metres)



No entry for vehicles over height shown (in metres)



No entry for vehicles over maximum gross weight shown (in tonnes)



No entry for vehicles over axle weight shown (in tonnes)



No entry for vehicles over length shown (in metres)



No entry for vehicles of maximum gross weight shown (in tonnes)



Minimum distance between vehicles



Ban on overtaking



Ban on overtaking for vehicles whose maximum gross weight exceeds 3.5 tonnes



Ban on the use of acoustic signals



Maximum allowed speed



Stop Police



Stop Customs



Stop Pay Toll



End of all bans



End of speed limit



End of overtaking ban



End of overtaking ban for vehicles whose maximum gross weight exceeds 3.5 tonnes

### 3. Obligation signs



Ahead only



Turn right



Turn left



Keep right



Keep left



Vehicles may pass either side



Turn right ahead



Turn left ahead



Vehicles may turn either side



Ahead and turn right only



Ahead and turn left only



Roundabout



Minimum speed



End of minimum speed



Mandatory snow chains



Footpath



End of footpath



Cycleway



End of cycleway



Footpath and cycleway



End of footpath and cycleway



Cycleway next to footpath



End of cycleway next to footpath



Path for horse riders only



End of path for horse riders only

## V. Information signs

### *1. Signs of crossroad ahead*





2. Special cases



No through road for vehicles



No through road for vehicles



No through road for vehicles



Route to be followed

3. Direction signs



4. Place signs



5. Confirmation signs



6. Pedestrian crossing



Pedestrian crossing



Pedestrian underpass



Pedestrian overpass

7. Signs providing useful indications while driving



Hospital



Hospital



One-way road



One-way road



Motorway



End of motorway



U turn



Road reserved for motor vehicles



End of road reserved for motor vehicles



Bus stop



Tram stop



Road conditions



Hospital



Hospital



One-way road



Disabled



Taxi



School bus

8. Signs indicating services and facilities for road users



First aid station



Mechanical assistance



Phone



Filling station



Hotel



Restaurant



Café



Information



Panoramic viewpoint



Panoramic viewpoint



Camping for tents and caravans



Radio frequency



Picnic area



Youth hostel



Limited traffic zone

**VI - Signs relating to stopping and parking**



Ban on parking



Ban on stopping and parking



Car park



Driveway



Parking allowed for vehicles serving disabled people bearing a special card



Parking allowed for special categories

**VII - Integration signs**



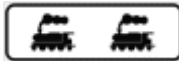
Horizontal markings being repainted



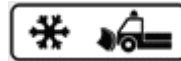
Accident



Queue



Rail crossing



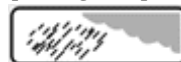
Operating snowplough



Operating working machines



Area subject to flooding



Slippery road for rain



Slippery road for ice

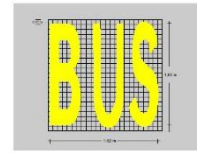
**\* HORIZONTAL SIGNAGE \***



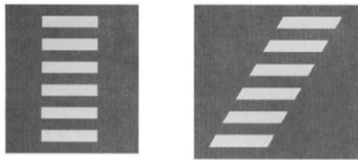
**STOP**



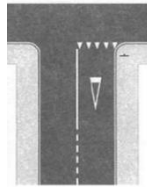
**Give way**



**Reserved lane**



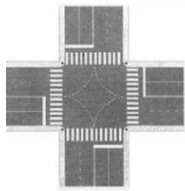
**Pedestrian crossings**



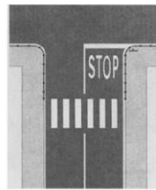
**"Give way" transversal band**



**"Stop" transversal band**



**Guiding bands at intersections**



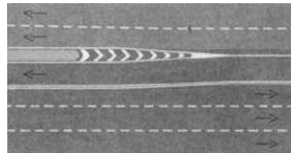
**Backward pedestrian crossing**



**Cycleway crossings**



**Bands delimiting reserved lanes**



**Connection bands due to the presence of obstacles**



**Cycleway**

## **ANNEX C**

### **Art. 1**

The circulation and parking card for disabled people shall be issued by the Civil Police Headquarters to people with reduced mobility due to their disability.

The application shall be accompanied by a certificate of the Director of the Primary Health Care Service attesting to the applicant's serious mobility difficulties.

### **Art. 2**

If the conditions set forth in Art. 1 are met, the Civil Police Headquarters shall issue the applicant with the card for the circulation and parking of cars driven by disabled persons or intended to accompany disabled persons to their destination.

The card shall entitle disabled persons driving the car to access the areas reserved for pedestrian traffic and to park in the spaces provided with the relevant signs. Those accompanying disabled persons to the reserved areas shall be obliged to occupy the reserved areas for the time strictly necessary to assist the accompanied person.

The card shall be limited to the duration of the disability. In the case of permanent disability, the card shall be issued for an indefinite period.

### **Art. 3**

The card issued by the Civil Police Headquarters complies with the model adopted in Europe and is reproduced at the bottom of this Article. It shows:

- a) on the front:
  - 1) the white wheelchair symbol on a blue background;
  - 2) the date of expiry of the card or an indication of its indefinite duration;
  - 3) the serial number of the card;
  - 4) the name of the authority issuing the card (Civil Police Headquarters);
  - 5) the wording in capital letters: "Parking for disable persons" followed at a sufficient distance by the wording in small letters "Parking card".
- b) on the back:
  - 1) the name and surname of the holder of the card, the Social Security number, the signature and the photograph.

## Card

### Front



### Back

The back of the card is blue. On the left, there are three horizontal lines for "COGNOME", "NOME", and "CODICE ISS NR.". Below these is the word "FIRMA" in bold, followed by a dashed white rectangular box for the signature. On the right, there is a block of text in Italian: "Autorizza la sosta dei veicoli guidati o che trasportano persone affette da invalidità nelle aree di parcheggio; consente solamente in caso di necessità, la circolazione e la sosta dei veicoli anche in zone vietate purché non arrechino intralcio al traffico o disagi agli utenti e nel rispetto delle regole fondamentali della circolazione". Below this, another block of text reads: "In caso di utilizzazione, il presente contrassegno deve essere apposto nella parte anteriore del veicolo in modo tale che il recto sia chiaramente visibile per i controlli".

## Art. 4

Those already holding the card at the time of the entry into force of this Delegated Decree shall request the issuance of the new card within two years.