

20 new rules to remember for Spanish road users

Government's recently passed reforms will mean heftier fines for violators

Alcohol tests for pedestrians and a ban on speed camera detectors among the new measures

Congress on Thursday passed new traffic legislation that will affect how motorists and cyclists use Spain's roads. While the law will not come into effect for some months – and some of the reforms still need to be specified by a new regulation code slated for approval in June – these are some of the biggest changes to keep in mind when driving or pedalling along Spanish roads in the future.

1. Helmets mandatory in cities for cyclists under 16. After a long row over safety issues, the Popular Party has backtracked on its intention to make helmets mandatory for all riders within municipal limits. In the end, only minors will have to wear them. Not doing so could lead to fines of 200 euros for parents.

2. Small children may not ride in the front seat. Law enforcement officers will be able to stop and fine drivers carrying children under 1.35 meters in the front passenger seat, unless all the back seats are already taken up by other children also under the height limit (or the car has no back seats at all). Until now, under-12s could ride in the front as long as they had a booster seat or other approved retaining device. Taxis will have to follow the same rules, but parents, not taxi drivers, will be held accountable for violations. Fines can also reach 200 euros.

3. Bigger fines for drunk driving. Driving with double the allowed limit of alcohol in the blood will now mean a fine of 1,000 euros rather than 500. Those caught driving under the influence twice within the same year will get slapped with a 2,000-euro fine the second time round.

4. Fines for driving after taking drugs. The new law eliminates the need to prove that drug use influenced a person's driving. Now, all it takes is a saliva test: if the result shows the presence of drugs in the body, drivers will be presented with a 1,000-euro fine regardless of whether the substances affected their driving or not. Prescription drugs are excluded.

5. Alcohol and drug tests for pedestrians. Pedestrians caught violating a traffic regulation – by crossing the road at the wrong place, for instance – will be obliged to submit to a drug and alcohol test. Until now, this was only the case if they were involved in an accident.

6. New speed limits. While the current speed limit on highways and freeways is 120km/h, the reforms contemplate raising this to 130km/h. The new code scheduled for approval in June will determine where and when this speed may be legally reached. Penalties will be the same: starting at 100 euros for vehicles going up to 150km/h.

7. No minimum speed restrictions for bicycles. This reform aims to solve a problem faced by cyclists in cities. Until now, vehicles could not travel at a speed below 50 percent of the limit. This was a problem for cyclists in spots such as Madrid's Cuesta de la Vega, a steep slope where riders have a hard time going faster than 25km/h. Freeways remain off-limits to cyclists.

8. Ban on speed camera detectors and jammers. The new legislation expressly prohibits the use of speed camera detectors: drivers caught using them will be liable to fines of 200 euros and the loss of three points on their license. Speed camera jammers are considered much more serious and entail

penalties of 6,000 euros and six points off the permit. Only alert systems offering information about the locations of speed cameras based on databases will be legal. Drivers with GPS devices incorporating speed camera detection capabilities will have to deactivate this option.

9. Foreign residents must register their vehicles. Because foreigners living in Spain were not under the obligation to register their cars here, in practice it was difficult to get them to pay traffic fines or submit to controls. The new regulations will determine the deadlines and conditions for vehicle registration.

10. Road works. It will be considered a serious offense to conduct any kind of road works without first informing the pertinent traffic authorities.

11. Road debris. Dropping items of any kind on the road will carry high penalties because of “the danger it poses to other road users.”

12. Inspecting driving schools. Hindering health department or traffic inspectors trying to carry out checks on driving schools and other vehicle-related centers will be considered an offense.

13. Police can fine vehicles without stopping them. Officers will be able to fine vehicles without hailing them down if they are performing duties that prevent them from doing so or giving chase.

14. Drivers to be responsible in accidents involving game animals. Until now, such accidents were only blamed on drivers if they were in violation of the rules of the road, otherwise the state or the owner of the hunting preserve were held accountable. Under the new law, drivers will always be considered to blame unless it can be proven that the animal stormed the road as a result of a big-game hunt held that day or within 12 hours of one having taken place. The state will only be accountable if it fails to provide proper warning signals or to mend broken fences. In practice what this means is that no compensation will be handed out in the event of a driver being killed or seriously injured after a collision with an animal on one of Spain’s nearly 25,000 hunting preserves.

15. 50 percent discount for early fine payment extended to 20 days. This is up from the current 15 days.

16. Environmental restrictions. Vehicles may be barred from entering certain roadways based on environmental criteria. The Environment Ministry will establish the exact rules governing this point.

17. New reasons for immobilizing vehicles. As well as the vehicles of drivers who let children ride without the proper safety devices, authorities will also be able to immobilize those being driven without the proper permit (a C permit in the case of vehicles weighing between 3,500kg and 7,500kg and a D permit in the case of buses).

18. Ban on taking unsafe vehicles to other countries. This article is an application of the United Nations’ Global Plan for the Decade of Action for Road Safety 2011-2020, which aims to discourage the importing and exporting of new or used vehicles deemed unsafe.

19. Priority for tow trucks. Tow trucks on their way to assist motorists will have right of way and have to be treated the same way as ambulances.

20. Fewer driving restrictions for cancer patients. Right now cancer sufferers are hardly ever allowed to drive, unless their doctor takes it up with the traffic authority. But improved medical treatment is set to be reflected in the new road rules, which will place fewer restrictions on patients.