

New traffic laws have come into effect this month (Ley 6/2014 modificando la Ley sobre Tráfico, Circulación de Vehículos a Motor y Seguridad Vial 339/1990) and all drivers are being advised to note the modifications as it would appear that the authorities are cracking down on nearly all aspects of driving. The following is a summary derived from various sources which outlines the new regulations:

1. SPEED

On **certain sections** of motorways and highways, speed limits are increased to 130 kph whilst maximum speed on some roads within urban areas will be reduced from 30 kph to 20 kph. The tolerance of speeding is just 1kph above the maximum speed limit with fines ranging from €100 to €600 plus six points.

The use of radar speed camera detectors is prohibited with fines of €200 and three points charged for their use. Radar jammers which have been prohibited for some time incur a huge fine of €6,000 and six points deducted from the driving licence. Drivers who use GPS devices which alert them to the presence of speed cameras are now advised to disable the function.

2. CHILD SAFETY

Weight and age has now been replaced by height with child restraint systems mandatory for all children under 1.35 metres tall. Children cannot travel in the front seats of a car even if they are using a child seat unless the back seats are all occupied by other minors under the height limit or if the vehicle does not have back seats. The police now have the authority to immobilise any vehicle in which children are not properly protected. These rules also apply to children travelling in taxis although it will be the parent or guardian, not the taxi driver, who could be fined up to €200 for any violations.

3. FOREIGN CARS

Because foreigners living in Spain were not under the obligation to register their cars with the authorities, it was difficult to get them to pay traffic fines or submit to controls. The new regulations demand that all vehicles used in the country by foreign residents or businesses / establishments must now be registered. European Parliament Directive 2011/82/EU of October 2011 established cross-border exchange of information on traffic offences committed by a vehicle registered in a Member State of the European Union other than that in which the offence occurred which includes speeding, driving whilst under the influence of alcohol and drugs, non-use of seat belts and other approved restraint systems, failure to stop at a red light or at a stop signal, driving in prohibited lanes or lanes reserved for specific users, non-use of a helmet and use of mobile phone or other prohibited communication devices whilst driving. (Although it seems that this directive does not apply to the United Kingdom, Ireland or Denmark.)

4. DRIVING UNDER THE INFLUENCE

Although the blood-alcohol limit of 0.5 grams per litre of blood has not changed, fines have been increased with those who commit their first offence with less than double the limit finding themselves €500 out of pocket and with a four point penalty. Second offenders or those found to be over double the limit will face a fine of €1,000 and a six-point penalty.

Drivers found to be under the influence of drugs following an on-the-spot saliva test (excluding prescription drugs, including methadone) will be fined €1,000 and there is no requirement to prove that the drug influenced the ability to drive.

5. CYCLISTS & Drivers

Cyclists under the age of 16 are now required to wear a helmet on all roads and in parks. Parents or guardians who allow their children to use their bikes without the correct head protection could be fined up to €200.

With regards to overtaking cyclists, **drivers** of vehicles can use part or all of the opposite lane to do so but must not endanger or hinder progress of cyclists travelling in the opposite direction and they must allow a minimum space of 1.5 metres between themselves and the cyclist that they are overtaking.

6. ANIMALS

Incidents caused by wild animals will be the responsibility of the driver of the vehicle unless it can be proven that the animal entered the highway as a result of hunting being held on the day or within twelve hours of one having taken place, in which case the organiser of the hunt will be responsible.. The owner of the road will only be liable if there are issues with inadequate or broken fencing or there is a lack of suitable warning signs.

6. OFFENCES

The authorities can now report offences by drivers without stopping the vehicle if the officer is performing another duty which prevents them from doing so. Consequently to observe a traffic offence and to note the registration number of the vehicle committing the offence will be sufficient evidence for prosecution. The time period for the 50% discount that can be applied to fines for early payment has been extended from 15 days to 20 days.

A REMINDER

WHAT YOU SHOULD CARRY IN YOUR CAR AT ALL TIMES

1. The car papers - both the 'Ficha Tecnica' and 'Permiso de Circulación'.
2. Insurance documents as well as the most recent receipt to prove payment.
3. A replacement bulb kit.
4. Driving licence and a form of photo ID.
5. If applicable, the current ITV sticker affixed to the windscreen.

6. Two warning triangles for the front and rear of the vehicle in case of breakdowns.
7. At least two fluorescent jackets to wear in case of breakdowns.
8. If the driver wears glasses, a spare pair must be carried.