

Tomasz Sypniewski¹

<https://orcid.org/0000-0003-0667-6047>

Changes in polish legal regulations concerning road traffic in the 20s and 30s of the 20th century, in the context of an exemplary road collision

DOI: 10.5604/01.3001.0013.0370

Summary: Today, looking at the still crowded streets of our cities, we often do not realize how important and essential for their normal functioning are legal regulations of road traffic for all its users. The beginnings of Polish legislation in this field date back to the 1920s. The dynamics of change, occurring in this relatively new field of life, required the introduction of a series of further adjustments and revisions. The Regulation of July 6, 1922 was only six years old. On January 27, 1928, the Minister of Public Works and the Minister of Internal Affairs in agreement with the Minister of Military Affairs passed a regulation on the movement of motor vehicles on public roads. Before 1939, normative acts regulating the rules of motor vehicle traffic were repealed twice and replaced with newer legal acts.

Key words: Mława, motor vehicle, road traffic, road code, Zawkrzeńska Land, legal regulations, car collision, road sign, permitted speed, State Police, civil code.

Zmiany polskich regulacji prawnych dotyczące ruchu drogowego w latach 20. i 30. XX w., w kontekście przykładowej kolizji drogowej

Streszczenie: Dziś spoglądając na wciąż zatłoczone ulice naszych miast, często nawet nie zdajemy sobie sprawy, jak ważne i istotne dla ich normalnego funkcjonowania są unormowania prawne regulujące zasady poruszania się po drogach wszelkich ich użytkowników. Początki polskiego prawodawstwa w tej dziedzinie sięgają lat dwudziestych XX w. Dynamika zmian, zachodząca w tej wówczas stosunkowo nowej dziedzinie życia, wymagała wprowadzania szeregu dalszych korekt i nowelizacji. Rozporządzenie z dn. 06 lipca 1922 r. obowiązywało zaledwie sześć lat. W dn. 27 stycznia 1928 r. Minister Robót Publicznych i Minister Spraw Wewnętrznych w porozumieniu z Ministrem Spraw Wojskowych uchwalili rozporządzenie *o ruchu pojazdów mechanicznych na drogach publicznych*. Przed 1939 r. jeszcze dwukrotnie uchylano akty normatywne regulujące zasady ruchu pojazdów mechanicznych i zastępowano je nowszymi aktami prawnymi.

¹ Dr Tomasz Sypniewski – Kujawy and Pomorze University in Bydgoszcz, Institute of Law.

Słowa kluczowe: Mława, pojazd mechaniczny, ruch drogowy, kodeks drogowy, Ziemia Zawkrzeńska, regulacje prawne, kolizja samochodowa, znak drogowy, prędkość dozwolona, Policja Państwowa, kodeks cywilny.

Today, looking at the still crowded streets of our cities, we often do not realize how important and essential for their normal functioning are legal regulations of road traffic for all its users. This article, in the intention of its author, aims to constitute a preliminary introduction to this interesting and quite little explored subject of the history of law. The archival materials regarding the car collision that took place in 1931 in one of the cities of northern Mazovia constitute the contribution to the aforementioned considerations. I, therefore, decided to consider this matter of legal history and to focus on those specific legal regulations that had been directly or indirectly violated in view of this road accident.

In Mława, because it was on the streets of this city that the road accident was studied, there were not many owners of motor vehicles in the interwar period². In this respect, not only this town, but also all of Poland very much negatively distinguished itself from the vast majority of countries in Europe at that time. However, especially in the 1930s³, the number of cars registered and used in Mława⁴ began, maybe not so sharply, but to grow noticeably⁵. This brought the necessity for the inhabitants of Ziemia Zawkrzeńska to face the next civilization challenges.

One of the state institutions, which functioned in the interwar period in Mława and which owned a passenger car, was the Officer's Post No. 1⁶ - a part of the Branch No. 3 of the 2nd General Staff (SG)⁷ of the Polish Army (WP) in Bydgoszcz⁸, then the Polish intelligence, the so-called "dwójka" ("the two"). This officer's post initially had a Ford vehicle, model A, which was a very comfortable and agreeable car at the times. It was registered as a five-seater car with a torpedo-type bodywork⁹, powered by a four-cylinder engine; consumed about 15 liters of gasoline per 100 km and a liter of oil for 150 km¹⁰; was equipped with a four gear ratios (3 + 1) gearbox, electric lights and a starter¹¹. It was brought, not without problems connected with snowy roads¹², from

² R. Juszkiewicz et al., *Mława – jej dzieje (lata 1914-1939)* [Mława – its history (1914-1939)], vol. III (Third part), Mława, 2004, p. 95.

³ Ibidem, p. 42.

⁴ W. T. Smoliński et al., *Związki i zrzeszenia gospodarczo-finansowe w Mławie międzywojennej 1918-1939* [Economic and financial unions and associations in interwar Mława 1918-1939], "Ziemia Zawkrzeńska" 1996, vol. III, p. 101.

⁵ The vast majority of them, however, did not belong to private users, but to various institutions and enterprises, including those involved in running bus connections - R. Juszkiewicz R. et al., *Mława – jej dzieje (lata 1914-1939)* [Mława – its history (1914-1939)], vol. III (Second part), Mława 2004, p. 42.

⁶ W. Jastrzębski et al., *Major Żychoń i bydgoska ekspozytura wywiadu* [Major Żychoń and the intelligence branch of Bydgoszcz], Bydgoszcz 1994, p. 25.

⁷ T. Grabarczyk et al., *Struktura, organizacja i metody działania bydgoskiej ekspozytury polskiego wywiadu w latach 1930-1939* [Structure, organization and methods of operation of the Bydgoszcz branch of Polish intelligence in the years 1930-1939], Toruń, 2002, p. 71.

⁸ T. Sypniewski et al., *Cicha wojna* [Quiet war], "Ziemia Zawkrzeńska" 2005, vol. IX, p. 397.

⁹ Length of the car bodywork was 395 cm, width 172 cm and height 169 cm.

¹⁰ It was equipped with a two-stroke engine.

¹¹ Central Military Archives in Rembertów (hereinafter: CAW), Division II of the Main Staff, I. 303.4.6261.

¹² In connection with some clumsiness which he showed at that time, he was dismissed from work by the first

Poznań¹³ to Mława¹⁴ in February 1930. The car was used in Mława in the years 1930 - 1936. The next vehicle used by the Mława "two boys" was the Fiat 508. It was a quite damaged car. Already in the first year of operation, there was a need for elimination of a very serious defect of the front chassis and steering system¹⁵. Ford had much better opinions of drivers despite the fact that in 1932 the frame of the car was damaged as a result of collision near Drobin¹⁶. Fiat 508, manufactured in Poland as it was, enjoyed certain preferences when it comes to various orders for state institutions, hence it most likely went to Mława, to replace a previously used vehicle. The second vehicle, like Ford, was equipped with a 24HP four-cylinder engine, a four-speed gearbox (3 + 1), and could reach a maximum speed of 90 km/h¹⁷. The bodywork used in Mława was a four-door version. In 1937, this car has been equipped with electrically heated windshield, which was then a big technical novelty¹⁸.

The traffic incident mentioned at the beginning of this paper took place on April 16, 1931, at about 10.30¹⁹, in the center of Mława. Ford²⁰, then driven by Antoni Biegański²¹, participated in a road collision with a truck.

The Mława chauffeur was driving the entrusted to him car, along with the shooter Zgierski, towards the city well, where the Mława drivers had a habit to wash their cars. When leaving from the street Stary Rynek in the direction of 3 Maja st., a Chevrolet truck, registration number BŁ 77492, owned by an entrepreneur from Grajewo, who was also the driver of the vehicle, appeared from the side of Chrobrego st.²². The Ford driver at the last moment noticed that the second car appeared from the right and tried to avoid collision by a sudden turn-left maneuver. It was already too late, however, and the cars, having their sides clutched, crashed into the telephone pole at the corner of 3 Maja and Stary Rynek streets.

As the result of the collision, both vehicles have been damaged. However, in the case of the truck, it was not quite as bad, it was much worse for the Ford. The damages were a broken step, a dented right fender, three broken wheel spokes and indentations in the bumper and the front door²³. The cost of repairing a passenger car was about PLN 485. Initially, a repair was planned at the Mława Auto Salon - Chevrolet Generale Motors, at 5 Żeromskiego st. However, due to insufficient experience of local staff in body and paint repairs and lack of paint drier, it was decided to use the

chauffeur of the Mława intelligence facility Zawistowski.

¹³ The car was purchased at the Ford Motor Company showroom - Authorized Representative Z. Zagórski, Poznań, 17 Ogrodowa st. - CAW, Division II of the Main Staff, I. 303.4.6261.

¹⁴ T. Sypniewski et al., *Metody pracy wywiadowczej i kontrwywiadowczej PO nr 1 w Mławie* [Methods of intelligence and counterintelligence work PD No. 1 in Mława], "Ziemia Zawkrzeńska" 2006, vol. X, p. 77.

¹⁵ Ibidem, p. 104.

¹⁶ One of the consequences of this crash was excessive tire peeling, resulting from the loss of wheel alignment.

¹⁷ A. Władyka et al., *Fiat wszystko o...* [Fiat is all about ...], Warsaw, 1977, p. 32.

¹⁸ T. Sypniewski et al., *Metody pracy wywiadowczej i kontrwywiadowczej PO nr 1 w Mławie* [Methods of intelligence and counterintelligence work PD No. 1 in Mława], "Ziemia Zawkrzeńska" 2006, vol. X, p. 104.

¹⁹ CAW, Division II of the Main Staff, I. 303.4.6262.

²⁰ During its use in Mława, it had two registration numbers successively: PM 53496 and PZ 2033.

²¹ He was then 26 years old and lived in Mława, at 19 Wójtostwo st.

²² It was Mejer Leviton, s. of Tobiasz and Chawa, 30 years old, residing in Grajewo, Rajgrodzka st. - CAW, Division II of the Main Staff, I. 303.4.6262.

²³ CAW, Division II of the Main Staff, I. 303.4.6262.

services of Warsaw companies. The body and mechanical repairs were carried out in the workshop on Białostocka st. and the paint shops at the company on 59 Solec st.²⁴. Waław Pstrągowski, a constable from the local headquarters of the State Police, came to the scene just a few minutes after its occurrence. He immediately secured the scene of the accident, made a situational sketch and collected evidence from direct witnesses of the collision: Ryszard Leńniewski, Gryna Arja, Zygmunt Grochowski, Piotr Uzdowski and Zygmunt Rurek. The number of gathered testimonies can indirectly attest to the extraordinary and exceptional nature of this road incident, which probably resulted from the generally small number of motor vehicles involved in traffic at that time. The policeman's next service action was to check whether both participants had the so-called permit for driving a vehicle (driving licenses). In the course of this inspection, it was established that Antoni Biegański had a green driving license - No. 2806, valid until September 12, 1931, which entitled him to drive any motor vehicles, except those intended for public use²⁵. Also, Mejer Lewiton had a document valid until the 28th of July of 1931, allowing him to drive "trucks used for earnings"²⁶. Relatively short expiration dates of the driving licenses of that time resulted from the fact that, on the basis of the then in force Ordinance of the Minister of Public Works and the Minister of Internal Affairs, issued in agreement with the Minister of Military Affairs of January 27, 1928, about the traffic of motor vehicles on public roads (hereinafter referred to as Regulation)²⁷, all permits were issued for a strictly defined time. For example, the content of §69 of the abovementioned order can be cited here: "Permission to drive vehicles not intended for public use are valid for three years (...)". At the end of this period, the competent regional authority of the general administration could prolong the license²⁸ to drive vehicles for the next three years - § 71 point 2 of the Regulation, unless it stated that "organic or mental defects preventing driving or being subject to addictions are impeding the proper driving of vehicles" - § 58 point (b) of the Regulation.

At the beginning of the 1930s, four types of driving licenses were issued. These were: a) permit to drive any motor vehicles except for motorcycles, b) permit to drive motorcycles with trailer trucks, c) permit to drive motorcycles without trailer trucks, d) permit to drive any motor vehicles, i.e. cars and both categories of motorcycles²⁹. At the end of the 1930s³⁰, there was a return to the earlier, abandoned

²⁴ Ibidem.

²⁵ The permit was issued on hard green paper, in size 12x8. The second type of driving license was issued in turn on the red print. – W. Więclawski, *Historia Prawa Jazdy w Polsce* [History of Driving License in Poland], Gdansk 2013, p. 29.

²⁶ CAW, Division II of the Main Staff, I. 303.4.6262.

²⁷ "Journal of Laws" No. 41, item 396.

²⁸ M. Pyter, *Prawne zasady użytkowania pojazdów mechanicznych w Drugiej Rzeczypospolitej* [Legal rules for the use of motor vehicles in the Second Republic of Poland], „Czasopismo Prawno – Historyczne” 2011, vol. 63, n. 2, p. 101.

²⁹ R. Minchajmer, E. Olechnowicz (ed.), *Nowe przepisy o ruchu samochodowym w Polsce* [New regulations on car traffic in Poland], Warsaw b.r.w., p. 131.

³⁰ Regulation of the Ministers of Communications, Internal Affairs and Military Affairs of 27.XI.1937, issued in agreement with the Minister of Social Security on the movement of motor vehicles on public roads (Journal of Laws No. 85/37, item 616) - § 39 p. 2 letters a) and b).

in 1928, simpler list of driving licenses for professional and non-professional drivers, i.e. those driving vehicles not intended for commercial activities³¹.

After identifying the participants of the incident, the debriefing of the explanations started. After this stage, further investigation was carried out by Commissioner Światała from the Mława police station³², which took over all the evidence collected so far. First of all, he decided to check whether the drivers complied with § 44 item 1 point (b) of the Regulation, namely whether they “gave audible warning signals when approaching an intersection”. In this case, each driver has explicitly confirmed their compliance with this legal norm³³. It is worth noting that in subsequent legal regulations this rather anachronistic requirement to use the sound signal before entering the intersection was abolished³⁴.

Another issue to be clarified was the speed with which both vehicles moved. Some discrepancies have already appeared here. The truck driver claimed that he was driving at a speed of about 2-3 km per hour, while Biegański A. believed that the truck could have been moving with a speed of up to 30 km per hour. Witnesses in this matter spoke unanimously, although not very precisely, that both cars “drove normally”³⁵. The decision on this matter could have been significant due to the fact that the permissible upper limit for trucks on hollow rubber rims³⁶ was 20 km per hour, while for passenger cars with the same tires - 40 km per hour - § 38 of the Regulation. Ford driver claimed that he was moving at a speed of about 5 km per hour. It should be pointed out that, concerning the allowable speed limits, the standard referred to in § 40 point 2 of the Regulation, with the instruction to reduce the speed “(...) at road intersections”, was also applicable here. This rather general formula was in some way completed and detailed by the provision contained in the regulation of the Minister of Public Works and the Minister of Internal Affairs of 26 June 1924 regulating the use and protection of roads³⁷, where in § 15 it was stated that “at (...) road intersections (...) it is forbidden to drive at a speed of more than 6 km per hour (speed of the horse at walk) “.

It is worth noting here that in the regulation of 1928, for the first time in Polish legislation along with numerical speed limits, the general rule was introduced, today referred to as speed adjustment to road conditions. Then it was stated a bit differently indicating that the driver should regulate the speed of his car, so that public safety would not be endangered and so that the driver is in control of his vehicle in every moment³⁸, that is, he is always able to avoid an unfortunate accident³⁹.

³¹ A. Mairanc (ed.), *Kodeks Automobilowy. Ustawy – Rozporządzenia – Okólniki – Orzecznictwo – Komentarz* [The Polish Automotive Code. Laws - Regulations - Circulars - Jurisprudence – Commentary], Warsaw, 1938, p. 103.

³² CAW, Division II of the Main Staff, I. 303.4.6262.

³³ Ibidem.

³⁴ A. Mairanc (ed.), *Kodeks Automobilowy. Ustawy – Rozporządzenia – Okólniki – Orzecznictwo – Komentarz* [The Polish Automotive Code. Laws - Regulations - Circulars - Jurisprudence – Commentary], Warsaw, 1938, p. 142.

³⁵ CAW, Division II of the Main Staff, I. 303.4.6262.

³⁶ Here - tubular tires.

³⁷ Journal of Laws No. 905, item. 611.

³⁸ *Nowe przepisy o ruchu samochodowym w Polsce...*, [New regulations on car traffic in Poland ...], pp. 166-167.

³⁹ A. Tuszyński, E. Olechnowicz, *Egzamin Kierowcy w pytaniach i odpowiedziach. Podręcznik dla szkół*

Law enforcement officers in Mława, seeing the lack of real possibilities to determine the actual speed of vehicles, did not attempt to verify the explanations of the participants of the road accident⁴⁰. However, looking more closely at the police sketch and the long traces of tires marked on the road, it can be concluded that both drivers have been significantly trying to lower the speed of their vehicles.

It seems that the decisive factor in indicating the culprit of the described event was the fact that it occurred at the intersection. In the light of the then binding legal regulations, virtually all intersections were considered equivalent and in accordance with § 40 point 1 of the Regulation, the so-called rule of the right hand specifying that priority should have been given to vehicles approaching from the right side⁴¹. In the light of this regulation, the fault seems to be clearly of the Ford driver.

The only exception to this rule was the situation of special traffic regulations at a given intersection - based on § 54 point (a), in connection with § 40 section 1 of the Regulation, where the voivodship general administration authority was indicated as entitled to, "according to special local conditions related to traffic safety (...), issue (...) detailed provisions on vehicle traffic". In this case, however, no detailed regulations on the streets of Mława⁴² were introduced and therefore it should seem that the previously mentioned rule of the right hand was in force and the policemen should have no doubts as to the culprit. We cannot forget, however, that one of the accident participants was a car of a state institution - Branch II of SG WP and, more importantly, an institution that closely cooperated with the Mława State Police command⁴³.

It seems to be a decisive factor, which determined that on July 20, 1931 the Mława commander of the State Police - J. Szulc, issued a certificate, in which he arbitrarily stated that 3 Maja st., due to its location on the city's communication routes and traffic intensity, should be considered the main street in relation to Chrobrego Street⁴⁴. It was, to put it mildly, a bit strange and bemusing formulation, all the more so because it was released four days after the event. Unfortunately, in his certificate J. Szulc did not indicate any legal basis, so it is difficult to assess its legality. One can only assume that he was not guided by any normative act of a general nature. Perhaps he was using some internal police regulation-instruction⁴⁵, but it is difficult to say unequivocally, because he did not set forth any of such document.

zawodowych mechaników samochodowych – zasady jazdy, przepisy policyjne [Driver's exam in questions and answers. Manual for professional car mechanics schools - driving rules, police regulations], Warsaw b.d.w., p. 198.

⁴⁰ At that time, the method of determining the vehicle speed based on the length of its braking distance was commonly not known, at least not used everywhere.

⁴¹ A similarly sounding order was formulated in § 15 of the Regulation of the Minister of Public Works and the Minister of Internal Affairs of 26.06.1924 regulating the use and protection of roads.

⁴² Such regulations have been introduced in several major cities in Poland, such as Warsaw, Lviv, Krakow and Lodz. Detailed local regulations were applied there, which assumed that vehicles driving along streets where tram lines were running always took precedence over cars entering from side streets - *Nowe przepisy o ruchu samochodowym w Polsce...* [New regulations on car traffic in Poland ...], p. 162.

⁴³ T. Sypniewski, *Cicha wojna* [Quiet war], „Ziemia Zawkrzeńska” 2005, vol. IX, pp. 401-402.

⁴⁴ CAW, Division II of the Main Staff, I. 303.4.6262.

⁴⁵ A. Misiuk et al., *Institucje policyjne w Polsce. Zarys dziejów. Od X wieku do współczesności* [Police institutions in Poland. Outline of history. From the 10th century to the present day], Szczytno 2006, p. 89.

Eventually, the Mława police sent a conclusion to the Starostwo (District Office) in Grajewo, in which, pursuant to art. 21 of the Act of October 7, 1921 on public roads order regulations, it concluded for punishing Mejer Lewiton with a fine⁴⁶. However, the truck driver, at the instigation of his lawyer, refused to pay the fine and the case was referred to court⁴⁷. It is worth noting that this significantly impeded the obtainment of some compensation from the alleged perpetrator of the road collision, which was all the more important because at that time there was no mandatory insurance system of civil liability⁴⁸.

What is worth noting, under the then-binding legal regulations, the Mława police had the option of a procedurally simpler punishment for a driver who violated road traffic regulations. The least complicated procedure was the imposition of the so-called ad hoc penal order of up to PLN 10 by the police officer. However, several conditions had to be met here, including, among others: there could be no doubt as to the person who violated the law, and it was necessary to obtain a statement that the guilty should pay the fine without delay. If such an order was accepted, it was considered legally valid and not entitled to any appeal. However, when the suspected violator of the law did not consent to the adoption of this order, criminal and administrative proceedings were initiated against the given person. It had the judicial character with all legal and procedural regimes typical for such proceedings. As a result, it was possible to impose a fine of over PLN 50 and detention for more than three days. The convicted person was entitled to a 7-day period for submitting an appeal to the competent District Court⁴⁹.

Initially, the then chief of PD No. 1 in Mława was planning to file a civil lawsuit against an entrepreneur from Grajewo. For this purpose, he was even provided with proper empowerment by Maj. J. Zychoń, the head of the intelligence branch in Bydgoszcz, to which the Mława branch was subjected, because the car, for conspiracy reasons, was registered as private under the name of Jan Zychoń, residing in Bydgoszcz, 2 Cieszkowskiego st.⁵⁰ However, due to the fact that, on one hand, a possible process could expose PD No. 1 organization, and on the other hand, the car was formally and legally owned by the State Treasury and lieut. Tadeusz Górowski could not independently claim a damage, ultimately it was decided to waive these intentions. Certainly, the fact of the dubious legal basis on which the Chevrolet driver's guilt was based had a great importance in this case.

As can be seen from the example of a road incident like cullet at the intersection of Mława's streets, legal regulations regarding road traffic in the 1930s were only in the phase of formation, evolution, and adaptation to a relatively new phenomenon – growing public road traffic. The precursor in Europe of legal regulations in this area

⁴⁶ As part of this procedure, it was possible to impose a fine of up to PLN 1,000 and arrest the perpetrator of the accident for up to six weeks. There was also the possibility of combining both of these legal ailments - *Nowe przepisy o ruchu samochodowym w Polsce...* [New regulations on car traffic in Poland ...], pp. 189 - 190.

⁴⁷ CAW, Division II of the Main Staff, I. 303.4.6262.

⁴⁸ H. Altkorn et al., *Ściganie przestępstw „samochodowych i motocyklowych”* [The prosecution of „motor and motorcycle” crimes], „Na posterunku” 1936, No 11, p. 177.

⁴⁹ *Nowe przepisy o ruchu samochodowym w Polsce...*, [New regulations on car traffic in Poland ...], pp. 191 - 193.

⁵⁰ CAW, Division II of the Main Staff, I. 303.4.6262.

was France, whose initiative resulted in the meeting of the International Commission in Paris in 1909. Its goal was to develop a single road code for all signatory countries. Then, in addition to the provisions ordering the technical equipment of cars, regulations establishing the first road signs⁵¹ were introduced. Poland, after regaining its independence⁵², also ratified the Convention by the Act of September 26, 1922⁵³. At that time, our country received the symbol “PL” as the international hallmark⁵⁴. Almost simultaneously under the ratifying act⁵⁵, the first road signs appeared on Polish roads.

Soon, also under the Ordinance of the Minister of Public Works and the Minister of Internal Affairs of On 26 June 1924, regulating the use and protection of roads, detailed technical requirements to be met by road signs were introduced. In § 52 point (b) the above-mentioned regulation stated that the traffic sign should be applied to a round disc with a diameter of 50 cm, placed on a post with a height of 2.50 m. The sign was to be painted white on a dark blue background.

At that time, the descriptions of road signs were slightly modified and from that moment they were as follows:

1. humps, uneven roads (so-called “donkey bridges”), sewage through the road and other permanent obstacles of this type;
2. sharp turns dangerous for fast car traffic;
3. road crossings with hard surfaces;
4. railway crossings in one level.

An additional road sign was added to signal any interruptions in communication and compulsory traffic stops.

As you can see, in the 1930s, in the vicinity of Mława⁵⁶ it was possible to meet just five types of road signs discussed above. Road organizers of the time quite often had to put additional signs, prepared ad hoc for local needs, in order to mark a specific threat or limit the traffic. Those contained the appropriate pictogram and proper description with information for the participants of the traffic⁵⁷.

Formally speaking, such a local traffic sign should also be set in Mława, at the intersection of Chrobrego and Stary Rynek streets to show the priority road. Otherwise, the intersection at the time of the road collision should be considered as equal. In addition to the aforementioned 1909 Convention, Poland, after regaining independence, began to create its own internal legal system regulating issues related to road

⁵¹ M. Rynowiecki, *Historia znaków drogowych* [History of road signs], www.mary.win.pl [20.03.2010].

⁵² The first regulations ordering rules of road traffic were established in Poland in 1826, but it was not until almost a hundred years later that in 1921 the first Polish highway code was created - materials placed on www.autotest.onet.pl, courtesy of Jerzy Kociszewski, the owner of the “Modraczek” driving school in Bydgoszcz [March 20, 2010].

⁵³ The text of the Convention, together with the Polish translation was published in 1923 in the Journal of Laws No 86, item 668.

⁵⁴ M. Rynowiecki, *Historia znaków drogowych* [History of road signs], www.mary.win.pl [20.03.2010].

⁵⁵ Annex D to the ratified Convention.

⁵⁶ These signs were not allowed to be put in built-up areas - *Kodeks Automobilonowy. Ustawy – Rozporządzenia – Okólniki...* [The Polish Automotive Code. Laws - Regulations - Circulars ...], p. 23.

⁵⁷ M. Rynowiecki, *Historia znaków drogowych* [History of road signs], www.mary.win.pl [20.03.2010].

traffic⁵⁸. The basic legal act in this area was the Act of October 7, 1921 on public roads order regulations⁵⁹. It was divided into five chapters⁶⁰ and 27 articles. From the point of view of vehicle traffic regulation on public roads, the most important were art. 4, 5 and 6. The provision contained in art. 5, which indicated issues to be regulated by relevant ministers with lower-ranking legal acts was especially substantial. Also, the entire chapter V, which regulates the procedures and nuisance fines imposed on those not adhering to the road traffic regulations, played a significant role.

Using a statutory delegation, the Minister of Public Works and the Minister of Internal Affairs prepared and jointly adopted⁶¹ a regulation on the traffic of cars and other motor vehicles on public roads⁶². It was the first normative act in the history of Poland, which among others regulated in detail the subject matter related to the technical conditions which were to be met by motor vehicles allowed for traffic⁶³, requirements and examination procedures to be met and passed by all candidates for drivers⁶⁴, and legal norms regulating the rules of traffic and use of public roads⁶⁵.

It is worth mentioning here, in the context of the previously described road incident in Mława, that this regulation does not indicate any priority rules for crossing road intersections. Only instructions on giving “acoustic warning signals especially before corners and crossroads” have been given. The so-called rule of the right hand was implemented for the first time by the ordinance of the Minister of Public Works and the Minister of the Interior of June 26, 1924⁶⁶ on regulating the use and protection of roads. It seems that Chapter III has been intentionally added to this regulation, which attempts to additionally regulate all matters related to vehicle traffic, which were omitted from the order of July 6, 1922, and the need for implementation of which resulted from current practice.

The great dynamics of changes brought by the development of motorization and the related need for legal ordering and regulation of new issues related to the use of public roads can be demonstrated by the fact that the regulation of July 6, 1922 was only six years old. On January 27, 1928, the Minister of Public Works and the Minister of the Interior in agreement with the Minister of Military Affairs passed a regulation on the traffic of motor vehicles on public roads⁶⁷.

The above-mentioned normative act was in force at the time of the previously discussed road collision in Mława. It attempted to codify any behaviors and problems that appeared during the current use of public roads, among others a provision

⁵⁸ M. Hładij, *Prawo automobilowe w Drugiej Rzeczypospolitej w świetle podstawowych regulacji normatywnych* [Automotive law in the Second Polish Republic in the light of basic normative regulations], „Czasopismo Prawno – Historyczne” [Legal and Historical Journal] 2003, vol. 55, n. 1, pp. 87-89.

⁵⁹ Journal of Laws No. 89, item. 656.

⁶⁰ I. General provisions, II. Regulations regarding the use and protection of roads, III. Road maintenance regulations, IV. Penal provisions, V Final provisions.

⁶¹ On 06.07.1922.

⁶² Journal of Laws No. 65, item. 587.

⁶³ Chapters B, C and D of the Regulation of 06.07.1922.

⁶⁴ E Chapter of the Ordinance of 06.07.1922.

⁶⁵ Chapter F of the Regulation of 06.07.1922.

⁶⁶ Journal of Laws No. 61, item. 611.

⁶⁷ Journal of Laws No. 41, item. 396.

on the use of so-called right hand rules at public road intersections.

However, the dynamics of changes taking place in this relatively new area of life, which was the intensifying traffic on public roads, required a number of further adjustments and revisions. Thus, normative acts regulating the rules of motor vehicle traffic were repealed twice and replaced with newer legal acts. The first adjustment took place on January 15, 1933, when the Minister of Communications and the Minister of the Interior in agreement with the Minister of Military Affairs passed a regulation on the movement of motor vehicles on public roads⁶⁸. Another normative act in this area was passed by the Ministers of Communications, Internal Affairs and Military Affairs in agreement with the Minister of Social Welfare on October 27, 1937⁶⁹.

In the interwar period, legal regulations concerning traffic on public roads were quite strongly dispersed over various normative acts. This is best illustrated in the Instruction dated October 14, 1930, issued by the Minister of Public Works and the Minister of the Interior for state officials of the road service, appointed to perform traffic control on public roads (traffic controllers)⁷⁰. In § 2 point 1, it was indicated that “the duties of traffic controllers include: ensuring compliance with applicable provisions”, after which seven normative acts were named, and in many cases not as a whole document, but only their individual parts concerning specific issues related to public roads .

Bibliography

- Altkorn H. et al., *Ściganie przestępstw „samochodowych i motocyklowych”* [The prosecution of “motor and motorcycle” crimes], „Na posterunku” 1936, No 11.
- CAW, Division II of the Main Staff, I. 303.4.6261.
- CAW, Division II of the Main Staff, I. 303.4.6262.
- Central Military Archives in Rembertów (hereinafter: CAW), Division II of the Main Staff, I. 303.4.6261.
- Chapter F of the Regulation of 06.07.1922.
- Chapters B, C and D of the Regulation of 06.07.1922.
- E Chapter of the Ordinance of 06.07.1922.
- Grabarczyk T. et al., *Struktura, organizacja i metody działania bydgoskiej ekspozytury polskiego wywiadu w latach 1930-1939* [Structure, organization and methods of operation of the Bydgoszcz branch of Polish intelligence in the years 1930-1939], Toruń 2002.
- Hładij M., *Prawo automobilowe w Drugiej Rzeczypospolitej w świetle podstawowych regulacji normatywnych* [Automotive law in the Second Polish Republic in the light of basic normative regulations], „Czasopismo Prawno – Historyczne” [Legal and Historical Journal] 2003, vol. 55, n. 1.
- Jastrzębski W. et al., *Major Żychoń i bydgoska ekspozytura wywiadu* [Major

⁶⁸ Journal of Laws No. 9, item. 55.

⁶⁹ *The motorist's guidebook is of year 1939*, Lviv 1938, pp. 196-197; Journal of Laws No 85/37, item 616.

⁷⁰ Journal of Laws No. 252, item. 343.

- Żychoń and the intelligence branch of Bydgoszcz], Bydgoszcz 1994.
- Journal of Laws No. 252, item. 343.
 - Journal of Laws No. 9, item. 55.
 - Journal of Laws No. 41, item. 396.
 - Journal of Laws No. 61, item. 611.
 - Journal of Laws No. 89, item. 656.
 - Juskiewicz R. et al., *Mława – jej dzieje (lata 1914-1939)* [Mława – its history (1914-1939)], vol. III (Third part), Mława 2004.
 - Mairanc A. (ed.), *Kodeks Automobilowy. Ustawy – Rozporządzenia – Okólniki – Orzecznictwo – Komentarz* [The Polish Automotive Code. Laws – Regulations – Circulars – Jurisprudence – Commentary], Warsaw 1938.
 - Minchejmer R., Olechnowicz E. (ed.), *Nowe przepisy o ruchu samochodowym w Polsce* [New regulations on car traffic in Poland], Warsaw b.r.w.
 - Misiuk A. et al., *Instytucje policyjne w Polsce. Zarys dziejów. Od X wieku do współczesności* [Police institutions in Poland. Outline of history. From the 10th century to the present day], Szczytno 2006.
 - Pyter M., *Prawne zasady użytkowania pojazdów mechanicznych w Drugiej Rzeczypospolitej* [Legal rules for the use of motor vehicles in the Second Republic of Poland], „Czasopismo Prawno – Historyczne” 2011, vol. 63, n. 2.
 - Rynowiecki M., *Historia znaków drogowych* [History of road signs], www.mary.win.pl [20.03.2010].
 - Smoliński W. T. et al., *Związki i zrzeszenia gospodarczo-finansowe w Mławie międzywojennej 1918-1939* [Economic and financial unions and associations in interwar Mława 1918-1939], „Ziemia Zawkrzeńska” 1996, vol. III.
 - Sypniewski T. et al., *Cicha wojna* [Quiet war], „Ziemia Zawkrzeńska” 2005, vol. IX, p. 397.
 - Sypniewski T. et al., *Metody pracy wywiadowczej i kontrwywiadowczej PO nr 1 w Mławie* [Methods of intelligence and counterintelligence work PD No. 1 in Mława], „Ziemia Zawkrzeńska” 2006, vol. X.
 - *The motorist's guidebook is of year 1939*, Lviv 1938.
 - Tuszyński A., Olechnowicz E., *Egzamin Kierowcy w pytaniach i odpowiedziach. Podręcznik dla szkół zawodowych mechaników samochodowych – zasady jazdy, przepisy policyjne* [Driver's exam in questions and answers. Manual for professional car mechanics schools - driving rules, police regulations], Warsaw b.d.w.
 - Węclawski W., *Historia Prawa Jazdy w Polsce* [History of Driving License in Poland], Gdansk 2013.
 - Władyka A. et al., *Fiat wszystko o...* [Fiat is all about ...], Warsaw 1977.