



**Isle of Man**

*Ellan Vannin*

**AT 3 of 1927**

**THE HIGHWAY ACT 1927**





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*Ellan Vannin*

## THE HIGHWAY ACT 1927

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**Isle of Man**

*Ellan Vannin*

## THE HIGHWAY ACT 1927

*Received Royal Assent:* 27 June 1927  
*Passed:* 21 October 1927  
*Commenced:* 21 October 1927

**AN ACT** to consolidate and amend the Highway Acts, 1889 to 1924.

### GENERAL NOTES:

1. The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993 s 1*.
2. References to the Treasurer of the Isle of Man or the Treasurer of this Isle are to be construed in accordance with the *Treasury Act 1985 s 7*.

### *Preliminary*

#### **1 Short title**

This Act may be cited as ‘The Highway Act, 1927’.

#### **2 [Repealed]<sup>1</sup>**

#### **3 Definitions**

(1) The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction, that is to say: —

“**High Court**” shall mean His Majesty’s High Court of Justice of the Isle of Man.

“**Justice**” shall mean a Justice of the Peace and includes a High-Bailiff.

“**Local Government Acts**” shall mean the *Local Government Consolidation Act, 1916*, and any Acts amending the same.

“**Local Government District**” shall mean a district under the Local Government Acts.

“**The Board**” shall mean the Isle of Man Highway and Transport Board.<sup>2</sup>

“**Highways**” [Repealed]<sup>3</sup>

“**Drain**” shall include a ditch and sewer.

“**Ratepayer**” includes any person who is liable to the payment of rates for the purposes of this Act.

“**Carriage**” shall mean and include any vehicle supported by or hung on springs, and drawn by a horse, mule, or ass, or propelled otherwise than by men or women only, except an engine, carriage, and truck used solely on a railway or a tramway, not being a highway.

“**Cart**” includes any dray, waggon, bogie, or other vehicle not supported by or hung on springs, and drawn by a horse, mule, or ass, or propelled otherwise than by men or women only, except a truck used solely on a railway or tramway not being a highway.

“**Private carriage**” shall mean a carriage not let out or used for hire.

“**Hackney Carriage**” [Repealed]<sup>4</sup>

“**Locomotive**” shall mean and include any traction engine propelled by steam, or by any power of propulsion within itself; and any machine, waggon, or truck running on wheels, drawn by or after any traction engine, and any portable steam engine drawn by a horse, mule, or ass; and any machine, waggon, or truck running on wheels constructed for running on highways, used in connection with a locomotive or stationary engine, excepting always an engine, carriage, waggon, or truck constructed for use, and used only on any railway or tramway not being a highway.

“**Vehicle**” shall mean and include carriage, cart, and locomotive.

“**Auctioneer**” [Repealed]<sup>5</sup>

“**Light locomotive**” is defined in section 52 of this Act.<sup>6</sup>

“**Mechanically propelled vehicle**” is defined in section 52 of this Act.<sup>7</sup>

“**Pedlar**” [Repealed]<sup>8</sup>

“**Road Authority**” [Repealed]<sup>9</sup>

“**Local Authority**” means in the case of the borough of Douglas, the Mayor, aldermen, and burgesses of such borough, and as regards any town or village district, the Commissioners of such town or district.

(2) In the application or incorporation of any part of the Local Government Acts to or with this Act, the word ‘Commissioners’ therein shall mean the Board, and words or expressions used in any such part shall have the meanings assigned to them by this Act; and the words ‘clerk’ shall mean the secretary or clerk of the Board.

(3) [Repealed]<sup>10</sup>



4 [Repealed]<sup>11</sup>

5 [Repealed]<sup>12</sup>

6 [Repealed]<sup>13</sup>

7 [Repealed]<sup>14</sup>

8 [Repealed]<sup>15</sup>

9 to 14 [Repealed]<sup>16</sup>

### *Highways*

15 to 20 [Repealed]<sup>17</sup>

#### **21 Power to make bye-laws**

The Board may, from time to time, with the approval of Tynwald, make bye-laws with respect to any highways vested in the Board as they may think fit for all or any of the purposes hereinafter mentioned: —

- (a) to (e) [Repealed]<sup>18</sup>
- (f) Preventing the committing of nuisances on highways and the distribution of handbills, papers and other articles.<sup>19</sup>
- (g) and (h) [Repealed]<sup>20</sup>
- (i) [Repealed]<sup>21</sup>

Such bye-laws may prescribe the penalty, not exceeding £500, for breach thereof, and, for a continuing offence, not exceeding £5 for every day during which such offence may continue. Such penalty may be recovered on summary conviction at the instance of the Board or any officer of police.

22 [Repealed]<sup>22</sup>

23 [Repealed]<sup>23</sup>

24 to 27 [Repealed]<sup>24</sup>

*Accounts, etc.*

28 and 29 [Repealed]<sup>25</sup>

30 **Moneys (except rates) received by Board to be credited to Highway Fund**

- (1) All licences issued by and fees and duties payable to the Board or to the Highway Fund under any Act of Tynwald or under any regulations or bye-laws made under Act of Tynwald shall, as heretofore, be issued by and paid to such Board.
- (2) Tynwald may from time to time determine by resolution what sums, if any, over and above the funds obtainable from the Highway Fund should be paid out of the general revenue of this Island for the purposes of constructing, maintaining, improving, and repairing the highways and bridges.<sup>26</sup>

*Duties and Licences*

31 [Repealed]<sup>27</sup>

32 [Repealed]<sup>28</sup>

33 **Special notice**

- (1) [Repealed]<sup>29</sup>
- (2) The Treasury, or some person appointed by the Treasury, may, at any time, serve upon any person a special notice, requiring such person to fill up, sign and deliver to the Treasury or other person a form of return, to be left with such notice when served, such return to show whether or not such person is liable to the payment of any duties imposed by this or any other Act which may be payable to the Highway Fund; and to state the several particulars required in the case of the yearly return by the foregoing sub-section, so far as such particulars may be applicable; and to pay the duties, if any, to which such person may be liable. The return under this sub-section shall be filled up, dated and signed by the person served with such special notice, and shall be delivered by him to the Treasury, or to such other person as may be appointed by the Treasury to receive returns, and whose name and address shall appear in the said notice or form.<sup>30</sup>
- (3) Any person acting in contravention of this section, or making an untrue return, shall be liable to a penalty not exceeding £200.

34 [Repealed]<sup>31</sup>

*Vehicle Licences*

35 and 36 [Repealed]<sup>32</sup>

37 [Repealed]<sup>33</sup>

38 **Provisions of Game Act 1882**

The provisions of the *Game Act, 1882*, as to licences, shall be applicable throughout this Isle.<sup>34</sup>

39 to 41 [Repealed]<sup>35</sup>

42 to 44 [Repealed]<sup>36</sup>

45 [Repealed]<sup>37</sup>

46 [Repealed]<sup>38</sup>

47 [Repealed]<sup>39</sup>

48 to 52 [Repealed]<sup>40</sup>

53 [Repealed]<sup>41</sup>

54 [Repealed]<sup>42</sup>

55 [Repealed]<sup>43</sup>

56 [Repealed]<sup>44</sup>

57 [Repealed]<sup>45</sup>

58 [Repealed]<sup>46</sup>

59 [Repealed]<sup>47</sup>

60 **Amendments**

(1) to (5) [Repealed]<sup>48</sup>

(6) [Repealed]<sup>49</sup>

**61** [Repealed]<sup>50</sup>

**62** **Fraudulent use, etc, of licence**

If any person forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence required by this Act, he shall be guilty of an offence under this Act.<sup>51</sup>

**63** [Repealed]<sup>52</sup>

**64** [Repealed]<sup>53</sup>

**65** [Repealed]<sup>54</sup>

**66** to **68** [Repealed]<sup>55</sup>

**69** to **75** [Repealed]<sup>56</sup>

**76** [Repealed]<sup>57</sup>

**77** to **79** [Repealed]<sup>58</sup>

**80** [Repealed]<sup>59</sup>

**81** [Repealed]<sup>60</sup>

**82** [Repealed]<sup>61</sup>

*Legal Proceedings*

**83** **Recovery of rates, etc**

All rates, duties, and sums of money payable under this Act to the Board shall be recoverable summarily at the suit of the Board as debts.

**84 [Repealed]<sup>62</sup>****85 Recovery of penalties**

All penalties under this Act, the recovery of which is not otherwise provided for, shall be recovered at the instance and in the name of the Board or any officer of police before a High-Bailiff or two justices.

**86 [Repealed]<sup>63</sup>****87 [Repealed]<sup>64</sup>****88 Penalty for offence where no special penalty provided**

- (1) A person guilty of an offence under this Act, for which no special penalty is provided, shall be liable, on summary conviction, in respect of each offence, to a fine not exceeding £1,000 or, in the discretion of the court, to imprisonment for a period not exceeding three months.
- (2) Any person adjudged to pay a fine exceeding one pound under this Act may appeal to the Staff of Government Division of the High Court of Justice against such conviction in the manner provided in section 14 of the Petty Sessions Act, 1864.<sup>65</sup>

**89 Saving of liability**

Nothing in this Act shall affect any liability of the driver or owner of a motor car by virtue of any statute or bye-law or at Common Law.

**90 Application to servants of the Crown**

It is hereby declared that this Act applies to persons in the public service of the Crown.

**91 Prosecution**

- (1) All prosecutions for any breach of the provisions of any order or regulation made under the authority of this Act, or for any offence against any provision of this Act, which may be prosecuted summarily, shall be at the suit of any road authority, chief or other constable, before a High-Bailiff or two Justices of the Peace; and all fines when recovered shall be paid to the Treasurer of the Isle of Man, to be carried to the general revenue thereof.
- (2) All fines, penalties, or forfeitures under section 10(20) of the Summary Jurisdiction Act, 1864, payable to the Board shall be paid to the Treasurer of this Isle.

*Miscellaneous*

**92** [Repealed]<sup>66</sup>

**93** **Publication of notices**

Notices and other matters required by this Act to be published shall, unless otherwise expressly provided, be published by advertisement in two or more newspapers published and circulated in this Isle, or in such other manner as the Board may direct.

**94** and **95** [Repealed]<sup>67</sup>

**96** and **97** [Repealed]<sup>68</sup>

**98** [Repealed]<sup>69</sup>

**99** **Commencement of Act**

This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald, and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

**FIRST SCHEDULE<sup>70</sup>**

**SECOND SCHEDULE<sup>71</sup>**





## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement

### Table of Renumbered Provisions

Original	Current

### Table of Endnote References

<sup>1</sup> S 2 repealed by Statute Law Revision Act 1983 Sch 2.

<sup>2</sup> Definition of 'The Board' amended by Isle of Man Highway and Transport Board Act 1946 s 2.

<sup>3</sup> Definition of 'Highways' repealed by Highways Act 1986 Sch 9.

<sup>4</sup> Definition of 'Hackney Carriage' repealed by Road Transport Act 2001 Sch 4.

<sup>5</sup> Definition of 'Auctioneer' repealed by Non-Resident Traders Act 1983 Sch 3.

<sup>6</sup> Definition of 'light locomotive' repealed in effect on the repeal of s 52.

<sup>7</sup> Definition of 'Mechanically propelled vehicle', repealed in effect on the repeal of s 52.

<sup>8</sup> Definition of 'Pedlar' repealed by Highways Act 1986 Sch 9.

<sup>9</sup> Definition of 'Road Authority' repealed by Highways Act 1986 Sch 9.

<sup>10</sup> Subs (3) repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.

<sup>11</sup> S 4 repealed by GC190/86.

<sup>12</sup> S 5 repealed by Boards of Tynwald Act 1952 Sch 2.

<sup>13</sup> S 6 repealed by GC190/86.

<sup>14</sup> S 7 repealed by Boards of Tynwald Act 1952 Sch 2.

<sup>15</sup> S 8 repealed by GC190/86.

<sup>16</sup> Ss 9 to 14 repealed by Highways Act 1986 Sch 9.

<sup>17</sup> Ss 15 to 20 repealed by Highways Act 1986 Sch 9.

<sup>18</sup> Paras (a) to (e) repealed by Road Transport Act 2001 Sch 4.

<sup>19</sup> Para (f) amended by Highways Act 1986 Sch 9.

<sup>20</sup> Paras (g) and (h) repealed by Highways Act 1986 Sch 9.

<sup>21</sup> Para (i) repealed by Road Transport Act 2001 Sch 4.

<sup>22</sup> S 22 repealed by Road Traffic Regulation Act 1985 Sch 8.

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- <sup>23</sup> S 23 repealed by Road Traffic Act 1933 Sch 3.
- <sup>24</sup> Ss 24 to 27 repealed by Highways Act 1986 Sch 9.
- <sup>25</sup> Ss 28 and 29 repealed by Highways Act 1986 Sch 9.
- <sup>26</sup> Subs (2) amended by Finance Act 1958 s 15 and by Governor's General Functions (Transfer) Act 1980 Sch 1.
- <sup>27</sup> S 31 substituted by Highway Amendment Act 1930 s 3. S 3 repealed by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>28</sup> S 32 repealed by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>29</sup> Subs (1) repealed by Dogs Act 1990 Sch 4.
- <sup>30</sup> Subs (2) amended by GC69/86.
- <sup>31</sup> S 34 substituted by Highway Amendment Act 1930 s 3(A). S 3(A) repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.
- <sup>32</sup> Ss 35 and 36 repealed by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>33</sup> Ss 37 repealed by Dogs Act 1990 Sch 4.
- <sup>34</sup> S 38 amended by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>35</sup> Ss 39 to 41 repealed by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>36</sup> Ss 42 to 44 repealed by Road Traffic Act 1985 Sch 9.
- <sup>37</sup> S 45 repealed by Road Traffic Act 1933 Sch 3.
- <sup>38</sup> S 46 repealed by Highways Act 1986 Sch 9.
- <sup>39</sup> S 47 repealed by Road Traffic Act 1933 Sch 3.
- <sup>40</sup> Ss 48 to 52 repealed by Road Traffic Act 1985 Sch 9.
- <sup>41</sup> S 53 repealed by Road Traffic Act 1933 Sch 3.
- <sup>42</sup> S 54 repealed by Road Traffic Act 1985 Sch 9.
- <sup>43</sup> S 55 repealed by Road Traffic Act 1933 Sch 3.
- <sup>44</sup> S 56 repealed by Statute Law Revision Act 1983 Sch 2.
- <sup>45</sup> S 57 repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.
- <sup>46</sup> S 58 repealed by Road Traffic Act 1985 Sch 9.
- <sup>47</sup> S 59 repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.
- <sup>48</sup> Subss (1) to (5) repealed by Road Traffic Act 1933 Sch 3.
- <sup>49</sup> Subs (6) repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.
- <sup>50</sup> S 61 repealed by Road Traffic Act 1933 Sch 3.
- <sup>51</sup> S 62 amended by Road Traffic Act 1985 Sch 9.
- <sup>52</sup> S 63 repealed by Road Traffic Act 1933 Sch 3.
- <sup>53</sup> S 64 repealed by Licensing and Registration of Vehicles Act 1985 Sch 4.
- <sup>54</sup> S 65 repealed by Road Traffic Act 1959 Sch 5.
- <sup>55</sup> Ss 66 to 68 repealed by Road Traffic Act 1933 Sch 3.
- <sup>56</sup> Ss 69 to 75 repealed by Non-Resident Traders Act 1983 Sch 3.
- <sup>57</sup> S 76 repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.
- <sup>58</sup> Ss 77 to 79 repealed by Road Races Act 1951 Sch.
- <sup>59</sup> S 80 repealed by Highways Act 1986 Sch 9.
- <sup>60</sup> S 81 repealed by Rates Act 1938 Sch.
- <sup>61</sup> S 82 repealed by Highways Act 1986 Sch 9.

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- <sup>62</sup> S 84 repealed by Highways Act 1986 Sch 9.
- <sup>63</sup> S 86 repealed by Highways Act 1986 Sch 9.
- <sup>64</sup> S 87 repealed by GC190/86.
- <sup>65</sup> Subs (2) amended by Decimal Currency (Isle of Man) Act 1970 s 9.
- <sup>66</sup> S 92 repealed by GC190/86.
- <sup>67</sup> Ss 94 and 95 repealed by GC190/86.
- <sup>68</sup> Ss 96 and 97 repealed by Boards of Tynwald Act 1952 Sch 2.
- <sup>69</sup> S 98 repealed by GC190/86.
- <sup>70</sup> Sch 1 repealed by Statute Law Revision Act 1983 Sch 2.
- <sup>71</sup> Sch 2 repealed by Licensing and Registration of Vehicles Act 1969 Sch 8.