

Law No.52 for year 2001, amended by the law amendment No.67 for the year 1976 concerning traffic

After reviewing the constitution :

- The law No.16 for the year 1960 issued by penal law and its amendments
- The law No.17 for the year 1960 issued by procedural law and penal trials and its amendments.
- The Amiri decree No.22 for the year 1960 regulating traffic court and its amendments
- The law No.22 for the year 1969 regulating licenses of commercial shops and its amendments.
- The decree in the law No.67 for the year 1976 concerning traffic and its amendments.

The National assembly approved of the following law and we ratified and issued it .

Article 1

The last clauses of

The provisions of the articles 8, 9, to 24, 26, 33, 34, 35 36, 37, 38, 39 , 40, 41, 42, 43, 44, 45 of the decree in law N. 67 year 76 are replaced by the following provisions :

Article (8) last clause

The Minister of Interior issues a decision stating the types and standards of metallic plates and their due fees.

Article (9)

The vehicle owner should take back the plates to the General Traffic Department in case of definite dispensation or license expiry or abstraction or exportation abroad. In case of loss or damage, he should inform the General Traffic Department immediately.

Article (10)

The vehicle owner should inform the specialized authorities in the General Traffic Department in written within 10 days of change of his registered residence or license loss or damage and expressing his wish to get a substitute. In case the original license was found, it should be taken back to the specialized authorities in the General Traffic Department.

The vehicle owner should get a written approval from the specialized authority in the General Traffic Department before making any change in the purpose, colour or any major part of the vehicle that may entrain changing license data.

Article (24)

The driving license given for the first time may be abstracted if the owner committed two of the contravention stipulated by articles (33 except clause 4, 33 bis, 28) within his first year. He is not granted a new license only after a period of four months of the date of

abstraction. The specialized authority may test him again if it sees it fit.

Article (26)

The specialized authorities in the Ministry of Interior lay down the rules and regulations necessary for organizing traffic and assuring its safety and the safety of passengers, pedestrians and vehicles and supervising their executions. The authorities organize and determine the locations of traffic boards, lights and international traffic signs etc... They also organize and determine the locations of all types of vehicles stops and waiting lanes in addition to taxi and bus stops and pedestrian zones. Generally, they decide on all the procedures and issue the instructions that assure the traffic and safety for all.

Article (33)

Without violating the measures decided by this law or any severe punishment in any other law, any one who commits one of the following acts is imprisoned for more than three months and fined no more than 100 Dinars or both:

- 1- Driving an auto vehicle without a license or with an improper license, or in abstracted of expired.
- 2- Driving a vehicle carelessly or excessively or without paying attention which may expose the driver or the passengers or the others to danger.
- 3- Violating the rules of the articles (29, 31) of the traffic law.
- 4- Violating the rules of the articles (to bis, 28) of the traffic law.

- 5- Driving an unlicensed vehicle or without metallic plates or the plates not issued by the General Traffic Department or containing different numbers.
- 6- Deliberate assertion of wrong data in one model or official applications in order to get a driving license or car instruction permit or issuing a copy or a substitute to any of them.

Article (34)

Without violating the measures decided by the law or any severe punishment, any one who commits one of the following acts is imprisoned for no more than one month and fined no more than seventy five Dinars or both:

- 1- Causing an accident damaging individual properties or public amenities due to contravening the rules of the traffic law and its executive regulations.
- 2- Using private car in transporting passengers.
- 3- Deliberate interruption or suspension of traffic in public roads.
- 4- Driving a vehicle out of breaks or with damaged or invalid breaks.
- 5- The owner giving his licensed vehicle to unlicensed or legally unqualified person.

Article 35

Without violating the measures decided by this law or any severe punishment in any other law, any one who commits one of the following acts is imprisoned for no more than fifteen days and fined no more than twenty five Dinars or both :

- 1- Driving a vehicle without the knowledge or the company of its licensed owner.

- 2- Driving a vehicle whose plates are unclear or unreadable or with one plate, or whose plates issued by General Traffic Department are changed in place, color or shape.
- 3- Driving a vehicle without permission or with expired or illegal permission.
- 4- Refusing to give the driving license or any other legal permission to the policeman on demand.
- 5- Transport vehicle's violation of loading condition height, width, dimensions or weight.
- 6- Driving a vehicle causing disturbing noises or dense smoke or leaking flammable material or harmful to health or effecting the road or dropping dangerous materials on road users from its load or having a defect that effects its balance, or when one or more tires are invalid for use.
- 7- Using lights or loudspeaker or alarms or any other appliances not in keeping with what is legally permitted and that should be detained and confiscated.
- 8- Damaging traffic signs and lights and detention and control appliances or changing their traits, place or direction or putting stickers on them.
- 9- Running or stopping the vehicle in pedestrian's zones or on pavements.
- 10- Parking the vehicle at night on highways or non illuminated roads outside towns without switching flashers unjustifiably.
- 11- Using dazzling high lights and spotlights illegally.
- 12- Disobeying road signs or traffic lights or driving on the side road.
- 13- Winding, turning or entering or returning in the opposite directions.

- 14- Driving a vehicle without an obligatory valid insurance document, taking into consideration legal exemptions.
- 15- Violating any of the rules of article 10 of this law.

Article 36

Without violating the measures decided by this law or any severe punishment in any other law, any one committing one of the following acts is fined no more than fifteen Dinars :

- 1- taxi and public buses violation of the maximum passenger number or abstaining from transporting passengers or exceeding the set fares.
- 2- Leaving animals on public roads without a keeper or violating traffic regulations or being careless in controlling or loading them by keepers.
- 3- Pedestrian's or bicyclers violation of traffic regulations.
- 4- Driving a vehicle without carrying a driving license or any permission stipulated by the law and its executive regulation.
- 5- Driving a vehicle below the minimum speed limit if it entrains a suspension of the traffic.
- 6- Driving a vehicle without switching on the appropriate lights .
- 7- Leaving the vehicle or its scrap on the roads or their sides.
- 8- Unfastening safety belts.
- 9- Parking at the handicapped's zone.
- 10- The driver's allowing passengers to sit on the vehicle's outer parts.

11- Driving a vehicle violating the security and strength stipulated by the executive regulation of the traffic law and the decisions executing them.

12- Violating policemen's instructions related to traffic regulation.

13- Violating the regulations of window Shading.

Article 37

Without violating the measures decided by this law or any severe punishment in any other law, anyone violating and other rule of this law or its executive regulations or the decisions executing it is fined no more than fifteen Dinars.

Article 38

Without violating the measures decided by this law or any severe punishment in any other law, any one driving or trying to drive a vehicle under the effect of drugs / Alcohol is imprisoned no more than one year and fined no more than five hundred Dinars.

Driving license suspension for no more than one year will be ruled by the court of justice. In case of repetition, the driving license will be suspended for more than three years.

The court orders the abstraction of the driving license for no more than one year. In case of repetition the court orders the abstraction of the driving license for no more than three years.

Article (39)

The court , in case of condemning a guilty in a crime related to driving a vehicle, may abstract the driving license or the metallic

plates or both, for no more than one year from the day following the end of penalty execution or coercion or from the judgment date if accompanied by stay of execution.

Article (40)

The punishment is doubled in all cases of repetition of unstipulated in the traffic law.

Article (41)

The punishment is doubled in all cases of repetition of unstipulated by articles (33, 33 bis, 34, 35, 36, 37) of this law or its executive regulations and the executing resolutions on the following bases:

- 1- Paying thirty Dinars when violating the rules of the article (33).
- 2- Paying twenty Dinars when violating the rules of the article (34).
- 3- Paying fifteen Dinars when violating the rules of the article (35)
- 4- Paying ten Dinars when violating the rules of the article (36).
- 5- Paying Five Dinars when violating the rules of the article (37).
- 6- Violating the rules of article (33 bis) ensues the following:
 - 1st- Paying 50 Dinars when overtaking the red traffic light or when racing in the roads without permission or violating the permission of driving the vehicle in the opposite direction in high ways and ring roads.
 - 2nd- Paying no less than twenty Dinars and no more than fifty Dinars when exceeding the maximum speed limit. The executive regulation determines the reconciliation cost value on the light of the speed exceeding the limit determined.

The settling region is determined by the General Traffic Department within two months of the violation or informing the guilty in case the report was written in his absence, the

reconciliation entrains the termination of the penal case and its effects.

The reconciliation may be rejected in case the infringer committed more than serious contravention or repeated his contravention.

Article (42)

The general director of the General Traffic Department may abstract the driving license with the plates or both administratively for less than four months maximum in the following cases:

- 1- In case he commits one of the acts stipulated by the (article 33 except clause 4, 33 bis, 34) of this law.
- 2- Using the vehicle indecently.
- 3- In fatal accidents or non-deliberate injury resulting from vehicle accidents.

In these cases, the policeman witnessing the accident or the investigator may confiscate the driving license and transfer it to the specialized authority within 24 hours to act in accordance after hearing his testimony

In all cases the period of administrative abstraction is not counted within the pronounced period.

Article (43)

The Minister of Interior resolution determines the conditions and bases of confiscating and keeping all types of vehicles and the confiscation fees and expenses in addition to the sale conditions in case of non collection or non settlement of its due fees and

expenses. It is permitted on a Minister's decision, to entrust the process of pulling, lifting and transporting the vehicle to the confiscation location to authorities out side the ministry. It may also, agree with these authorities on allocating a location for confiscating and keeping he hides in return for a fee paid by the owner. The executive regulation determines the way and conditions of entrusting to these authorities and the procedures entrained by contravening that. It also states the value of the decided fee for these authorities in return for the work entrusted to them and the ways of collecting fees to pay them.

Article (44)

Any member of the policeman arrests anyone committing one of the following acts:

- 1- Driving a vehicle under the influence of alcoholic drinks or drugs.
- 2- Causing an accident entraining anyone's injury or death.
- 3- Vehicle racing on the roads without permission.
- 4- Attempting to run away after causing an accident that endangers any individual or disobeying a policeman's order to stop.
- 5- Driving a vehicle carelessly, excessively or without paying attention, which endangers people's lives.

Article (45)

Specialized authorities in the Ministry of Interior assumes the supervision of the regularity of the traffic and applying the rules of

this law and the regulations and decisions executing its. The minister of Interior determines the jurisdictions of the determining contraventions, interrogation, and deciding about it and bringing a case in front of the traffic court.

Second Article

New articles (10 bis, 33 bis, 42 bis, 45 bis) are added to the referred decree in the law No. 67 year 1976. Their terms are:

Article 10 bis

Car reparation shops and all craftsmen in this domain are prevented from doing any reparations to any vehicle caused by an accident without presenting a written permission issued from the specialized authorities in the Ministry of Interior. A Minister's decision determines the procedure to be followed in this respect.

Article 33 bis

Without violating the measures decided by this law or any stronger punishment in any other law, anyone overtaking the red traffic light is imprisoned no more than three months and fined no more than three hundred Dinars or both. Any one who commits the following acts is imprisoned no more than three months and is fined no more than one hundred Dinars or both:

- 1- Exceeding the maximum speed limit decided.
- 2- Car racing on the roads without permissions.
- 3- Driving a vehicle in the opposite direction in highways or ring roads.

Article 42 bis

Without violating the measures decided by this articles (24,42) of this law, Minister's decision is issued validating the system of traffic can prevention points stating the types of contraventions and ways of abstracting driving licenses for no more one year or abstracting it definitely and granting it again after passing the test stipulated by article (16) of the traffic law.

Any judicial judgment of incrimination or reconciliation with the guilty does not negate this system.

Article 45 bis

In accordance with a decision by the minister of Interior a high traffic council is established specializing in the following affairs:

- a- Determining the general policies and plans in the traffic field and working on improving its services.
- b- Studying traffic problems and suggesting ways of remedying that as a preface to taking the necessary procedures to carry them out.
- c- Coordinating and cooperating with various authorities effecting traffic regulation.
- d- Giving opinion in other issues presented by the Minister to the Council.
- e- The council's recommendations are not enforced until authorized by the Minister of Interior.

The executive regulation determines the Council's teaming and work procedures, decision – issuing and members – rewarding.

Third Article

The expression “steering license (souk)” is substituted by “driving license (kiada)” and the expression “vehicle-driving permit” is substituted by “ vehicle license or vehicle driving license”. In addition “police and traffic men” substitutes the expression “policemen” wherever mentioned in the referred decree in the law No67/76 and its executive regulation

Fourth Article

The Minister of Interior can delegate whomever he sees fit of the policemen to execute the rules of the decree of the referred law 67/76.

Fifth Article

The Minister of Interior should execute this law and it is published in the official newspaper and goes into effect from the firm of November 2001.

Emir of Kuwait

Jabber Al-Ahmed Al-Sabah

Issued in Bayan Palace on 3 Jomada the first 1422

Corresponding to 23 July 2001.

The Clarifying Memorandum

Of the law suggestion

To amend some rules of the decree in the law

No. 67 for the year 1976 concerning traffic

The decree in the law No. 67 for the year 1976 was issued, concerning the traffic since more than twenty-four years. And regarding the increase in accidents caused by traffic crimes and the entrained damages in me and properties, and regarding the expansion of highways and the appearance of new kinds of behavior. In addition to what was revealed by the practical applications of traffic law rules namely concerning the decided penalties for some traffic crimes. In addition to the ineffectiveness noticed in these penalties in stop those who commit the crimes mentioned in the rules of this law. In an attempt to remedy the discrepancy in the penalties decided to match the gravity of traffic crimes.

Thus, it was thought to strengthen the penalties mentioned in the fifth chapter of the decree in the law 67 for the year 1976 concerning traffic, by increasing some financial penalties of the serious contraventions entraining fatal and serious injuries and accidents which cause a loss and handicap of human lives. These contraventions constitute, meanwhile, an unjustified loss of public wealth requiring amendment and reconsideration to increase the decided value of reconciliation in some of these crimes.

The provision of article (10) was also amended to compel the vehicle owner to inform the traffic department issuing the license of any change in address within ten days while undertaking to report any loss or damage of license in addition to the need for a prior permission in case he desires to change the purpose of using the vehicle or replacing any major part which entrains a difference in the data include in the license.

The provisions of article 8, last clause, 9, 10, 24, 26, and articles from 33 to 45 by adding article 10 bis, 32 bis, 42 bis, 45 bis to the

law and rearranging their clause numbers according to the amendment done. Some provisions were rearticulated to match the purposes they serve and to treat the development in the cases and bases of road use in the country.

Article (10bis) prevented car repairation shop and all craftsmen working in this domain from doing any reparations caused by an accident without a written permission issued from the specialized authority in the Ministry of Interior to block car users who cause accident and run away before being noticed and punished.

Article 42 bis created the system of traffic contravention points to face the violations and regulate the traffic in a determined way.

It was also considered to add a third article substituting the expression “steering license “ by “driving license” and the expression “policemen” by “police and traffic men” whenever mentioned in referred decree in the law No67 for the year 1976 and its executive regulation.