

The West German “Ban on Driving Motor Vehicles” (November 20, 1973)

Abstract

To reduce oil consumption, the social-liberal (i.e., SPD-FDP) government of the Federal Republic issued an executive order banning motor vehicles on four consecutive Sundays in 1973 and limiting the speed on freeways to 100 km/h (62 miles per hour).

Source

Text of the Ordinance on Driving Bans for Motor Vehicles

The ordinance, which has been presented to the cabinet for approval as part of the circulation process, reads as follows:

Ordinance on Driving Bans and Speed Limits for Motor Vehicles of November 19, 1973

Pursuant to Paragraph 1, Articles 1 and 3, and Paragraphs 1, 2, and 4 of the Energy Security Act of November 9, 1973 (*Federal Law Gazette I*, p. 1585), the federal government decrees:

Paragraph One

On November 25 and December 2, 9, and 16, 1973, motor vehicles, machine-powered watercraft and engine-driven aircraft shall not be allowed to operate from 3 a.m. until 3 a.m. the following day.

Paragraph Two

(1) Paragraph one is not applicable if the vehicles named therein

1. are used in the service of authorities and agencies in the area of domestic security or by persons working for them, in the service of the German army [*Bundeswehr*], the armed forces of the non-German member countries of the North Atlantic Treaty Organization, the international military headquarters established on the basis of the North Atlantic Treaty, the German national railroad, the German national postal service, or the customs border service;
2. are used for civil defense, including disaster protection and rescue service, or are regularly used to respond to accidents, to transport patients, or for breakdown or towing services;
3. are used by helpers of the organizations and institutions that perform the tasks referred to in Number 2, for trips to and from their place of deployment and training events;
4. are used as other service vehicles of the federal or state governments or other public law entities or on their behalf;
5. are used by diplomats (red IDs), members of trade missions (white special IDs), members of international organizations (dark red special IDs), career consular officers or members of the military missions for official travel;
6. are used for public transportation;
7. are used to transport people or goods or to tug or tow ships within the context of, and for the purpose of, a commercial business or an agricultural or forestry business; the Sunday driving ban in Paragraph 30 of the Highway Code and the exceptions included in this remain unaffected;
8. are used as tractors or work machines in agricultural or forestry businesses for work-related purposes;

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9. are used by employees to drive from their regular place of residence to their place of work and back, or to practice of their occupation;
 10. are used by business owners or self-employed persons who work on Sundays on a regular basis, or where it is customary in their particular line of work, to drive from their regular place of residence to practice their occupation;
 11. are used by severely disabled or handicapped persons who have to rely on the use of motor vehicles on account of a serious impairment to their mobility.
 12. are used for travel on the direct route to the GDR or East Berlin for trips from a regular place of residence to a border-crossing point, or for travel from the GDR or East Berlin for trips from a border-crossing point to a regular place of residence;

(2) In the cases of Section 1, Numbers 3, 5, and 7–12, the driver or another user of the vehicle must prove to control personnel that the conditions named therein have been met. In the cases of Section 1, Number 9, the fulfillment of the conditions is to be verified through the presentation of a certificate from the employer that includes the name and address of the employee, as well as the place, time, and type of work to be carried out. In the cases of Section 1, Number 10, the fulfillment of the conditions is to be verified by the owner of the business through the presentation of a certificate from the appropriate chamber of industry or commerce, chamber of trade, chamber of agriculture, or the appropriate administrative authority; and by the self-employed person through the presentation of a certificate from the appropriate professional organization.

Paragraph Three

(1) Drivers of passenger cars and other motor vehicles with an admissible weight of up to 2.8 tons may drive, even under the most favorable conditions:

- a) no faster than 100 km/h on highways (sign no. 330)
- b) no faster than 80 km/h on other roads

(2) If speeds higher than those permitted in Section 1 are permitted by sign no. 274 [speed-limit sign] or recommended by sign no. 380 [recommended speed-limit sign], then these road signs lose their validity for the duration of this ordinance. If, in accordance with the Highway Code or its signs, speed limits (sign no. 274) or recommended speeds (sign no. 380) lower than those stipulated in Section 1 are in force, then those lower speed limits are to be observed.

(3) Aside from this, the regulations in the Highway Code remain unaffected and are valid accordingly. The sign numbers mentioned in Sections 1 and 2 correspond to those listed in the Highway Code.

Paragraph Four

Anyone who deliberately or negligently

1. violates Paragraph 1 by driving a vehicle listed therein,
2. violates [...] Paragraph 2, Sections 2 and 3 by failing to present a certificate upon request,
3. violates Paragraph 3, Section 1 by exceeding the speed limit specified therein,

is committing an offense of the sort outlined in Paragraph 14 of the Energy Security Act, and this offense is punishable under the Economic Crime Act of 1954.

Paragraph Five

This ordinance is valid in accordance with Paragraph 14 of the Third Transition Act [*Überleitungsgesetz*] of January 4, 1952 (*Federal Law Gazette I*, p. 1) in connection with Paragraph 19 of the Energy Security

Act, also in the federal state of Berlin.

Paragraph Six

This ordinance takes effect on November 24, 1973. It will become invalid after six months.

The Federal Chancellor
The Federal Minister for the Economy

Source: "Wortlaut der Verordnung über Fahrverbote für Motorfahrzeuge," *Die Welt*, November 20, 1973, p. 2. Official version of the ordinance can be found online at:
http://www.bgbl.de/xaver/bgbl/start.xav?startbk=Bundesanzeiger_BGBl&jumpTo=bgbl173s1676.pdf

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