CHAPTER 289A
ROAD TRAFFIC ACT

• Act • Subsidiary Legislation •

ACT

Act No. 20 of 1993

Amended by

Act No. 37 of 1993
Act No. 25 of 1994
SRO 34 of 1995
Act No. 26 of 1996
Act No. 22 of 1997
Act No. 16 of 1998
Act No. 17 of 2001
Act No. 8 of 2002
Act No. 18 of 2002
Act No. 23 of 2002
Act No. 11 of 2007

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CHAPTER 289A
ROAD TRAFFIC ACT

An Act to make better provision for the regulating of Road Traffic and Motor Vehicles.

[Act No. 20 of 1993 amended by Act No. 37 of 1993, Act No. 25 of 1994, SRO 34 of 1995, Act No. 26 of 1996, Act No. 22 of 1997, Act No. 16 of 1998, Act No. 17 of 2001, Act No. 8 of 2002, Act No. 18 of 2002, Act No. 23 of 2002, Act No. 11 of 2007.]

[1*st September*, 1993.]

PART I

Preliminary

1. Short title

This Act may be cited as the Road Traffic Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"agricultural tractor" means a tractor used exclusively for agricultural purposes under the authority of a licence issued by the Licensing Authority under this Act;

"agricultural trailer" means a trailer used exclusively for agricultural purposes under the authority of a licence issued by the Licensing Authority under this Act;

"authorised officer" means a person appointed pursuant to the provisions of section 3A;

"Board" means the Grenada Transport Board established by section 3;

"Chief Technical Officer" means the Chief Technical Officer in the Ministry of Communications and Works;

"combination" means a group consisting of a motor vehicle connected to one or more other vehicles;

"commercial vehicle" means a goods vehicle available for hire or reward and not used by the owner for the transport of his or her own goods exclusively;

"cycle" means motor cycle;

"demerit point" means a point recorded pursuant to section 50 against the name of a driver of a motor vehicle as part of a penalty on his or her conviction for an offence under this Act;

"diplomat" means a head of mission or any member of the staff of a head of mission certified to the Licensing Authority, by or on behalf of the Minister responsible for foreign affairs, to be a diplomat;

"driver" includes any person actually driving or riding a motor vehicle at any given time and any person in charge thereof for the purpose of driving or riding at any time when the same is stationary on any road;

"driving" includes being in charge of a motor vehicle for the purpose of driving or riding at any time when the motor vehicle is stationary on any road;

"driving licence" means a licence issued in accordance with Part IV and kept in the form specified in section 42;

"freight passenger vehicle" means a motor vehicle constructed for the purpose of carrying both passengers and goods and which is approved by the Licensing Authority as suitable for that purpose;

"goods" includes—

(*a*) animals, whether such animals are dead or alive; or

(*b*) a container, whether such container is empty or full;

"goods vehicle" means a motor vehicle which is so constructed or adapted as to show that its primary purpose is the carriage or haulage of goods, merchandise or other loads;

"head of mission" means an Ambassador, High Commissioner or other person, by whatever title called, accredited by a Sovereign power or by an intergovernmental institution and recognised as such in Grenada by the Government of Grenada;

"hiring car" or "taxi" means a public service vehicle having seating accommodation for not more than thirteen passengers and which is of a type approved by the Licensing Authority as suitable for the ordinary purposes of a taxi;

"Inspector" means any person appointed under the provisions of this Act to carry out the inspection, examination and making of reports on the condition of vehicles or for other purposes of this Act;

"Licensing Authority" means the authority appointed in accordance with the provisions of section 4 for the registration, licensing and control of motor vehicles;

"loader" means a person who—

(*a*) loads a vehicle or combination;

(*b*) supervise the loading of a vehicle or combination;

(*c*) manages to control an activity in paragraph (a) or (b);

"load of a vehicle or combination" means—

(*a*) all goods, passengers and drivers in or on the vehicle or combination;

(*b*) all fuel, water, lubricants and readily removable equipment necessary for normal operation of the vehicle;

(*c*) any personal items of the driver of the vehicle;

"Maximum Gross Weight" or "MGW", in reference to a goods vehicle, means the tare together with the load including the weight of the driver and loaders, and in reference to a motor omnibus means the tare together with the weight of the driver, conductor and number of passengers for which the vehicle is licensed; and for the purposes of this definition the weight of each person to be carried shall be taken as 126 pounds;

"MGW" means Maximum Gross Weight;

"Minister" means the Minister responsible for Communications and Works;

"minor risk breach" means—

(*a*) a breach of a mass requirement where the subject matter of the breach is less than a hundred and five per cent of the MGW, which is the MGW plus an additional per cent less than five per cent, rounded to the nearest—

(i) 0.01 tonne, or

(ii) 0.5 tonne, whichever is the greatest;

(*b*) a breach of a dimension where—

(i) the subject matter of the breach is less than a projection of 40 millimetres measured from a side of the maximum permissible dimension limit as prescribed,

(ii) the load projects from both sides of the vehicle and the length of the projection from one side is greater than the length of the projection from the one side is greater than the projection from the other side, in which instance, the breach is categorised by reference to the longer projection, or

(iii) the overall length of the vehicle or combination with or without load, is not more than 0.35 metre over the maximum permissible dimension limit as prescribed;

(*c*) a breach of load restraint requirement where the loss or shifting of a load—

(i) has not occurred,

(ii) is not imminent, and

(iii) is assessed by the authorised officer not to involve an appreciable risk of harm to public safety; road and road infrastructure and amenity for the environment, where it occurs;

"motor cycle" means a motor vehicle with less than four wheels and which has a horizontal bar type steering mechanism;

"motor lorry" means a goods vehicle which is itself constructed to carry goods, merchandise or other loads;

"motor omnibus" means a public service vehicle other than one licensed as a "hiring car" or "taxi", and includes a light motor omnibus having seating accommodation for not more than seventeen passengers, a heavy motor omnibus having seating accommodation for more than seventeen passengers and a freight passenger vehicle;

"motor vehicle" means any mechanically propelled vehicle manufactured or intended or adapted for use on roads;

"night" means the period from half an hour after sunset until half an hour before sunrise;

"overtaking" includes one vehicle passing or attempting to pass any other vehicle that is proceeding in the same direction as that of the vehicle so passing or attempting to pass the other vehicle;

"owner"—

(*a*) in the case of a motor vehicle that is registered, means the person in whose name the vehicle is registered and includes the person who has custody or control of the motor vehicle;

(*b*) in the case of a motor vehicle that is not registered, includes the person in actual charge or possession of the vehicle in Grenada:

Provided that, in the case of a motor vehicle which is the subject of a hire purchase agreement, it means the person in possession of the vehicle under that agreement; and

Provided further that whenever the registered owner of a motor vehicle is absent from Grenada, the person in actual charge or possession of the vehicle in Grenada shall be deemed to be the owner thereof;

"parking" means causing or permitting a vehicle, whether occupied or not, to stand on a road, except—

(*a*) while the vehicle is being loaded or unloaded;

(*b*) while passengers are entering or leaving the vehicle;

(*c*) in compliance with the directions of a member of the Police Force or of a traffic sign or with the requirements of traffic regulations;

(*d*) while temporarily stopped by reason of traffic conditions; or

(*e*) while stopped owing to mechanical breakdown or lack of fuel;

"parking place" means—

(*a*) a place designated as such by the Minister; or

(*b*) a place where motor vehicles of any particular class or description may wait;

"private motor car" means any motor vehicle other than a goods vehicle or a public service vehicle;

"public safety" means the safety of persons or property, including the safety of—

(*a*) the drivers and passengers in vehicles and combinations;

(*b*) persons in or in the vicinity of, or likely to be in or in the vicinity of roads infrastructure and public places; and

(*c*) vehicles and comination and heavy loads on or in them;

"public service vehicle" means a motor vehicle used for carrying passengers for hire or reward, whether at separate and distinct fares for their respective places or not;

"quadbike" means a vehicle with four wheels which has a steering mechanism similar to that of a motor cycle;

"responsible person", in relation to a vehicle or combination, means—

(*a*) the owner of the vehicle;

(*b*) the driver of the vehicle;

(*c*) the registered operator in respect of the vehicle; or

(*d*) the person with responsibility for carrying or moving the vehicle;

"risk breach" means, in respect of a load, a minor risk breach, a substantial risk breach or a severe risk breach, respectively;

"road" means an area that is open to, or used by the public and developed for, or has as one of its main uses, the driving, riding or parking of a vehicle or other traffic;

"road infrastructure " means—

(*a*) a road, including its surface or pavement;

(*b*) anything under or supporting a road or its surface or pavement and maintained by the State or an agency of the State;

(*c*) any bridge, tunnel, causeway, road ferry, ford or other work or structure forming part of a road system or supporting a road;

(*d*) any bridge or other work or structure located above, in or on a road and maintained by the State or an agency of the State; or

(*e*) anything as may be prescribed by the Minister;

"road-related area " means—

(*a*) an area that divides a road;

(*b*) a foot path or nature strip adjacent to a road;

(*c*) an area that is open to the public and is designed for use by cyclists or animals;

(*d*) an area that is not a road that is open to or used by the public for driving, riding or parking of vehicles;

(*e*) a shoulder of a road;

(*f*) any other area that is open to or used by the public and designated a road pursuant to the provisions of the Physical Planning and Development Control Act, Chapter 241A;

"road transport" means the transport of goods or passengers or both involving the use of a road or road infrastructure by means of a vehicle or combination of vehicle and trucks;

"safe location" means a location that a police officer acting upon the advice of an authorised officer, believes poses a reduced risk or no appreciable risk to public safety, the environment, road, wall infrastructure or related area, or public amenity;

"severe risk breach" means—

(*a*) a breach of a mass requirement where the subject matter of the breach is a hundred and twenty per cent or more of the MGW, which is the MGW plus an additional twenty per cent or more, rounded to the nearest 0.1 tonne;

(*b*) a breach of a dimension requirement as prescribed where—

(i) the projection from a side of the vehicle is eighty millimetres or over, measured from a side of the vehicle or combination, and where the load projects from the vehicle on both sides, the breach shall be categorised by the longer projection,

(ii) the height, with or without load, is 0.6 metre or more over the maximum permissible limit,

(iii) the overall length of the vehicle or combination, with or without load, is 0.6 metre or more over the maximum permissible dimension limit as prescribed; and

(*c*) the loss or shifting of a load has occurred and is assessed by an authorised officer to involve an appreciable risk of harm to public safety, road and road infrastructure, public amenity or the environment;

"substantial risk breach" means—

(*a*) a breach of a mass requirement where the subject matter of the breach is equal to or greater than a hundred and five per cent of the MGW, that being the MGW plus an additional per cent greater than five per cent, rounded to the nearest tonne; or

(*b*) a breach of a dimension requirement where—

(i) the projection from a side of the vehicle is equal to but not greater than eighty millimetres measured from a side of the vehicle or combination, and the load projects from the vehicle on both sides of

the vehicle; in which instance the breach is categorised by the longer projection,

(ii) the height, with or without load, is fifty millimetres over the maximum permissible dimension limit as prescribed,

(iii) the overall length of the vehicle or combination, with or without load, exceeds thirty-five metres over the maximum permissible dimension limit; or

(*c*) a loss or shifting of a load which in the opinion of the authorised officer—

(i) has already occurred or is imminent and is assessed by the authorised officer not to involve an appreciable risk of harm to public safety, road and road infrastructure, public amenity or the environment,

(ii) even if it is not occurring or imminent and is assessed by the authorised officer to involve an appreciable risk of harm to public safety, road and road infrastructure, public amenity or the environment;

"taxi" means "hiring car";

"ton" means the Imperial ton of 2,240 lbs.;

"tractor" means any motor vehicle constructed for the purpose of hauling trailers whether or not it is itself capable of carrying passengers or goods but does not include a goods vehicle or motor lorry so constructed except when such goods vehicle or motor lorry is hauling a trailer;

"traffic" includes vehicles of every description, pedestrians and all animals being ridden, driven or led;

"traffic sign" means any object or device (whether fixed or portable) for conveying to traffic on a road or to any particular class of traffic, warnings, information, requirements, restrictions or prohibitions of any description and a reference to the erection or placing of a traffic sign includes a reference to the displace thereof in any manner whatsoever (whether or not involving fixing or placing);

"trailer" means a vehicle that—

(*a*) is built to be towed or is towed by a motor;

(*b*) is not capable of being propelled in the course of normal use on a road without being towed by a motor vehicle;

"vehicle" means any description of vehicles on wheels used in the transportation of goods or passengers.

3. Grenada Transport Board

(1) There is hereby established for the purposes of this Act a body called the Grenada Transport Board (hereinafter referred to as the Board) consisting of the Chief Technical Officer as chairperson, the Commissioner of Police, the Officer-in-Charge of the Traffic Department of the Police Force, a representative of the Attorney-General from the Ministry of Legal Affairs, a representative of insurance companies appointed by the Minister, and not less than three but no more than five other persons appointed by the Minister, at least two of which such other persons shall ordinarily represent the interests of owners of public service vehicles.

In the absence of the chairperson the members present shall elect one of their members to preside as chairperson of the meeting. The Board may act by any three of their members and may so act notwithstanding any vacancy in the numbers constituting the Board. The Board shall have the power to regulate their procedure.

(2) The Permanent Secretary in the Ministry of Communications and Works shall be the Secretary to the Board and, subject to the directives of the chairperson, shall be responsible for co-ordinating the activities of the Board.

(3) The Board shall act in an advisory capacity and shall advise the Minister on all matters pertaining to road transport and traffic and in particular as to the following matters—

(*a*) transport rates, fares, tolls, dues or other charges;

(*b*) licence duties and fees in respect of motor and other vehicles;

(*c*) customs and excise duties in respect of transport vehicles and fuel therefor;

(*d*) the needs of any area or areas in relation to traffic (including the provision of adequate, suitable and efficient services and the elimination of unnecessary or unremunerative services) and the co-ordination of all forms of passenger and goods transport;

(*e*) road safety;

(*f*) the regulation and control of traffic;

(*g*) any other matter affecting traffic or transport that the Minister may refer to the Board;

(*h*) regulating road transport.

(4) The Board shall hear and determine any appeal submitted by any aggrieved person against any order or decision of the Licensing Authority, or of a Licensing Officer, and the Board's decision shall be final and conclusive.

(5) No rates, fares, tolls, dues or other charges charged by public service vehicles shall be increased except with the prior written approval of the Minister advised by the Board under subsection (3).

(6) Any owner, driver or conductor of any public service vehicle, or any other person on their behalf, who knowingly demands, collects, or attempts to collect any increase in the rate, fare, toll, due or other charge charged by such vehicle when such owner, driver, conductor or other person knows or ought to know that such increase has not had the prior written approval of the Minister advised by the Board under subsection (3) commits an offence.

(7) The Board shall perform such other duties as are assigned to it by this Act or regulations made hereunder.

3A. Appointment of authorised officer

(1) The Grenada Transport Board may, by instrument in writing, appoint persons to be authorised officers for the purposes of this Act.

(2) An authorised officer appointed pursuant to subsection (1), shall be accountable to the Permanent Secretary in the Ministry of Communications and Works and shall have such powers as may be prescribed.

(3) The Grenada Transport Board shall issue an authorised officer with an identification card.

(4) An identification card issued pursuant to subsection (3), shall contain a photograph of the authorised officer, the name of the Grenada Transport Board; and—

(*a*) the name and signature of the officer; and

(*b*) a unique number that has been issued to the officer by the Grenada Transport Board.

(5) An authorised officer who is exercising or about to exercise a power pursuant to the provisions of this Act, shall be required to comply with a request by the owner or driver of the vehicle concerned to identify himself or herself by producing his or her identification.

4. Licensing Authority, Licensing Officers and Inspectors

(1) The Commissioner of Police shall be the Licensing Authority and shall as such be charged with responsibility for the registration, licensing and inspection of all motor vehicles, the issue of driving licences, and such other matters as are assigned to him or her by this Act or any regulations made hereunder.

(2) The Licensing Authority may appoint Licensing Officers and Inspectors to serve in various localities to ensure the proper carrying out of the provisions of this Act and regulations made hereunder.

(3) All Licensing Officers and Inspectors shall be under the direction of the Licensing Authority.

(4) All licences and certificates of registration shall be issued by Licensing Officers on behalf of the Licensing Authority.

PART IA

Inspection of Loads of Vehicle or Combination

4A. Establishment of protocols and guidelines

In determining the necessary procedures for the operation of the provisions of this Part, the Permanent Secretary in the Ministry of Communications and Works and the Commissioner of Police shall establish such protocols and guidelines that are deemed necessary for the effective implementation of the provisions of the Act.

4B. Duty of responsible person

A responsible person shall—

(*a*) exercise reasonable care in order to ensure that a vehicle or combination for which he or she is responsible conforms to the mass, dimension or load restraint requirement prescribed in respect of that vehicle;

(*b*) shall not drive or cause to be driven along a road, any vehicle or combination that contravenes the mass, dimension or load restraint requirement prescribed in respect of that vehicle.

4C. Categories of risk breaches

For the purposes of this Act, a breach of a maximum mass, dimension or load restraint requirement as prescribed or as registered in respect of a vehicle or combination may be categorised as follows—

(*a*) a minor risk breach;

(*b*) a substantial risk breach;

(*c*) a severe risk breach.

4D. Power of police officer to stop vehicle and measure load

(1) A police officer, acting on the advice and expertise of an authorised officer, shall stop a vehicle or combination, which he or she believes is the subject matter of a risk breach and shall—

(*a*) require the driver of the vehicle or combination to—

(i) produce a written record of the actual MGW in respect of the vehicle or combination, or

(ii) provide such information in relation to where and by whom the vehicle or combination was loaded;

(*b*) require that the MGW of the vehicle be measured in accordance with the provisions of section 119;

(*c*) subject to subsection (2), and acting on the advice and expertise of an authorised officer, direct the responsible person of the vehicle or combination not to proceed on its destination, but to go to a safe location until the specified breaches of mass, dimension or load restraint requirements have been rectified.

(2) Where pursuant to subsection (1) the police officer, acting on the advice and expertise of an authorised officer, believes that the vehicle or combination commits a minor risk breach, the police officer shall issue a police notice pursuant to section 97, for an amount specified in the Third Schedule in respect of the breach, and shall, where he or she does not give a direction pursuant to subsection (1)(*c*), allow the vehicle or combination and load to proceed on its destination.

(3) Where pursuant to subsection (1), the police officer, acting on the advice and expertise of an authorised officer, believes that the vehicle or combination commits a substantial risk breach, the police officer shall—

(*a*) issue a notice to the owner of the vehicle in accordance with section 97, for an amount specified in the Third Schedule in respect of that breach specified for that offence; and

(*b*) drive away or tow away, or require the driver to drive away or tow away, the vehicle in accordance with the provisions of section 30.

(4) In addition to the penalties stipulated under subsection (3), the police officer may also charge the driver of the vehicle or combination with an offence pursuant to the provisions of section 57.

(5) Where pursuant to subsection (1), the police officer, acting on the advice and expertise of an authorised officer, believes that the driver of a vehicle or combination commits a severe risk breach, the police officer shall—

(*a*) drive away or tow away, or require the driver to drive away or tow away, the vehicle in accordance with the provisions of section 30; and

(*b*) charge the driver of the vehicle for an offence pursuant to section 56.

4E. Duty and liability of loader

(1) A loader of a vehicle or combination shall exercise reasonable care in order to ensure that the vehicle or combination is loaded in a manner that conforms to the mass, dimension and load restraint requirement allowed in respect of that vehicle.

(2) The loader of a vehicle or combination who fails to comply with the provisions of subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding twelve thousand dollars or to a term of imprisonment not exceeding three years.

4F. Duty of loader to keep records

(1) The loader of a vehicle or combination shall keep a record of—

(*a*) the weight of a load in respect of the vehicle or combination;

(*b*) the date the load was placed in the vehicle or combination;

(*c*) the instrument or method used to measure the load of the vehicle or combination; and

(*d*) the name of the operator of the measuring instrument, if applicable.

(2) The loader of a vehicle or combination who fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding three thousand dollars or to a term of imprisonment not exceeding three months.

PART II

Registration of Motor Vehicles

5. Motor vehicle registers

(1) The Licensing Authority shall keep registers of motor vehicles in the prescribed forms and separate registers shall be kept by the Licensing Officer in any locality as directed by the Licensing Authority.

(2) Every Licensing Officer shall forward to the Licensing Authority a copy of every entry made in his or her local register.

(3) The Licensing Authority shall supply to any person applying for a copy of the entries relating to any specified vehicle a certificate extract of these entries on payment by the applicant of the relevant fee set out in Part III of the First Schedule.

6. Registration of motor vehicles

(1) No person shall, in any place, use or keep for use or, being the owner, permit any other person to use or keep for use any motor vehicle except a vehicle exempted from registration, unless it is registered under this Act and has affixed thereto the prescribed identification mark in the prescribed manner, and any motor vehicle tax regarding its registration required to be paid in accordance with any law has been paid.

(2) No person shall be convicted of an offence against this section if he or she proves that he or she has taken all reasonable steps to comply with its requirements, or that the vehicle was in use on a road on its way for the purpose of being registered or of being examined or inspected under section 7 for the purpose of being registered.

(3) Application for the registration of a motor vehicle shall be made by the owner on the prescribed form, and he or she shall pay the relevant fee set out in Part III of the First Schedule.

(4) The Licensing Officer to whom application is made shall, upon being satisfied that this Act and the Motor Vehicles Insurance (Third Party Risks) Act, Chapter 202, and regulations respectively made thereunder, have been complied with, forthwith enter particulars of the vehicle in the register, and shall assign to the vehicle a registered identification mark or registration mark, comprising a registration letter or registration letters and a registration number or registration numbers or a registration figure or registration figures, the letter or letters or one of the letters as the case may be representing the class of such vehicle or the parish in which the applicant resides.

(5) A certified extract or copy of the entry in the register, in the prescribed form, shall be given to the owner of the vehicle, and such certificate of registration shall be regarded as *prima facie* evidence that the vehicle to which it refers has been registered.

(6) If a motor vehicle does not bear on it an identification mark as provided by this section, this fact shall be regarded as *prima facie* evidence that the vehicle has not been registered, and any member of the Police Force may detain such a vehicle until enquiries have been made.

(7) The onus of proving that a vehicle has been registered rests upon the owner of the vehicle.

(8) The owner of a motor vehicle shall forward his or her certificate of registration for amendment, on notifying the Licensing Authority of any circumstance or event which affects the accuracy of the entries in the register. A Licensing Officer may at any time call upon any owner of a motor vehicle to furnish all information for the verification of the entries in the register relating to the vehicle.

(9) Whenever the registered owner of a motor vehicle is about to absent himself or herself from the State for at least three months leaving his or her registered vehicle in the State, he or she shall notify the Licensing Authority in writing of the name and address of the person, if any, in whose charge or possession the vehicle will be left.

(10) No person shall be registered as the owner of a motor vehicle unless he or she is at least eighteen years of age.

7. Examination of motor vehicles

(1) Before registering any motor vehicle or trailer the Licensing Officer shall verify all the particulars entered on the application form and may, if he or she deems it necessary, send any vehicle to be examined or inspected by an Inspector for the purpose of ensuring that it is of the construction and in the condition necessary for the purpose for which it is sought to register the vehicle; and the applicant shall pay the relevant examination or inspection fee set out in Part III of the First Schedule.

(2) Before registering any goods vehicle, freight passenger vehicle, motor omnibus or trailer, the Licensing Officer shall ascertain, in the manner prescribed, the maximum gross weight or the maximum number of passengers which the vehicle may be authorised to carry, and such maximum gross weight or maximum number of passengers shall be entered in the register and in the certificate of registration.

(3) If any owner of a motor vehicle or trailer is aggrieved at any decision of an Inspector under this section, he or she shall be permitted to appeal to the Licensing Authority, who may uphold, vary or reverse the decision of the Inspector as the Licensing Authority sees fit.

8. Cancellation of registration

(1) The registration of a motor vehicle shall remain valid so long as the vehicle is kept in use, and shall only be cancelled if the Licensing Authority is satisfied that the vehicle has been destroyed or rendered permanently unserviceable or permanently removed from the State, or if it has not been relicensed for two consecutive years.

(2) The owner of any motor vehicle which has been destroyed or rendered permanently unserviceable or has been permanently removed from the State shall notify the Licensing Authority of that fact within three months of the happening of the event. A person who contravenes this subsection commits an offence.

(3) A prosecution for an offence under subsection (2) may be instituted at any time within one year from the commission of the offence.

9. Exemptions from need for registration

(1) The following classes of motor vehicles shall be exempted from the need for registration—

(*a*) new motor vehicles in the possession of manufacturers or dealers in motor vehicles, subject to the provisions as to dealers' general licences as appear hereafter;

(*b*) private motor cars and motor cycles brought into the State by visitors for their own use for a period not exceeding three months, subject to conditions as may be prescribed;

(*c*) any motor vehicle which is the property of or used by the Governor-General and Prime Minister for their official duties.

(2) No fees on registration shall be charged in respect of the following—

(*a*) any motor vehicle which is the property of the Government, or any statutory local government authority;

(*b*) any motor vehicle specially exempted by an Order of the Minister of Finance on account of its being owned by a public body or of its being used for any charitable, philanthropic or other public purpose;

(*c*) any motor vehicle the property of or used by a head of mission or other diplomat for his or her official or personal duties.

(3) Notwithstanding subsections (1) and (2) the exemption from payment of the registration fee in respect of a vehicle shall cease whenever the condition justifying the exemption ceases to apply.

10. Registration on change of use

Where the owner of a motor vehicle which is registered for use for a particular purpose intends to use that vehicle for some other purpose he or she shall, before using that vehicle for that other purpose, apply to the Licensing Authority for registration of the vehicle for use for that other purpose; and the application shall be dealt with as if the vehicle had not previously been registered but the fee payable for such a registration shall be the fee for an amendment of a register set out in Part III of the First Schedule.

11. Change of ownership

(1) On the change of ownership of a motor vehicle otherwise than by death—

(*a*) the motor vehicle shall not be used for more than one month after the change of ownership unless the new owner is registered as the owner thereof;

(*b*) the registered owner and the new owner shall, within three weeks after the change of ownership, make a written application signed by both of them to the Licensing Authority giving the name and address of the new owner and the date of change of ownership and the application shall be accompanied by the certificate of registration and the relevant fee set out in Part III of the First Schedule; however where the new owner satisfies the Licensing Officer that the registered owner is out of the State an application by the new owner accompanied by a note of change of ownership issued by the registered owner and the said certificate and fee shall suffice. The Licensing Officer shall thereupon by endorsement of the certificate of registration and entry in the register substitute the name of the new owner for that of the registered owner and shall date and initial the substitution and from such date the new owner shall for all purposes be deemed to be the registered owner of the motor vehicle described in the relevant entry in the register and in the certificate of registration:

Provided that where the ownership in a vehicle is transferred under any legal or judicial process the application aforesaid may be made by the new owner alone subject to the other provisions of this section being complied with.

(2) In the case of death of the registered owner the legal personal representative of the deceased in the State shall be deemed to be the owner for the purposes of a transfer, and in the absence of any legal personal representative in the State the person into whose possession the motor vehicle shall lawfully come shall, for the purposes of a transfer, be deemed to be the registered owner:

Provided that, such personal representative or other person as aforesaid shall notify the Licensing Authority of the death of the registered owner within one month of the happening of the event.

(3) A Licensing Officer may issue a new certificate of registration instead of endorsing an original certificate.

PART III

Licensing of Vehicles

12. Using vehicle without prescribed licence

(1) In addition to any penalty for an offence provided for in this Act—

(*a*) the owner of any motor vehicle or trailer or bicycle keeps for use or allows to be kept for use, or uses or allows to be used, on a road such vehicle or trailer or bicycle without having obtained, or otherwise fails or omits to obtain, the relevant licence prescribed in respect of that motor vehicle, trailer or bicycle;

(*b*) any motor vehicle, trailer or bicycle is used upon any road for a purpose which is not authorised by the licence issued in respect thereof or in contravention of any of the provisions of this Act; or

(*c*) any goods vehicle, public service vehicle or trailer is used upon a road being loaded so as to exceed the maximum gross weight or the number of passengers authorised by the licence or, in the case of an unlicensed vehicle, specified in the register of motor vehicles in respect of that vehicle,

the owner, driver or other person in charge of the vehicle each commits an offence and shall each be liable on summary conviction to a fine of five thousand dollars or to imprisonment for three months or to both such fine and imprisonment.

(2) Where the driver of any vehicle is charged with an offence under subsection (1), the Magistrate may order that a summons be issued against any person alleged by the driver to be the owner of the vehicle, thus making the alleged owner the co-defendant in the case; and the Magistrate may, after hearing the evidence and witnesses of all parties, make such order in regard to penalty and costs as to the Magistrate seems just.

(3) Every vehicle shall, in all proceedings under this Act, be deemed to be kept for use, until the contrary is proved by the owner of such vehicle.

(4) No motor vehicle shall be used as a taxi which is not licensed as such under this Act; and if this subsection is contravened, the owner and the driver of the motor vehicle each commits an offence.

(5) Upon any conviction for an offence under subsection (1)(*a*) or (4), the Magistrate, in addition to any other penalty which may be inflicted, shall order the owner of the motor vehicle, trailer or bicycle to pay into court to the credit of the Accountant-General the amount of the relevant licence duty which would have been payable if the licence had been taken out at the proper time, and in default of payment of the amount, the owner shall be liable to imprisonment for three months; but no such order shall be made if the Magistrate is satisfied that the licence duty was paid subsequent to commission.

(6) Where a Magistrate has made an order under subsection (5) in respect of a goods vehicle or trailer, the Magistrate shall, unless he or she is satisfied that the vehicle has been inspected in accordance with any regulations made under this Act, further order the owner of the vehicle to produce it within forty-eight hours to the Licensing Authority for inspection; and the Licensing Authority shall, if satisfied that the amount of the licence duty has been paid and that the vehicle complies with all provisions of this Act and the regulations made hereunder, issue the appropriate licence.

(7) A person shall not be convicted for an offence under this section if he or she proves that he or she has not had a reasonable opportunity of obtaining a licence for the motor vehicle, trailer or bicycle and that the vehicle, or trailer was being driven for the purpose of obtaining a licence, or that the contravention was without his or her knowledge and that he or she had taken responsible steps to avoid such contravention.

(8) Any owner who contravenes an order made under subsection (6) shall be liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for six months, or to both such fine and imprisonment.

13. Licensing Authority may permit goods vehicle to be used for the conveyance of persons

(1) Notwithstanding section 12 the Licensing Authority may, in his or her discretion but so as to not constitute a risk breach, grant permission to enable a goods vehicle or trailer to be used for the conveyance, either generally or on particular journeys, of such number and classes of passengers, without hire or reward, and of such number of other persons employed for the purpose of loading or unloading the goods, merchandise or other loads carried on the goods vehicle or trailer as he or she may think fit, subject to such conditions as he or she may impose.

(2) Whenever permission is granted under subsection (1), a licence issued by the Licensing Authority in a form to be determined by him or her and containing the conditions subject to which permission has been granted shall be issued to the licensee of the goods vehicle or trailer. One such condition shall require that there shall be adequate insurance coverage in respect of the passengers permitted to be carried.

(3) A licence issued under this section for the conveyance of passengers shall be valid for a period not exceeding twelve months from the date of issue.

(4) The Licensing Authority may cancel or suspend any licence issued under this section if in his or her opinion any of the conditions attached to the issue of the licence has not been complied with by the licensee.

14. Restrictions on licensing and using of certain motor vehicles and trailers, including tinted vehicles

(1) Except as provided in this section, no motor vehicle exceeding the maximum gross weight as prescribed or of a mass as to cause harm or damage to a road, road infrastructure or a road-related area, nor shall a licence be issued in respect of any such vehicle.

(2) All the tyres of every motor vehicle or trailer used or to be used upon any road shall be fitted with pneumatic tyres and no motor vehicle not so fitted shall be used or licensed to be used on any road.

(3) The Licensing Authority may, in consultation with the Chief Technical Officer, grant a special licence to the owner of a tractor, goods vehicle or trailer for conveying an indivisible load of heavy machinery or other articles in excess of the maximum gross weight as prescribed by order, subject to such conditions as may be specified in the licence, and on payment of the prescribed fee.

(3A) Notwithstanding anything contained in subsection (1)(*a*), the Licensing Authority may, after consultation with the Chief Technical Officer, grant a special licence

to the owner of a vehicle which exceeds the maximum gross weight of ten tons if he is satisfied that it is in the public interest to do so, subject to such conditions as may be specified in the licence and the payment of the prescribed fee.

(3B) Where a special licence is issued under subsection (3A), the Licensing Authority shall also issue an identification mark to the owner of the vehicle which identification mark must conform to and be affixed in accordance with regulations 7 and 8 of the Motor Vehicles and Road Traffic Regulations, respectively.

(3C) The Licensing Authority may revoke a special licence granted under subsection (3A) if there is a breach of any of the conditions subject to which it was granted.

(3D) Subsections (3A) to (3C) apply to vehicles which—

(*a*) exceed the maximum gross weight of ten tons;

(*b*) are unlicensed; and

(*c*) were imported on of after 1st July, 1997.

(4) The Licensing Authority may, in consultation with the Chief Technical Officer, grant for a period of one year a special licence to the owner of any machine used for industrial purposes to enable such machine to be moved from one place to another, subject to such conditions as may be specified in the licence, and on payment of the prescribed fee.

(5) Notwithstanding the issue of any licence under subsections (3) and (4) no fee shall be imposed by the Licensing Authority in respect of—

(*a*) road rollers; or

(*b*) motor vehicles using roads which are not maintained at the public expense but in any such case the person or authority at whose expense such roads are maintained may charge a fee as he or she thinks fit.

(6) Any person to whom a licence has been granted under this section who fails to observe any of the conditions specified in the licence commits an offence and shall be liable on summary conviction to a fine of five hundred dollars.

(7) It shall be a summary offence to use a motor vehicle upon a road in violation of the provisions of this section.

(8) In a prosecution under subsection (1)(*b*) evidence deriving from the use of light metres and such other scientific devices as may be prescribed by the Minister may be admitted by the court if the court is satisfied that such device was in proper working condition at the relevant time.

14A. Restriction on licensing and use of heavily tinted vehicles

(1) No motor vehicle may be used on a road, nor shall a licence be issued in respect of it, if the windscreen is tinted, treated or darkened across more than twenty per cent of its surface from the top, or if any other window is tinted, treated or darkened so as to restrict the amount of light entering the vehicle by more than sixty-five per cent unless permitted in writing by the Licensing Authority.

(2) For the purpose of subsection (1), “treated” includes coated wholly or partially with reflective material and “darkened” includes having curtains or blinds drawn on the inside of the window.

(3) In a prosecution under this section evidence from the use of a scientific device as prescribed by the Minister may be admitted by the Court if the Court is satisfied that the device was in proper working order at the relevant time.

(4) This section comes into operation twelve months after the coming into operation of the Road Traffic (Amendment) Act, 2001.

15. Applications for licence

Applications for the licensing of a motor vehicle, trailer or bicycle or for subsequent re-renewals of a licence therefor shall be made in the prescribed form.

16. Conditions to be satisfied before licence is issued

(1) A Licensing Officer shall not issue a motor vehicle or trailer licence until the motor vehicle or trailer has been registered, or renew a motor vehicle or trailer licence unless he or she is satisfied that the motor vehicle or trailer does not differ in any respect from the particulars in the register and also that the Motor Vehicles Insurance (Third Party Risks) Act, Chapter 202, and this Act, and the regulations respectively made thereunder, have been complied with and that any fine imposed on the owner of the motor vehicle or trailer for an offence under this Act or the regulations has been paid (unless the conviction is the subject of an appeal or review).

(2) The decision of the Licensing Authority regarding the class or type to which any vehicle conforms or under which it should be registered and regarding the licence that may be issued in respect of any such vehicle shall be conclusive.

17. Alteration in conditions on which licence is issued

(1) Where the registered owner of a motor vehicle or trailer applies under section 10 for the registration of that motor vehicle or trailer for a purpose other than that for which it is registered, he or she shall, at the time of making the application, apply for the vehicle or trailer to be licensed for that other purpose; and when, after the issue of a licence, a vehicle or trailer is registered for a use other than that for which it is registered or is so altered that a higher fee or a fee of a different class is required, the licence shall become void, and the owner of the vehicle shall apply for a new licence appropriate to the new registration.

(2) A new licence shall not be issued under subsection (1) until the old licence has been surrendered and there shall be deducted from the fee on the new licence a sum equal to the fee which would have been payable on the old licence if issued on the same day as the new licence, provided that the minimum fee on the new licence shall be ten dollars.

(3) Before issuing a new licence under this section the Licensing Officer shall satisfy himself or herself that the Motor Vehicles Insurance (Third Party Risks) Act, Chapter 202, has been complied with in respect of such new purposes.

(4) Where a new licence is issued under this section, the Licensing Officer shall amend the register and issue a new certificate of registration.

18. Cancellation or refusal of licence

(1) A Licensing Officer may cancel or suspend or refuse to issue or renew a motor vehicle, trailer or bicycle licence if an Inspector certifies in writing that the motor vehicle, trailer or bicycle is so constructed or is in such a condition as to cause harm or damage to a road, road infrastructure or a road-related area and as to be a source of danger to any person travelling in or on the vehicle, trailer or bicycle or to other users of the road, road infrastructure or a road-related area, or to be injurious to the roads themselves, road, road infrastructure or a road-related area or that the vehicle, trailer or bicycle fails to satisfy the requirements of this Act or regulations made hereunder or if any fine imposed on the owner of the motor vehicle, trailer or bicycle for an offence under this Act or the regulations has remained unpaid for twenty-one days since the date it was imposed (unless the conviction is the subject of an appeal or review).

(2) Any owner of a motor vehicle, trailer or bicycle in respect of which the licence is cancelled or suspended or for which the issue or renewal of a licence is refused may appeal against the decision of the Licensing Officer to the Licensing Authority and the

Licensing Authority may, if he or she thinks fit, direct the Licensing Officer in writing to withhold, grant or issue the licence applied for.

19. Transfer of ownership

On the change or transfer of the ownership of a motor vehicle, trailer or bicycle, the Licensing Officer shall, on payment of the prescribed fee, duly amend the register, the certificate of registration, and the licence, and it shall not be necessary to issue a new licence.

20. Duplicate licences

(1) If a motor vehicle, trailer or bicycle licence is lost, defaced, mutilated, or rendered illegible, the Licensing Officer may issue a duplicate licence on payment of the prescribed fee.

(2) If any lost licence is subsequently found, the holder of the duplicate licence shall forthwith deliver up to the Licensing Officer the duplicate licence, and any person who knowingly retains or has in his or her possession both an original and a duplicate licence commits an offence.

21. Licence fees

(1) Every motor vehicle, trailer and bicycle licence issued shall be in the prescribed form, and the fees payable annually for such licences shall be as set out in Part I of the First Schedule:

Provided that in respect of goods vehicles and vehicles issued special licences the fees payable shall be prescribed on the basis of maximum gross weight.

(2) No licence fee shall be payable in respect of any vehicle which is exempt from registration or from payment of the registration fee under section 9 once the conditions justifying the exemption continue.

(3) The Minister of Finance may exempt from payment of licence fees or duties any agricultural tractor used solely for the purpose of agriculture, and any other vehicle which, in the opinion of the said Minister, is so constructed as to show that its primary purpose is for use in agriculture or industry, but any vehicle so exempted shall be used subject to the conditions specified in the instrument of exemption.

(4) (*a*) Subject to paragraph (*b*) of this subsection, licences shall be issued yearly for motor vehicles, trailers and bicycles. The date of payment for licence fees for motor vehicles and trailers shall be determined by the number of digits in the registration numbers of the registration mark of the motor vehicle or trailer as set out in the First Column of the Second Schedule and paid within the time specified in the Second Column of that Schedule whether in Part I or II of that Schedule as the case may be. The licence shall continue in force from the date of issue until the day preceding the date specified in the Second Column of the Second Schedule as being the date for the next annual payment of the fee regarding that licence:

Provided that after the licence fee for a motor vehicle or trailer has been paid at the date of the first registration, the licence fee for that motor vehicle or trailer shall as from the immediately following calendar year be payable, as regards the time of payment, in accordance with the number of digits in the registration numbers of the registration mark of the motor vehicle or trailer as set out in the Second Schedule notwithstanding that in the said immediately following calendar year the day preceding the anniversary date of the first registration has not yet arrived; but where the licence fee is thus required to be paid in the said immediately following calendar year at least two months before the day preceding the anniversary date of the first registration, the licence fee payable in the said immediately following calendar year shall be fifty per cent of the annual licence fee payable in respect of that motor vehicle or trailer.

(*b*) When a motor vehicle or trailer is registered for the first time the licence fee therefor shall be paid on the date of registration:

Provided that notwithstanding that on account of paragraph (i) of this subsection the annual licence fee for a motor vehicle or trailer newly registered might next have been payable within the same calendar year as the date of first registration, the licence issued on the date of first registration shall be designed to endure and shall endure until the immediately following calendar year and no additional licence fee shall be payable during or in respect of the calendar year in which the vehicle or trailer was first registered.

(*c*) Any person who fails to pay his or her annual motor vehicle or trailer licence fee within the prescribed time shall pay an additional late fee of fifty dollars.

(*d*) Where the owner of any motor vehicle which has been duly licensed under this Act desires to take out in respect of such motor vehicle a licence for which a different fee is payable, he or she shall, if such fee is higher than the fee already paid in respect of such motor vehicle, be required to pay only the difference between such higher fee and the fee already paid.

22. Dealer's general licence

(1) A Licensing Officer may issue to a dealer in, or manufacturer or repairer of, motor vehicles, trailers or bicycles, who applies in the prescribed form, a dealer's general licence which, subject to sections 23 to 28 and to any other conditions which may from time to time be prescribed may authorise the use of any number of motor vehicles, trailers or bicycles the property of the dealer or manufacturer, or in the possession of the repairer.

(2) The fee payable for a dealer's general licence shall be payable annually and shall be such as may be prescribed by the Minister.

23. Uses of dealer's general licence

(1) A dealer's general licence in the prescribed form may authorise the use of any motor vehicle or trailer, the property of the dealer, which is being tested by the dealer or his or her employee, or is being tested or used by the dealer, his or her employee or a prospective purchaser for the purpose of effecting a sale. It shall not authorise the carriage of passengers or goods for fee or reward, or the carriage of any passenger not engaged in testing the vehicle or inspecting the vehicle with a view to purchase, or the use of the vehicle for any purpose other than those specified in this section.

(2) Notwithstanding subsection (1) a dealer's general licence shall not authorise the use of a motor vehicle or trailer on a Sunday or Bank Holiday or between 6.00 p.m. and 8.00 a.m.

24. Register of dealer's general licence

Motor vehicles and trailers used under the authority of a dealer's general licence shall not be registered in the manner described in section 6 but the Licensing Officer shall keep a separate register in the prescribed form of all such licences issued by him or her.

25. Cancellation of dealer's general licence

(1) A Licensing Officer may at any time cancel a dealer's general licence for a breach of any of the provisions of this Act or of any regulations made hereunder.

(2) The Licensing Officer shall give notice of the cancellation to the person to whom the licence was issued.

(3) Any person whose licence has been cancelled under this section or to whom a dealer's general licence has been refused may appeal to the Licensing Authority, and the

Licensing Authority may order that the cancellation shall be confirmed or that the licence be restored or issued.

26. Dealer's general licence not transferable

No dealer's general licence shall be used for any purpose not provided for in this Act nor shall it be transferred or assigned to any other person, without the authority of the Licensing Officer.

27. Dealer to accompany vehicle when used

No motor vehicle or trailer shall be used on any road, road infrastructure or a road-related area under the authority of a dealer's general licence unless the holder of the licence, or a person authorised by him or her in writing, accompanies such vehicle.

28. Record of vehicles used under authority of dealer's general licence

(1) The holder of a dealer's general licence shall keep, in the prescribed form, a record of every motor vehicle or trailer which is used under the authority of the licence, and shall produce the record for inspection when requested by any member of the Police Force.

(2) The record referred to in subsection (1) shall contain details of the use of the motor vehicle or trailer, the names of the users and the purposes for which the motor vehicle or trailer was used, together with any other information as may be prescribed.

29. International certificates and temporary licences for motor vehicles

(1) The owner of any motor vehicle in respect of which an international certificate for a motor vehicle has been issued elsewhere than in the State in accordance with any International Convention relating to the international circulation of motor vehicles which applies to the State may, whilst the certificate remains valid, and subject to any prescribed conditions, be exempted from any requirement to register the motor vehicle, and also may be exempted for ninety days from any requirement to hold a licence in respect of the motor vehicle.

(2) Where a motor vehicle is brought into the State for the purpose of being used by the owner during a visit, and the owner of the motor vehicle does not hold an international certificate the Licensing Authority may issue a temporary licence to use the motor vehicle without registration or payment of any licence fee for not more than three months and subject to any prescribed conditions.

(3) No motor vehicle in respect of which an international certificate or temporary licence has been issued shall be used in the State for purposes of hire or trade unless the owner has complied with the Motor Vehicles Insurance (Third Party Risks) Act, Chapter 202.

(4) Where a person in the State desires to use a motor vehicle in any other country which adheres to any International Convention as aforesaid, he or she may apply to the Licensing Authority in the prescribed manner for an international certificate in respect of the motor vehicle.

(5) The Licensing Authority shall have power, subject to any prescribed conditions, to issue international certificates for motor vehicles in accordance with any International Convention Before such a certificate is issued the applicant shall satisfy the Licensing Authority that the motor vehicle complies with the requirements of the Convention, and for such purpose the Licensing Authority may require an Inspector to examine the motor vehicle and report thereon.

(6) The Licensing Authority shall keep a record of all international certificates for motor vehicles and temporary licences issued by him or her, and of all motor vehicles

being used in the State under the authority of international certificates issued in other countries.

30. Power to tow away vehicle

(1) If—

(*a*) a motor vehicle is being used on a road when there is not in force in relation to the use of the vehicle a policy of insurance, or security in respect of third party risks, which complies with the requirements of the Motor Vehicles Insurance (Third Party Risks) Act, Chapter 202;

(*b*) a motor vehicles is being used on a road, road infrastructure or a road related area so as to constitute—

(i) a substantial risk breach or a severe risk breach, or

(ii) a danger to other users of the road, road infrastructure or a road related area; and

(*c*) a motor vehicle is parked or left on a road or at a place in such a manner as to cause danger or obstruction to other traffic on the road contrary to this Act,

a police officer or a person authorised by a police officer may drive away or tow away the vehicle, or require the driver of it to drive it, to premises under the control of the Police Force.

(2) The owner or person in charge of a motor vehicle which is removed under subsection (1) may recover the vehicle if—

(*a*) in the case of a vehicle removed pursuant to paragraph (*b*) − the insurance premium is paid or security deposited and a police document, cover note or other evidence is produced to the officer in charge of the premises to which the vehicle was removed;

(*b*) if the vehicle was towed to the premises by or on the authority of a police officer – a towing fee of one hundred and twenty-five dollars is paid to the officer in charge of the premises to which the vehicle was removed;

(*c*) in every case – a parking fee of twenty-five dollars for each day or part thereof during which the vehicle is kept at the premises to which the vehicle was removed is paid to the officer in charge of the premises.

(3) Neither a police officer, a person assisting a police officer nor the State is liable for any motor vehicle towed or driven under this section or for any damage sustained by a vehicle during or as a result of the towing, driving or parking of the vehicle unless such damage is caused intentionally or negligently.

(4) No person, except a police officer or a person authorised by a police officer, may remove, attempt to remove or in any way interfere with a motor vehicle taken to premises under the control of the Police Force pursuant to this section.

(5) If a motor vehicle towed or driven under this section remains under the control of the Police Force for more than three months, application may be made by the Commissioner of Police by summons to the High Court, to be heard *inter partes*, for the forfeiture of the vehicle.

(6) A person who contravenes subsection (4) commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for one month.

(7) For the purpose of this section—

"motor vehicle" includes a trailer;

"premises under the control of the Police Force" means a police station and any other premises designated by the Commissioner of Police by notice published in the *Gazette*.

PART IV

Driving Licences

31. Driving without licence

(1) Subject to section 35, no person shall drive a motor vehicle of any class or description on a road unless he or she is the holder of a driving licence authorising him or her to drive a motor vehicle of that class or description.

(2) No person shall employ or permit any person to drive a motor vehicle of any class or description on a road unless the person he or she employs or permits to drive the motor vehicle is the holder of a valid driving licence authorising him or her to drive a motor vehicle of that class or description.

(3) Any person who contravenes this section commits an offence and shall be liable on summary conviction—

(*a*) if the contravention is in relation to a motor vehicle other than a public service vehicle or a goods vehicle, to a fine of one thousand dollars and to imprisonment for six months;

(*b*) if the contravention is in relation to a public service vehicle or a goods vehicle, to a fine of four thousand dollars and imprisonment for eighteen months.

(4) Where a person is convicted under subsection (3) the Magistrate may, if the vehicle used in connection with the offence is a public service vehicle, in addition to the penalty imposed thereunder cancel the licence of that vehicle to operate as a public service vehicle.

(5) The cancellation of a licence under subsection (3) and under section 62B(5) by the Magistrate who imposes the penalty shall be for a period not exceeding two years.

32. Minimum age for driving

(1) No person under the age of seventeen years shall be qualified to obtain a driving licence to drive a motor cycle and no person under the age of eighteen years shall be qualified to obtain a driving licence to drive any other class of motor vehicle.

(2) No person shall drive on a road, a motor vehicle of any class or description if he or she is under the age prescribed by subsection (1) for obtaining a driving licence to drive a motor vehicle of that class or description.

33. Restrictions on driving licences for omnibuses

No driving licence shall be issued or endorsed as valid for a public service vehicle or for a goods vehicle to an applicant who is under the age of twenty-five years and unless he or she passes such special test as may be prescribed by the Licensing Authority.

34. Driving when under prescribed age

(1) A person who drives a motor vehicle on a road while he or she is under the minimum age prescribed for the driving of a motor vehicle of the class he or she is driving commits an offence and shall be liable on summary conviction, in the case of a first offence, to a fine of two hundred dollars or to imprisonment for three months, or to

both such fine and imprisonment and, in the case of a second or subsequent conviction, to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

(2) A person who causes or permits another person to drive a motor vehicle on a road while the latter person is under the minimum age prescribed for the driving of a motor vehicle of the class he or she is driving commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

35. Learner's permit

(1) A person who is not the holder of a driving licence may, for the purpose of learning to drive, drive a motor vehicle of a particular class on a road, if he or she holds a learner's permit.

(2) A learner's permit is obtainable, subject to this Act, by applying to the Licensing Authority and on payment of the relevant fee set out in Part II of the First Schedule.

(3) Where the Licensing Authority grants a learner's permit to any person he or she may set out in the permit such conditions and restrictions as he or she thinks necessary for the safety of the public.

(4) Without prejudice to the generality of subsection (3), the Licensing Authority may, in a learner's permit, set out the times during which the holder of the permit may not drive on roads specified in the permit.

(5) The holder of a learner's permit shall not drive a motor vehicle of any class or description unless—

(*a*) he or she is under the supervision of a driver who—

(i) holds a driving licence for a vehicle of that class or description and who has been the holder of such a licence for a period of not less than three years, and

(ii) is present with him or her in the vehicle while he or she is driving it; and

(*b*) there is clearly displayed in a conspicuous position on the front and on the rear of the vehicle, as directed by the Licensing Authority, the letter "L" in red on a white background.

(6) Notwithstanding anything contained in this section, the holder of a learner's permit shall not drive and shall not be permitted to drive a vehicle while it is being used to draw a trailer or convey passengers.

(7) Subsection (5)(*a*) does not apply to the holder of a learner's permit who—

(*a*) is undergoing a driving test; or

(*b*) is driving a vehicle constructed or adapted to carry only one person.

(8) A person who is learning to drive and contravenes any of the conditions set out in a learner's permit commits an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment and in addition the court may cancel the learner's permit.

(9) A learner's permit is valid for the six months and is, upon payment of the prescribed fee, renewable for a further period of six months.

36. Liability of instructor and person learning to drive to be co-extensive

Where a person who is learning to drive is charged with an offence under this Act, the driver who is present with him or her in the vehicle by reason of section 35(5)(*a*) is also chargeable with the same offence and both are equally punishable.

37. Driving tests

(1) The Licensing Authority may require an applicant for a driving licence to produce a certificate, signed by a person approved by the Licensing Authority, that the applicant has passed a driving test showing that he or she is competent to drive.

(2) Driving tests may be conducted by examiners authorised by the Licensing Authority.

(3) Subject to this Act, the nature of a driving test shall be at the discretion of the Licensing Authority or the examiner appointed by him or her.

(4) For the purpose of this section, motor vehicles are divided into the classes specified in section 40(2).

(5) The test that a person is required to pass before a driving licence is granted to him or her authorising him or her to drive a motor vehicle of a particular class or description, is a test carried out on a vehicle of that class or description, and the person conducting the test shall satisfy himself or herself that the person taking the test—

(*a*) is conversant with the rules of the road, road signs and road signals;

(*b*) is competent to drive without danger to, and with due consideration for, other users of the road; and

(*c*) is able to comply with any other requirements specified for the purpose in the regulations.

(6) Where an applicant requires a driving licence to drive a vehicle of a particular class or description, the examiner shall, after satisfying himself or herself by means of such tests as he or she considers suitable that the applicant is qualified to drive a vehicle of that particular class or description, issue to the applicant a certificate of competence on which there is clearly set out all the restrictions subject to which that certificate is issued.

(7) The Licensing Authority shall clearly set out in a driving licence the restrictions referred to in subsection (6).

(8) For the avoidance of doubt, it is hereby provided that a person shall not be entitled to obtain or be issued a driving licence to drive a vehicle of a particular class or description only because he or she is or has been the holder of a licence to drive a vehicle of another class or description.

38. Applicant for driving licence or learner's permit required to be medically fit

(1) Subject to subsection (3), the Licensing Authority shall not issue or renew a driving licence or a learner's permit to any applicant unless he or she is satisfied that the applicant is medically fit to be in charge of a motor vehicle within the context of subsection (4).

(2) Subject to the discretion of a court at the time of sentencing, a person who has been convicted of an offence involving the use of a motor vehicle in the conveyance of stolen goods shall not hold a driving licence or learner's permit within two years after the date of conviction.

(3) Notwithstanding subsection (1), the Licensing Authority may issue or renew a driving licence or a learner's permit to any person to drive a particular motor vehicle on being satisfied that that motor vehicle is so equipped and that the motor vehicle can be efficiently controlled by that person.

(4) An applicant for a driving licence or a learner's permit may be required by the Licensing Authority to produce a medical certificate signed by a medical practitioner, stating that the applicant's vision, hearing and other physical and mental fitness are adequate for the applicant to hold the licence or permit for which he or she applies. A person who fails to produce such a medical certificate when he or she is required to do so shall be entitled to apply again for the licence or permit after six months of his or her previous application but shall on such later application be still subject to producing the required medical certificate.

(5) Where the Licensing Authority refuses to issue or renew to an applicant a driving licence or a learner's permit under this section, and persists in refusing to do so even after the applicant produces the required medical certificate, the applicant may appeal against the decision of the Licensing Authority to a Magistrate.

39. Application for driving licences

(1) An application for a driving licence or a learner's permit shall be made to the Licensing Authority in the prescribed form.

(2) Any person who, in or in connection with an application for a driving licence or a learner's permit, makes a statement that to his or her knowledge is false commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months or to both such fine and imprisonment.

40. Driving licences valid for specified classification of motor vehicles

(1) A driving licence shall not be valid for the driving of any motor vehicle other than a motor vehicle of the class or classes specified in that driving licence; but a driving licence may, by endorsement thereon by the Licensing Authority, be extended to any other class of vehicle.

(2) For the purposes of this section driving licences are classified as follows—

Class	*Vehicle type*
A	Motor cycle
A1	Quadbike
B	Private motor car
C	Light public service vehicle (with seating capacity for not more than seventeen passengers)
C1	Heavy public service vehicle (with seating capacity for more than seventeen passengers)
D	Light goods vehicle (with a maximum gross weight of not more than 7 000 kgs.)
D1	Heavy goods vehicle (with a maximum gross weight exceeding 7 000 kgs.)
E	Trailers or tractors
F	Other non-passenger vehicle (e.g. forklift, road roller)
G	All types of vehicles except motor cycles and quadbikes.

(2) For the purposes of this section motor vehicles are classified as follows—

Class	*Vehicle type*
A	Motor cycle
A1	Quadbike
B	Private motor car
C	Light public service vehicle (up to seventeen passengers)
C1	Heavy public service vehicle (more than seventeen passengers)
D	Light goods vehicle (gross weight up to 7 000 kgs.)
D1	Heavy goods vehicle (gross weight exceeding 7 000 kgs.)
E	Trailer/Tractor

F Other non-passenger vehicle (e.g. forklift, road roller)

(4) A learner's permit must bear the letter "L".

41. Driving test fees

(1) Every person who presents himself or herself for a driving test shall pay, in respect of the test and certificate of competence, the relevant fee set out in Part II of the First Schedule.

(2) The fee payable pursuant to this section shall be payable irrespective of the result of the test.

42. Form of driving licence

(1) A driving licence—

(*a*) shall be in the form prescribed by regulations; and

(*b*) is not valid unless signed by the holder thereof.

(2) Every applicant for a driving licence shall, at the time of his or her making application, supply three recent photographs of himself or herself one of which shall be affixed to the driving licence.

43. Driving licence fees

There shall be payable, on the issue or renewal of a driving licence, the fee set out in Part II of the First Schedule.

44. Production of driving licences

(1) The driver of a motor vehicle on a road shall, on being required by a member of the Police Force, produce his or her driving licence for examination.

(2) Any person who fails to comply with subsection (1) commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

(3) Notwithstanding subsection (2), a person may not be convicted under this section if, within forty-eight hours of being required to produce his or her driving licence, he or she produces his or her driving licence at the police station nearest to his or her address or at the police station specified by the police officer at the time its production was required.

45. Register of driving licences

(1) The Licensing Authority shall keep a record of all driving licences issued and the record shall contain—

(*a*) the name and address of the holder;

(*b*) the date of issue of the driving licence;

(*c*) the class of vehicle or classes of vehicles to be driven by the holder; and

(*d*) a record of all convictions of the holder in respect of traffic offences.

(2) The contents of the record referred to in subsection (1) shall in all proceedings be *prima facie* evidence of all the facts contained therein.

46. Duration of driving licence

(1) Subject to this section, an existing licence, unless previously suspended, cancelled or revoked by a competent authority—

(*a*) expires on the anniversary date thereof;

(*b*) when renewed, expires on the first or third birthday, as the case may be, of the applicant after such renewal.

(2) On the first issue or renewal of a driving licence after the commencement of the Road Traffic (Amendment) Act, 2002, the fee payable for a driving licence will be calculated *pro rata* on the number of months to the next anniversary of the date of birth of the applicant.

47. Duplicate driving licences

(1) Where a driving licence is lost, defaced, mutilated or rendered illegible, the Licensing Authority, if satisfied of those matters, may issue a replacement licence on payment of the relevant fee set out in Part III of the First Schedule without requiring the applicant to undergo a further driving test.

(2) The Licensing Authority shall record on a replacement driving licence issued pursuant to subsection (1) any endorsements made in the register of driving licences in respect of the driving licence that has been lost, defaced, mutilated or rendered illegible.

(3) If any lost driving licence is subsequently found, the holder of the new driving licence shall forthwith deliver up to the Licensing Authority such new licence and any person who knowingly retains or has in his or her possession both an original and a new licence commits an offence.

48. Restriction on the issue of new driving licence after expiration of former licence

(1) On or after the expiration of a driving licence by effluxion of time and on application by the holder thereof for the issue of a new driving licence the Licensing Officer shall, subject to section 38, issue a new driving licence to the applicant without subscribing thereon any endorsements other than those made within the three years preceding the application.

(2) The Licensing Authority may suspend or refuse to renew a driving licence or learner's permit where the holder thereof or an applicant therefor has, within the last three years prior to such suspension or refusal, been convicted of—

(*a*) manslaughter arising out of the use of any motor vehicle;

(*b*) any offence under section 55, 56 or 58; or

(*c*) repeated offences under any one or more of the sections of this Act other than the sections referred to in paragraph (*b*) or repeated offences under any one or more of the regulations made under this Act,

and upon the recommendation of the court before which the holder or applicant was convicted and upon certification from the court of such conviction.

49. Cancelling or suspending driving licence or learner's licence for medical unfitness

(1) The Licensing Authority may suspend or cancel a driving licence or a learner's permit if the holder thereof fails, within one month of being required to do so, to comply with a requirement from the Licensing Authority that the said holder produce to the Licensing Authority a medical certificate, signed by a medical practitioner, stating that the applicant's vision, hearing and other physical and mental fitness are adequate for the said holder to continue holding the licence.

(2) A person who fails to timeously produce a medical certificate when he or she is required to do so under subsection (1) may produce same within six months of being required to do so. If he or she so within this six months produces the medical certificate to

the Licensing Authority, he or she shall thereupon be entitled to have his or her licence restored at once by the Licensing Authority.

(3) Where the Licensing Authority suspends or cancels a licence under subsection (1), or fails or refuses to restore a licence under subsection (2), the holder or previous holder thereof may appeal against the decision of the Licensing Authority to a Magistrate.

50. Demerit points

(1) Where a person has been convicted under this Act or the regulations for an offence listed in the first column of the Third Schedule, being an offence created by or under the enactment specified in the second column of that Schedule the Licensing 4 Authority shall record in respect of that person the number of demerit points set out opposite that offence in the third column of that Schedule.

(2) Where a person appeals against a conviction for an offence referred to in subsection (1)—

(*a*) no demerit points shall be recorded in respect of that conviction unless the conviction is confirmed on appeal; and

(*b*) if demerit points have been recorded in respect of the conviction before an appeal is entered, the points recorded in consequence thereof shall be removed until the appeal is heard or otherwise disposed of.

(3) Where a person is convicted of two or more offences arising out of the same circumstances the demerit points to be recorded shall be those—

(*a*) relating to the offence in respect of which the greatest number of points are imposed; or

(*b*) for only any one of the convictions where equal points are imposed for the various offences.

(4) No demerit point shall be recorded against a person where—

(*a*) that person pays a fixed penalty in accordance with a notice given him or her under Part VIII, or

(*b*) a court disqualifies that person under provisions of this Act or regulations made hereunder enabling the court to do so on convicting him or her of specified offences.

51. Expunging demerit points

(1) Where a period of one year has elapsed after the entry of demerit points on the record of a person, the Licensing Authority shall cause those points to be expunged from the record if no further demerit points have been recorded against him or her during that period.

(2) Where, under section 53(2) to (5) or by an Order of a court, a driving licence has been suspended for a period of three months or more and the period of suspension has expired, the Licensing Authority shall cause all demerit points to be expunged from the record of the holder of the driving licence.

52. Notifying persons of demerit points

Where more than ten but less than fourteen demerit points have accumulated in the record of any person, the Licensing Authority shall cause a notice to be sent to that person informing him or her of the number of demerit points accumulated.

53. Suspending driving licence for accumulating too many demerit points

(1) Where fourteen or more but less than eighteen demerit points have accumulated in the record of a person, the Licensing Authority may require that person to appear before him or her for an interview and to furnish any information, evidence or material requested to show cause why his or her driving licence should not be suspended.

(2) Where a person fails to comply with subsection (1), the Licensing Authority may, after serving on that person ten days notice of his or her failure to comply with that subsection, suspend the driving licence of that person until the subsection has been complied with.

(3) The Licensing Authority may suspend the driving licence of any person who has appeared before him or her in compliance with subsection (1) for a period not exceeding two months if he or she is of the opinion that that person has failed to show cause why his or her driving licence should not be suspended.

(4) If, within a period of one year, eighteen or more demerit points have accumulated in the record of any person, the Licensing Authority shall suspend the driving licence of that person for a period of two months.

(5) Where, in a period exceeding one year, twenty-five or more demerit points have accumulated in the record of a person, the Licensing Authority shall suspend the driving licence of that person for a period of six weeks.

(6) Where a driving licence is suspended under this section the period of suspension shall be concurrent with the unexpired portion of any other suspension.

(7) A person whose driving licence has been suspended by the Licensing Authority under this section may, within fourteen days of the decision of the Licensing Authority, appeal to the High Court against that decision and the decision of that Court shall be final.

(8) A person who drives a motor vehicle while his or her driving licence is suspended under this section commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months or to both such fine and imprisonment and, in addition, his or her driving licence shall be suspended for a further period of six months.

54. Visitors driving licences and international driving licences

(1) The Licensing Authority may grant a temporary driving licence for a period not exceeding three months to any applicant for the same when it is shown to his or her satisfaction that the applicant is a *bona fide* visitor to the State and is competent to drive. A temporary driving licence may be granted with or without the taking of a driving test on the part of the applicant or without his or her being required to supply photographs but shall be subject to the conditions stipulated on the licence and to the payment of the prescribed fee.

(2) The holder of an international driving licence issued elsewhere than in the State in accordance with any International Convention with respect to the international circulation of motor vehicles to which the State adheres shall, whilst the licence remains valid, be exempted from any requirement to hold a driving licence under this Act; but he or she shall only be entitled to drive in the State a motor vehicle of the class or classes for which he or she holds an authorisation to drive in the country in which his or her international driving licence was issued and he or she shall pay the prescribed fee.

(3) Where a person in the State desires to drive a motor vehicle in any other country which adheres to any International Convention as aforesaid, he or she shall apply to the Licensing Authority in the prescribed manner for an international driving licence. The applicant must comply with requirements of the Convention and shall, in addition to any other particulars as may be required by the Licensing Authority, satisfy the latter that he or she holds a valid driving licence issued in the State and that he is ordinarily resident in the State. The Licensing Authority has the power to issue international driving licences in accordance with any International Convention as aforesaid on payment of the he or she

fee. Such licences shall, unless suspended, remain in effect for twelve months from the date of issue.

(4) The holder of a driving licence issued in any of the other member states of the Caribbean Community and Common Market (CARICOM) shall, while such licence remains valid, be exempted from any requirement to hold a driving licence issued under this Act to drive in the State:

Provided that such driver shall only be entitled to drive in the State a motor vehicle of the class or classes for which he or she holds an authorisation to drive in the other CARICOM member state in which his or her driving licence was issued and he or she shall pay the prescribed fee:

Provided further that the exemption under this section only applies to a person who is ordinarily resident in Grenada and who at the time when the person was issued a licence in a CARICOM State had been resident in that State for a continuous period exceeding six months.

(5) The Licensing Authority shall keep a register of all holders in the State who hold valid international driving licences issued elsewhere and of all holders of international driving licences and temporary licences issued by him or her.

PART V

Driving and Other Offences and General Conditions Relating to the Use of Roads

55. Causing death by reckless or dangerous driving

(1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed or in a manner dangerous to the public, having regard to all the circumstances of the case including the nature, condition and use of the road and the amount of traffic that was actually on the road at the time or might reasonably have been expected to be on the road at the time, commits an offence and shall be liable on conviction on indictment to imprisonment for a term of ten years and shall be disqualified by the court from the date of the conviction for a period of not less than seven years from holding or obtaining a driving licence.

(2) Where, upon the trial of a person for an offence under subsection (1), the jury is not satisfied that he or she is guilty of that offence but is satisfied that he or she did drive the motor vehicle on the road recklessly, or at a speed or in a manner dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road and the amount of the traffic that was actually on the road at the time or might reasonably have been expected to be on the road at the time, it may find him or her guilty of such reckless or dangerous driving. The person convicted under this subsection shall be liable to a fine of seven thousand dollars or to imprisonment for five years or to both such fine and imprisonment, and shall be disqualified by the court from the date of the conviction for a period of not less than five years from holding or obtaining a driving licence.

56. Reckless or dangerous driving

(1) Any person who drives a motor vehicle on a road recklessly, or at a speed or in a manner dangerous to the public, having regard to all the circumstances of the case including the nature, condition and use of the road and the amount of traffic that was actually on the road at the time or might reasonably have been expected to be on the road at the time, commits an offence and shall be liable on summary conviction—

(*a*) in the case of a first conviction, to a fine of two thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment;

(*b*) in the case of a second or subsequent conviction, to a fine of three thousand five hundred dollars or to imprisonment for two years, or to both such fine and imprisonment.

(2) The court shall order particulars of any conviction under this section or section 62 to be endorsed on any driving licence held by the person convicted.

(3) When a person is convicted of an offence under this section—

(*a*) on the first conviction he or she may be disqualified by the court from holding or obtaining a driving licence for such period not exceeding six months from the date of the conviction as the court may order;

(*b*) on the second conviction he or she shall be disqualified by the court from holding or obtaining a driving licence for such period being not less than six months and not more than three years from the date of the conviction as the court orders;

(*c*) on the third or subsequent conviction he or she shall be disqualified by the court from holding or obtaining a driving licence for such period being not less than five years from the date of the conviction as the court orders.

(4) A member of the Police Force may arrest, without warrant, the driver of any motor vehicle who, within the view of that member of the Police Force, commits an offence under this section if—

(*a*) the driver refuses to give his or her name and address when requested to do so;

(*b*) the member of the Police Force has reason to believe that the name or address given is false; or

(*c*) the motor vehicle does not bear a registration number plate.

57. Careless driving: driving without due care and attention

(1) Any person who drives a motor vehicle on a road without due care and attention, or without reasonable consideration for other persons using the road, commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

(2) On a second or subsequent conviction for an offence under subsection (1), a person may be disqualified by the court from holding or obtaining a driving licence, for such period as the court orders from the date of the conviction.

(3) For the avoidance of doubt it is hereby provided that a person drives a motor vehicle without reasonable consideration for other persons using the road if, *inter alia,* he or she—

(*a*) so drives the vehicle on a road that he or she deliberately and maliciously splashes dirt or water on pedestrians when he or she could reasonably have avoided doing so; or

(*b*) drives the vehicle on a road when that vehicle is so loaded that it spills its load on the road so that the spillage constitutes a danger to other users of the road.

58. Speeding

(1) A person who drives a motor vehicle of a class or description specified in the Fourth Schedule at a speed greater than the speed specified in the Fourth Schedule or in an Order made under section 59(1) as being the maximum speed for a vehicle of that class or description on the road on which it is being driven, commits an offence and shall

be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

(2) Subject to subsection (4), a person charged with an offence under this section may not be liable to be convicted of the offence on the evidence of only one witness to the effect that in the opinion of that witness the person charged was driving the vehicle at a speed in contravention of subsection (1).

(3) Any person who aids, abets, counsels or procures another person, whether or not this latter person is employed by the former person to drive a motor vehicle on a road, to commit an offence under this section commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

(4) In a prosecution under this section evidence deriving from the use of radars and speed guns and such other scientific devices as may be prescribed by the Minister may be admitted by the court if the court is satisfied that such device was in proper working condition at the relevant time. Where a person is prosecuted under this section and evidence is admitted by the court under this subsection a person may be convicted of the offence on such evidence and the evidence of only one witness to the effect that in the opinion of that witness the person charged was driving the vehicle at a speed in contravention of subsection (1).

59. Experimental temporary adjustments to maximum speed by Order

(1) The Minister may, by Order, make temporary adjustments of an experimental nature in respect of the maximum speed for any class or description of vehicle on any road.

(2) Before the Minister makes an Order under subsection (1), he or she shall—

(*a*) by notice published in the *Gazette* on at least three occasions over a period of one month, inform the public of his or her intention to make the Order; and

(*b*) specify the new maximum speed in the notice and the days on which and the times during which it will be in operation.

(3) An Order made under this section is subject to negative resolution of Parliament and remains in operation for such period as may be specified in the Order, or, if no period is specified in the Order, until such time as the Order is revoked.

60. Speed limit may be varied or revoked by regulations

The Minister may, by regulations published in the *Gazette*, vary, amend or revoke any of the provisions of the Fourth Schedule, and in particular he or she may by such regulations prohibit the driving of motor vehicles on any road or over any bridge at a speed greater than that specified in such regulations.

61. Special provisions regarding racing

(1) A person who promotes or takes part in a race or trial of speed between cycles on a road commits an offence and is liable on summary conviction to a fine of seven hundred and fifty dollars or to imprisonment for three months, or to both such fine and imprisonment unless the race or trial is authorised and is conducted in accordance with any conditions imposed by or under regulations under this section.

(2) The Minister may by regulations authorise, or provide for authorising, for the purposes of subsection (1), the holding on a road of races or trials of speed, in cases as may be prescribed and subject to conditions as may be imposed by or under the regulations.

(3) Regulations under this section may—

(*a*) prescribe the procedure to be followed, and the particulars to be given, in connection with applications for authorisation under the regulations; and

(*b*) make different provision for different classes or descriptions of race or trial.

(4) Without prejudice to any other powers exercisable in that behalf, the Commissioner of Police may give directions with respect to the movement of, or the route to be followed by, vehicular traffic, during any period as may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic or danger to or from traffic, in consequence of the holding of a race or trial of speed authorised by or under regulations under subsection (2), including a direction that any road or part of a road specified in the direction shall be closed during any period to vehicles of a class so specified.

62. Drunken driving: driving while under influence of alcoholic liquor or drugs

(1) Any person who drives, attempts to drive, or is in charge of, a motor vehicle on a road while under the influence of alcoholic liquor or drugs to such an extent as to be unfit to drive or to be incapable of having proper control of the vehicle commits an offence and shall be liable on summary conviction—

(*a*) to a fine of five thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment in the case of a first conviction; and

(*b*) to a fine of ten thousand dollars or to imprisonment for two years or to both such fine and imprisonment in the case of a second or subsequent conviction.

(2) A person convicted of an offence under this section shall, unless the court for any special reason thinks fit to order otherwise, be disqualified by the court from the date of the conviction for a period of not less than one year from holding or obtaining a driving licence:

Provided that on a second conviction under this section, a person shall be disqualified by the court from the date of the conviction for a period of not less than five years from holding or obtaining a driving licence.

(3) For the purposes of this section a person is unfit to drive if his or her ability to drive properly is for the time being impaired.

(4) Any member of the Police Force may arrest without warrant any person whom he or she suspects on reasonable grounds of committing an offence under this section.

62A. Drinking alcohol while driving

Any person who drinks, or attempts to drink, any alcoholic beverage while driving a motor vehicle on a road commits an offence and shall be liable on summary conviction to a fine of five hundred dollars.

62B. Prohibition from driving public service vehicles

(1) No person shall, after the commencement of this Act, drive a public service vehicle if he has been convicted of an offence involving carnal knowledge under Part V of the Criminal Code, Chapter 72A.

(2) A person who contravenes subsection (1) commits an offence and shall be liable on summary conviction to a fine of five thousand dollars or imprisonment for six months, or both.

(3) No owner of a vehicle licensed to operate as a public service vehicle shall knowingly cause or permit a person convicted under subsection (1) to drive that vehicle.

(4) The owner of a public service vehicle who knowingly causes or permits a person who has been convicted under subsection (1) to drive his vehicle commits an offence and

shall be liable on summary conviction to a fine of five thousand dollars or imprisonment for six months, or both.

(5) Where a person is convicted under subsection (3), the Magistrate may, in addition to the penalty imposed thereunder cancel the licence of the vehicle, used in connection with the offence under subsection (3), to operate as a public service vehicle.

63. Using vehicle without consent of the owner

(1) A person who uses or takes and drives away or attempts to use or take and drive away a motor vehicle without the consent of its owner or other lawful authority or, knowing a motor vehicle to have been so taken, uses it or drives it or allows himself or herself to be carried in or on it without the consent of its owner or other lawful authority, commits an offence and shall be liable—

(*a*) on conviction on indictment, to a fine of two thousand five hundred dollars or to imprisonment for a term of two years, or to both such fine and imprisonment; or

(*b*) on summary conviction, to a fine of one thousand dollars or to imprisonment for nine months, or to both such fine and imprisonment.

(2) It is a defence to a charge brought under subsection (1) for the accused to establish that at the time he or she committed the act in respect of which he or she is charged he or she reasonably believed—

(*a*) he or she had lawful authority to use or drive away the motor vehicle;

(*b*) the owner would, in the circumstances of the case, have given his or her consent if his or her consent had been requested; or

(*c*) the vehicle was being driven with the consent of its owner or other lawful authority.

(3) Where, on a trial on indictment for stealing a motor vehicle, the jury is of the opinion that the accused is not guilty of stealing the motor vehicle but is guilty of an offence under this section, it may find him or her guilty of an offence under this section and thereupon he or she shall be liable to be punished accordingly.

(4) A member of the Police Force may arrest without a warrant any person reasonably suspected by him or her of having committed, or of attempting to commit, an offence under this section.

(5) Where a person is convicted under this section the court may, in addition to any punishment it imposes, or without imposing any punishment, order the person convicted to pay to the owner of the motor vehicle—

(*a*) an amount as in the opinion of the court would have been charged if the motor vehicle had been hired by the person convicted;

(*b*) an amount as in the opinion of the court represents fair compensation for any damage done to the motor vehicle; or

(*c*) both the amounts referred to in paragraphs (*a*) and (*b*) of this subsection.

An award under this subsection shall not be a bar to a civil suit, but shall be considered in ordering damages in a civil suit.

64. Interfering with vehicle

Any person who, without the permission of the owner, gets on or into a motor vehicle or attempts to manipulate any of the levers, the starter, brakes, controls or machinery of a motor vehicle or in any way interferes with or damages a motor vehicle while that vehicle is on a road or parking place, commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months, or to both

such fine and imprisonment but a person shall not be convicted under this section where that motor vehicle is obstructing his or her own vehicle or that of any other person, and he or she does the act complained of for the purpose of clearing the obstruction.

65. Endangering vehicle, etc.

Any person who maliciously throws any object at a motor vehicle or trailer, or at any person in or on a motor vehicle or trailer, or places any objects in any road whereby damage to any motor vehicle or trailer may be occasioned commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months, or to both such fine and imprisonment.

66. Using vehicle in defective condition

Any person who uses or drives or permits to be used or driven any motor vehicle or trailer on a road in such defective condition as regards its mechanical fittings or, otherwise so as to be a source of danger to its occupants or the public when he or she knows or ought to have known that it was so defective, commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months, or to both such fine and imprisonment.

67. Leaving vehicle in dangerous position

(1) The owner or a person in charge of a motor vehicle, whether in working condition or not, shall not cause or permit that vehicle or any trailer drawn thereby to remain stationary on any road in such a position, in such condition or in such circumstances as is likely to cause danger or obstruction to other traffic using the road.

(2) The owner or a person in charge of a motor vehicle or trailer referred to in subsection (1) shall take all requisite steps by lighting or otherwise to indicate its presence and position on the road and take immediate steps to have it removed as near as possible to the left hand side of the road.

(3) Any member of the Police Force or the Chief Technical Officer or any person authorised by the Chief Technical Officer may require the owner, driver or other person in charge of any motor vehicle or trailer referred to in this section to remove that vehicle or cause it to be removed, and a requirement to remove a motor vehicle may include a requirement that the motor vehicle shall not be removed to any specified road or to any particular position on such specified road.

(4) The Commissioner of Police or the Chief Technical Officer or any person authorised by either of them may remove and impound a motor vehicle or trailer if the owner, driver or other person in charge of it fails to remove it after being required to do so under subsection (3) or cannot be found after reasonable steps have been taken unsuccessfully to ascertain his or her whereabouts and the removal of the motor vehicle or trailer is necessary.

(5) When a motor vehicle or trailer has been removed pursuant to subsection (4), no person other than one specifically authorised to do so by the Commissioner of Police shall recover that vehicle or trailer unless he or she is the owner or an agent of the owner, and has paid any cost incurred in so removing it as certified in writing by a member of the Police Force, has paid such poundage fee as hereby may be fixed by the Commissioner of Police by Order, and has paid any other legal charge or fine where appropriate.

(6) Section 30(4) to (7) inclusive shall, as they apply to that section, apply also to this section *mutatis mutandis*.

68. Excessive noise from vehicle or equipment in it

(1) Any person who, without the written permission of the Commissioner of Police, drives or permits to be driven a motor vehicle on a road when that vehicle emits excessive noise from its engine, exhaust, radio, tape, tapedeck or any other part thereof or equipment attached thereto, whether such equipment is built into the vehicle or not, and whether for the reproduction of music, speech, other sound or otherwise, commits an offence and shall be liable on summary conviction to a fine of one thousand dollars, or to imprisonment for six months, or to both such fine and imprisonment.

(2) For the purposes of subsection (1), a noise is excessive when it exceeds the prescribed level on an instrument used for the purpose of measuring noise levels.

(3) Evidence for the purposes of subsection (1) which is derived from or based on an instrument referred to in subsection (2) shall be admissible in any court of law.

68A. Prohibition on amplification equipment

(1) Any person who, for the purpose of amplification of music or sound or otherwise, installs, or causes to be installed, or operates or causes to be operated, on a public service vehicle any amplifier, equaliser or speaker or other like equipment with a capacity exceeding 20 watts, commits an offence and is liable on summary conviction to a fine of one thousand dollars and to imprisonment for six months.

(2) A police officer in uniform may seize any equipment installed in a public service vehicle which he reasonably believes to be in excess of the capacity specified in subsection (1) and may produce it in court as evidence of an offence against that subsection. If any person is convicted of an offence in connection with the equipment the court may order it to be forfeited to the State, in addition to, or instead of any other penalty for the offence.

69. Warning to be given of intended prosecution

(1) Subject to subsection (2) a person may not be convicted of an offence under section 56, 57, 58 or 62 unless—

(*a*) he or she was warned at the time the offence was committed that the question of prosecuting him or her for an offence under the relevant section would be considered;

(*b*) within fourteen days of the commission of the offence a summons in respect of the offence was served on him or her;

(*c*) within fourteen days of the commission of the offence a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed was served on or sent by registered post to him or her or the person in whose name the vehicle was registered at the time of the commission of the offence; or

(*d*) he was given a notice under Part VIII in respect of the offence and he or she did not pay the fixed penalty relating thereto in accordance with the requirements of the said Part VIII.

(2) Failure to comply with subsection (1) shall not be a bar to the conviction of the accused in any case where the court is satisfied that—

(*a*) neither the name and address of the accused nor the name and address of the registered owner of the motor vehicle could with reasonable diligence have been ascertained in time for the summons or notice to have been served on or sent as aforesaid to the accused or the owner of the motor vehicle; or

(*b*) the accused by his or her own conduct contributed to the failure to comply with that subsection.

(3) The requirements of this section shall in every case be deemed to have been complied with unless and until the contrary is proved.

70. Restrictions on carriage of persons on motor cycles

(1) It shall be unlawful for more than one person in addition to the driver to be carried on a two-wheeled motor cycle, or for any such one person to be carried otherwise than sitting astride the cycle on a proper seat securely fixed to the cycle behind the driver's seat.

(2) If a person is carried on a cycle in contravention of subsection (1), the driver of the cycle commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for one month, or to both such fine and imprisonment.

71. Restrictions on carriage of persons on bicycles

(1) It shall be unlawful for more than one person to be carried on a road on a bicycle not propelled by mechanical power unless it is constructed or adapted for the carriage of more than one person.

(2) If any person is carried on a bicycle in contravention of subsection (1), each of the persons carried commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(3) In this section, references to a person carried on a bicycle include references to a person riding the bicycle.

72. Restrictions on cyclists riding abreast or holding on to other moving vehicles

(1) It shall be unlawful for more than two persons to ride abreast on a road upon motor cycles, or bicycles not propelled by mechanical power.

(2) A person shall not be convicted under subsection (1) in respect of the overtaking of two persons so riding and in the absence of other traffic on the road at the point of overtaking.

(3) It shall be unlawful for any person while riding a motor cycle, or a bicycle not propelled by mechanical power, on a road—

(*a*) to hold on to any other moving vehicle;

(*b*) to ride such motor cycle or bicycle without at least one hand being on the handle bars of such motor cycle or bicycle.

(4) Any person who contravenes this section shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

73. Cyclists and pedestrians to comply with directions to stop

Where a member of the Police Force in uniform engaged in the regulation of vehicular traffic on a road gives a traffic control signal to enable any vehicle to proceed in an indicated direction, any cyclist or pedestrian who proceeds against the flow of traffic consequent upon such signal or loiters in the road or otherwise impedes any vehicle from proceeding in the direction indicated commits an offence and shall be liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for one month, or to both such fine and imprisonment.

74. Protective head gear

(1) Subject to this section, a person must not drive or ride on a motor cycle unless wearing protective head gear consisting of a helmet designed to protect the head of a person driving or riding on a motor cycle.

(2) Protective head gear worn for the purposes of subsection (1) must have such characteristics as the Minister prescribes by Order.

(3) This section comes into operation six months after the commencement of the Road Traffic (Amendment) Act, 2001.

74A. Seat belts

(1) It is an offence for a person to drive or cause to be driven on a public road a motor vehicle to which this section applies unless it is fitted with seat belts on every front seat, of a type and fitted in a manner approved by the Licensing Authority.

(2) No person shall drive or sit in the front of a vehicle to which this section applies unless he or she is wearing a seat belt while the vehicle is in motion.

(3) This section applies to all private motor cars, public service vehicles and goods vehicles.

(4) No person may import a vehicle to which this section applies unless it is fitted with seat belts which comply with subsection (1).

(5) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of a thousand dollars and to imprisonment for three months.

(6) This section comes into operation one year after the commencement of the Road Traffic (Amendment) Act, 2001.

75. Duty to stop in case of accident

(1) A person riding, driving or in charge of any vehicle of any description shall, if, owing to the presence of the vehicle on a road, an accident occurs whereby personal injury is caused to any person or damage is caused to any vehicle—

(*a*) immediately stop; and

(*b*) if required to do so by any person having reasonable grounds for so requiring, give—

(i) his or her name and address,

(ii) the name and address of the owner of the vehicle,

(iii) the registration number of the vehicle,

(iv) the name of the insurance company with which the vehicle is insured, and

(v) the names of all persons in the vehicle at the time of the accident; and

(*c*) report the accident at a police station as soon as reasonably practicable but before the expiration of a period of 24 hours after its occurrence.

(2) Subsection (1)(*c*) shall not apply if a report is made, at the time and place of the accident, to a member of the Police Force.

(3) Any person who contravenes or fails to comply with this section commits an offence and shall be liable on summary conviction to a fine of two thousand dollars or to imprisonment for six months, or to both such fine and imprisonment.

(4) A person shall not be convicted under this section if, through pressing emergency, he or she so had to help attend to the personal injury caused by the accident that he or she could not reasonably have been expected to comply with this section.

76. Power of police to test or cause vehicle to be tested after accident

(1) Where an accident occurs owing to the presence of a vehicle on a road, a member of the Police Force may inspect and test the vehicle or cause it to be inspected and tested by an Inspector and may, for this purpose, require that the vehicle shall not be driven or taken away from the scene of the accident until it has been inspected and tested.

(2) Any person who—

(*a*) obstructs an Inspector or a member of the Police Force in the performance of his or her duty under this section;

(*b*) contravenes or fails to comply with this section; or

(*c*) fails to comply with a requirement by a member of the Police Force made under subsection (1),

commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

77. Provisions regarding parking, no-entry, one-way traffic and bus-stops

(1) If any person parks or leaves a motor vehicle at a place or in a manner or at a time prohibited by Order made by the Commissioner of Police and published in the *Gazette* and at least one local newspaper, he or she commits an offence.

(2) No person shall drive a motor vehicle into or on a road into which vehicles are forbidden to enter from the direction into which such entry is forbidden as indicated by a "no entry" sign marked, fixed or placed in accordance with an Order made by the Commissioner of Police and published in the *Gazette* and at least one local newspaper.

(3) No person shall drive a motor vehicle on a road or in a lane in a road in a direction opposite to that in which vehicles are required to be driven in accordance with Orders made by the Commissioner of Police and published in the *Gazette* and at least one local newspaper requiring that vehicles on that road be driven in only one direction.

(4) It shall be unlawful for a motor omnibus to take on or set down passengers on a road in any town or city or any other place prescribed by Order made by the Commissioner of Police and published in the *Gazette* and at least one local newspaper except at places on that road designated by the Order for such purpose indicated by the sign "Bus-Stop". The driver and the conductor of a motor omnibus shall both be liable if the motor omnibus is used in contravention of this subsection.

(5) Whenever this section refers to an Order made by the Commissioner of Police, the Commissioner of Police is by virtue of this section empowered to make such Order, without prejudice to any other provision of this Act also empowering him or her to do so:

Provided that where the Commissioner of Police is by virtue of this section empowered to make such an Order no such Order shall be valid unless it secures the prior written approval of the Minister and is stated to have secured such approval.

(6) Any person who violates any provision of this section or of any Order made by the Commissioner of Police under this section commits an offence and shall be liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for twelve months or to both such fine and imprisonment.

PART VI

Traffic Signs

78. Traffic signs on or near a road

(1) Subject to subsection (2) the Licensing Authority may cause or permit traffic signs to be placed, erected or otherwise marked on or near any road, and may authorise any traffic signs so placed, erected or otherwise marked before the coming into force of this Act to be retained.

(2) If the Licensing Authority causes or permits any traffic sign to be placed, erected or otherwise marked, or authorises the retention of any traffic sign, on or near any road in respect of which an Order of the Minister made under section 81 is in force, the provisions of the Order made by the Minister regarding the subject matter of such traffic sign shall be suspended during the continuance in force of such traffic sign.

(3) The size, colour and type of any traffic sign may be prescribed, and any traffic sign shall be of the prescribed type and substantially of the prescribed size and colour and, where the size, colour and type thereof are not prescribed, shall be of a character authorised by the Licensing Authority.

(4) Every traffic sign erected, placed, marked or retained on or near any road shall, unless the contrary is proved, be deemed—

(*a*) to have been lawfully erected, placed, marked or retained;

(*b*) to be of the prescribed type and substantially of the prescribed size and colour, where the size, colour and type of the same have been prescribed, and in other cases to be of a character authorised by the Licensing Authority under this section.

(5) (*a*) Notwithstanding anything contained in subsection (4), after the commencement of this Act no person other than the Licensing Authority or any person acting under his or her directions may, except with the general or special permission in writing of the Licensing Authority—

(i) erect, place or mark any traffic sign on or near any road, or

(ii) retain any traffic sign erected, placed or marked, or caused to be erected, placed or marked by him or her on or near any road.

(*b*) Without prejudice to the operation of section 79(1), nothing in this subsection shall apply to any traffic sign—

(i) which the owner of any land erects, places, marks or retains, or causes to be erected, placed, marked or retained, on or near any private road which is situated on such land, or

(ii) which any person erects, places, marks or retains, or causes to be erected, placed, marked or retained, on or near any road in pursuance of any authority conferred upon him or her by or under any law of the State other than this Act.

(*c*) For the purposes of this subsection—

"owner", in relation to any land, includes any person in lawful occupation of the land; and

"private road" means any privately owned street, road or open space to which the public is granted access conditionally.

78A. Light signals

(1) The Licensing Authority may install or cause to be installed traffic signs consisting of light signals for the purpose of regulating traffic at such places as it considers appropriate.

(2) The light signals may be mechanical or electronic devices and shall consist of size, number and type as may be prescribed.

(3) The light signals shall have such significance or commands as my be prescribed and all drivers of motor vehicles shall obey such light signals in the same manner as other traffic signs.

79. Traffic signs on land

(1) The Licensing Authority may, by notice in writing, require the owner or occupier of any land on which there is a traffic sign, or any object which so closely resembles a traffic sign that it might reasonably be taken to be such a sign, to remove it, and if any person fails to comply with such a notice, the Licensing Authority may himself or herself effect or authorise the removal, causing as little damage as possible, and may, except where the sign was erected, placed, marked or retained by the Licensing Authority, recover in a court of competent jurisdiction as a civil debt from the person so in default the expenses incurred by him or her in doing so.

(2) The Licensing Authority or any person authorised by him or her may, on any land near to or adjoining a road, cut branches of trees, or other vegetation, or remove any other thing which obscures or is likely to cause damage to a traffic sign; but the Licensing Authority or any person authorised by him or her shall not exercise any powers under this section until after the expiration of three days' written notice given to the owner of the land or posted up conspicuously thereon, stating his or her intention to exercise the relevant power.

(3) The Licensing Authority or any person authorised by him or her may enter any land near to or adjoining a road—

(*a*) for the purpose of exercising any power conferred by this section upon the Licensing Authority; or

(*b*) for the purpose of replacing or maintaining traffic signs.

(4) The Licensing Authority or any person authorised by him or her shall do as little damage as possible in executing any work authorised by this section.

(5) (*a*) If any person who owns or has interest in any property suffers pecuniary loss by reason of any damage to the property resulting from the exercise by the Licensing Authority of the powers conferred upon him or her by section 78 or this section, compensation shall be payable to the person in respect of the loss.

(*b*) If any difference arises between any person claiming compensation and the Licensing Authority as to whether the person is entitled to compensation or as to the amount due, the difference shall on the written application of the person or the Attorney General be determined—

(i) by a Magistrate if the amount claimed does not exceed nine thousand dollars, or

(ii) by a Judge of the High Court if the amount claimed exceeds nine thousand dollars,

as if the Magistrate or Judge were a single arbitrator appointed pursuant to the Arbitration Act, and the said Act shall apply accordingly.

(6) Compensation payable under this section shall be defrayed out of monies provided for the purpose by Parliament.

80. Penalties for violating sections 78 and 79

Any person who—

(*a*) unlawfully places, erects, marks or, retains, or causes to be placed, erected, marked or retained, any traffic sign on or near any road;

(*b*) removes, defaces, damages, alters or obscures or in any way interferes with, any traffic sign lawfully placed, erected, marked or retained on or near any road; or

(*c*) being the driver of a vehicle, fails to comply with a traffic sign placed, erected or otherwise marked on or near any road by the Licensing Authority,

commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

81. Parking of vehicles and one-way roads

(1) The Minister may by Order—

(*a*) prohibit or regulate the parking of vehicles on any road;

(*b*) prohibit the driving of any vehicle on any specified road otherwise than in a specified direction;

(*c*) specify the route to be travelled by public service vehicles; or

(*d*) prohibit vehicles of a particular class from travelling on certain roads or routes under conditions specified in the Order.

(2) An Order made under this section may prescribe in respect of any contravention thereof a penalty not exceeding a fine of five hundred dollars or imprisonment for three months or both such fine and imprisonment on summary conviction.

(3) Where any provision in an Order made by the Minister under this section conflicts with any Order made or directions given under section 82 to meet the exigencies of the special occasion, the operation of the provisions of the Order made by the Minister under this section shall be suspended during the continuance in force of the Order or directions made or given under section 82 as the case may be.

(4) Where any provision in any Order made by the Commissioner of Police under section 77 conflicts with any provision in any Order or regulations made by the Minister under this Act, the operation of such provisions in such Order or regulations made by the Minister shall be suspended during the continuance in force of the provision in the Order made by the Commissioner of Police.

(5) The Minister may by Order published in the *Gazette* zone the routes that are travelled for regular hire or reward by public service vehicles and require public service vehicles to travel such zoned routes for regular hire or reward in accordance with such Order. When such an Order is in force, the driver of a public service vehicle governed thereby shall display prominently at both the front and back of the vehicle a sign with such letters or numbers or both letters and numbers as may be prescribed in the Order clearly distinctly and conspicuously identifying the route which the vehicle is required to travel. A requirement that a route be travelled includes a duty to begin and end the journey at such points as may be stipulated in such Order.

(6) A requirement imposed by an Order referred to in subsection (5) that a public service vehicle be used for hire or reward on or along a route shall not prevent that vehicle from travelling other routes if it does so when it is not on duty or when it is on tour or on charter. But in either of these events the driver shall display prominently at both the front and back of the vehicle a sign with clearly visible and legible letters saying that the vehicle is "Not on Duty" or "On Tour" or "On Charter" as the case may be.

(7) An Order referred to in subsections (5) and (6) may provide that any person who contravenes such Order shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

82. Special Orders may be made by Commissioner of Police

(1) The Commissioner of Police may by notice published in the *Gazette* and at least any one local newspaper make Orders or give directions concerning the lane to be kept by persons driving or riding any vehicle or animal on any road and as to the manner in which vehicles of any description shall be parked or drawn up while waiting on any road, and as to the route to be observed by all vehicles, horses and persons, and for preventing obstructions on any road, in any case where because of some special occasion such road is liable to be thronged or obstructed; or concerning the regulating of traffic in the neighbourhood of Parliament, the Courts of Law, public offices, churches, theatres and other such special places of public resort.

(2) The Commissioner of Police may, without making Orders or giving directions referred to in subsection (1), place, erect, mark or otherwise issue a notice on or near any road concerning the matters referred to in subsection (1).

(3) Any person who contravenes or fails to comply with Orders made or directions given under subsection (1) or notices issued under subsection (2) commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(4) Any member of the Police Force may apprehend without warrant, any person who commits an offence under this section within his or her view if the person refuses to give his or her name and address or gives a name or address which the member of the Police Force has reasonable grounds for believing to be false.

83. Drivers to comply with traffic directions

(1) Where a member of the Police Force in uniform is for the time being engaged in the regulation of traffic on a road where a traffic sign, being a sign of the prescribed size, colour and type or of another character authorised by the Licensing Authority under section 78, and being a sign for regulating the movement of traffic or indicating the route to be followed by traffic, or when a notice of the Commissioner of Police under section 82 has been lawfully placed, erected, marked or otherwise issued or retained on or near a road, any person driving or propelling a vehicle or any person riding or driving any animal—

(*a*) who neglects or refuses to stop the vehicle or animal or to make the vehicle or animal proceed in or keep to a particular lane of traffic when directed or signalled to do so by the member of the Police Force in the execution of his or her duty; or

(*b*) who fails to comply with the indication given by the traffic sign or notice, when the member of the Police Force does not otherwise direct,

commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

(2) The Commissioner of Police may, without making an Order or giving directions or issuing a notice under section 82, place, erect or mark a traffic sign of the specifications referred to in section 78 or some other special traffic sign prepared by him or her, or may authorise a member of the Police Force in uniform to regulate the movement of traffic or to indicate the route to be followed by traffic or to regulate the parking of vehicles; and any person driving or propelling a vehicle or any person riding or driving any animal—

(*a*) who neglects or refuses to stop the vehicle or animal or to make the vehicle or animal proceed in or keep to a particular lane of traffic when directed or signalled to do so by the member of the Police Force in the execution of his or her duty; or

(*b*) who fails to comply with the indication given by the traffic sign or notice, when the member of the Police Force does not otherwise direct,

commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

84. Bus-stops

(1) Any person who parks any vehicle on a road so that any part of the vehicle or any load carried thereon is within any bus-stop as designated under section 77 commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for one month, or to both such fine and imprisonment.

(2) For the purposes of this section, "parking" includes causing or permitting a vehicle, whether occupied or not, to stand on a road—

(*a*) while the vehicle is being loaded or unloaded; or

(*b*) while passengers are entering or leaving the vehicle.

PART VII

Legal Proceedings, Suspension, Cancellation, Endorsement of Driving Licences

85. Procedure on failure of jury to agree on alternative verdict

(1) Where, upon the trial of a person for an offence under section 55, the jury finds the accused not guilty of the offence charged, but fails to agree on the alternative verdict provided for in subsection (2) of that section, a charge based on the same facts for an offence under section 56 or 62 shall not be preferred against the accused without the written consent of the Director of Public Prosecutions.

(2) Where, pursuant to subsection (1), a person is charged with an offence under section 56 or 62 he or she may be convicted of the offence notwithstanding that section 69 has not been complied with in respect of the offence.

86. Power to proceed on charge of careless driving on hearing of charge of dangerous driving or drunken driving

(1) Where, upon the trial of a person for an offence under section 55, 56 or 62 the court is of the opinion that the offence is not proved, then, without prejudice to any other powers the court possesses, it may at any time during the hearing or immediately thereafter—

(*a*) grant permission for a charge for an offence under section 57 to be preferred against the accused; or

(*b*) direct or allow such charge under section 57 to be preferred forthwith against the accused and, subject to subsection (2), may thereupon proceed with the charge.

(2) In any case referred to in subsection (1) the accused or his or her solicitor or counsel shall be informed of the new charge and shall be given an opportunity, whether by way of cross-examination of any witness whose evidence has already been given against the accused or otherwise, of answering the new charge, and the court may adjourn the hearing if it considers that the accused is prejudiced in his or her defence by reason of the new charge being so preferred.

(3) Where—

(*a*) a charge to which section 69 relates has been brought against an accused and that section has been complied with; or

(*b*) a charge has been brought against an accused under section 55, in which case section 69 does not apply,

the accused may be convicted on a charge preferred pursuant to subsection (1), notwithstanding that that subsection has not been satisfied in respect of the charge so preferred.

87. Power of court before which a person is convicted in connection with the driving of a motor vehicle

(1) The court before which a person is convicted of any offence in connection with the driving of a motor vehicle may, in addition to any other penalty provided for such offence, order that the offender be disqualified for a stated period or permanently from holding or obtaining a driving licence either generally or limited to the driving of a motor vehicle of any particular class, and where the offender holds a driving licence the court shall require him or her to produce the licence and the court shall endorse upon the licence particulars of any Order the court makes under this section together with the particulars of the conviction.

(2) A person who is disqualified under this Act from holding or obtaining a driving licence may, after the expiration of six months from the date of disqualification, apply to the court by which he or she was disqualified to remove the disqualification and the court may, as it thinks proper, having regard to the character of the person disqualified and his or her conduct subsequent to the disqualification, the nature of the offence and any other circumstances of the case, either by Order remove the disqualification as from the date specified in the Order or refuse the application.

(3) Where an application under subsection (2) is refused, a further application shall not be entertained within six months of the date of refusal.

(4) Particulars of a conviction or disqualification or of a removal of a disqualification under this Act shall be furnished by the court to the Licensing Authority.

(5) A person who by virtue of an Order of a court under this section is disqualified from holding or obtaining a driving licence may appeal against the Order in the same manner as against a conviction, and the court may, if it thinks fit pending the appeal, suspend the operation of the Order.

(6) The provisions of this section regarding the disqualifying of a person and the endorsing of his or her driving licence shall be subject to other provisions on these matters of disqualifying and endorsing specifically contained in this Act.

88. Production of driving licence for endorsement

(1) Any person who is convicted of an offence in connection with the driving of a motor vehicle shall, if he or she holds a driving licence, produce it within such time as the court directs for the purpose of endorsement thereon of the particulars of the conviction if the court so directs.

(2) Any person who contravenes or fails to comply with this section commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

89. Custody of driving licence when suspended or cancelled

(1) Where a court orders the suspension or cancellation of a driving licence or disqualifies a person from obtaining a driving licence, the owner of that suspended or cancelled driving licence shall surrender it to the court within seven days of the making of the Order and the court shall keep same in its custody while such Order remains in force, subject to subsection (3).

(2) At the expiration of the period of suspension of a driving licence the court shall return the licence to the holder on demand.

(3) Where the disqualification to which a person has become subject is limited to the driving of a motor vehicle of a particular class or description, the court shall upon receiving the driving licence, indicate thereon the class or description of vehicle that the holder of the driving licence is disqualified from driving and thereupon return the licence to the holder.

90. Power of court or Licensing Authority to suspend driving licence pending determination of certain charges

(1) Where a person is charged before a court with an offence under section 55, 56 or 62 the court or the Licensing Authority may order the suspension of the driving licence or the learner's licence of that person pending the determination of the charge.

(2) A driving licence or learner's licence suspended under subsection (1) shall, upon being suspended, be surrendered by the holder thereof to the court before which he or she is charged or the Licensing Authority as the case may be.

(3) Any person who contravenes subsection (2) commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

91. Effect of suspension of driving licence or disqualification

(1) A driving licence suspended by a court or by the Licensing Authority, as the case may be, is of no effect during the period of suspension and a person whose licence is suspended, or who has been disqualified by the court from obtaining a driving licence, shall not be competent to hold a driving licence during the period of suspension or the period of disqualification as the case may be.

(2) Where a person drives a motor vehicle on a road while his or her driving licence regarding that vehicle or class or description of vehicle is suspended, the provisions of section 31 shall apply as if that person were driving without the required licence.

92. Liability of person disqualified from holding or obtaining driving licence

Any person disqualified under this Part from obtaining a driving licence who—

(*a*) applies for or obtains a driving licence while he or she is disqualified;

(*b*) drives a motor vehicle on a road while he or she is disqualified; or

(*c*) if the disqualification is limited to the driving of a motor vehicle of a particular class or description, drives on a road a motor vehicle of that class or description,

commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months or to both such fine and imprisonment.

93. Non-disclosure of suspension or cancellation of driving licence

Any person whose driving licence has been suspended or cancelled who subsequently applies for or obtains a driving licence during such suspension or cancellation without disclosing the fact that his or her licence has been so suspended or cancelled commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months or to both such fine and imprisonment and in addition thereto any licence so obtained shall be of no effect.

94. Non-disclosure of endorsement

Where—

(*a*) a driving licence has been ordered to be endorsed; and

(*b*) the holder of the driving licence is not yet entitled to a driving licence free from endorsement pursuant to section 96,

if the holder applies for or obtains a driving licence without stating in the application particulars of the endorsement, he or she commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment and in addition thereto any licence so obtained shall be of no effect.

95. Particulars of endorsement to be copied on new driving licence

Subject to sections 48(1) and 96, any particulars, endorsed on a driving licence previously held by a person must be copied on any new driving licence issued to him or her.

96. Issue of new licence free from endorsement after certain period

(1) A person in respect of whom an order has been made under this Part requiring that an endorsement be made on any driving licence held by him or her, who, during a continuous period of three years or upwards since the order was made, has had no other such order made against him or her, shall be entitled on application to the Licensing Authority, subject to payment of such fee as the Minister by Order prescribes and the surrender of his or her current licence, to have issued to him or her a new driving licence free from endorsement.

(2) For the purposes of subsection (1), in reckoning the period of three years since the making of an order requiring an endorsement, any period during which the person was by virtue of the order disqualified from holding or obtaining a driving licence shall be excluded.

(3) Subject to this section, a person who, by an order of a court made pursuant to this Act, is disqualified from holding or obtaining a driving licence may make application to the court that made the order, for removal of the disqualification, in the same manner as against a conviction, and on any such application being made, the court may, after having regard to—

(*a*) the character of the person disqualified;

(*b*) his or her conduct subsequent to the making of the order;

(*c*) the nature of the offence; and

(*d*) any other circumstances of the case,

order the removal of the disqualification as from the date specified in the order, or refuse the application. An order restoring a driving licence which has been cancelled may likewise be granted on application by the person whose driving licence has been cancelled if he or she applies, as the case may be, to the court which ordered the cancellation or to the court in the district in which the office of the Licensing Authority is situate when it was the Licensing Authority which ordered the cancellation.

(4) An application may not be made under subsection (3) for an Order for the removal of a disqualification before the expiration of—

(*a*) six months from the date of the ordering of the disqualification, if the disqualification was ordered for a period less than a year;

(*b*) one-half of the period of the disqualification, from the date of the ordering of the disqualification if the disqualification was made for a period less than six years but not less than one year; and

(*c*) three years, in any other case.

(5) In determining the expiration of the period after which a person may apply under subsection (4) for removal of a disqualification, any time after the conviction during which the disqualification was suspended or he or she was further disqualified shall be disregarded.

(6) Where an application made pursuant to subsection (3) for the removal of a disqualification is refused, a further such application shall not be entertained if made within three months after the date of the refusal.

(7) The court shall order particulars of any order it makes for the removal of a disqualification to be endorsed on the driving licence, if any, previously held by the applicant for the order; and it may also order the applicant to pay the whole or any part of the costs of the application.

(8) An application may not be made under subsection (3) for an order for the removal of a cancellation before the expiration of two years from the date of the ordering of the cancellation. Where an application for the removal of a cancellation is refused, a further application shall not be entertained if made within six months after the date of the refusal.

PART VIII

Fixed Penalty

97. Special meanings

In this Part—

"fixed penalty" means the penalty prescribed under section 101;

"notice" means a document in the form set out in the Fifth Schedule offering the opportunity for the discharge of any liability to conviction for the offence specified therein by payment of a fixed penalty in accordance with this Part;

"offence" means an offence listed in the second column of the Third Schedule, being an offence created by or under the enactment specified in the third column of that schedule, and attracting the fixed penalty set out in the fifth column of that schedule.

98. Member of Police Force may give or affix notice

(1) Where a member of the Police Force of or above such rank as may from time to time be prescribed by the Commissioner of Police has reason to believe that an offence to which this Part relates has been or is being committed with or in respect of a motor vehicle, it shall be lawful for him or her to give to the driver of that vehicle a notice charging him or her with the commission of such offence, and notifying him or her that a complaint will be made against him or her in respect thereof and requiring him or her either to pay the fixed penalty within the time specified in the notice or to appear at the court specified in the notice on the day and at the hour stated therein to answer the said complaint:

Provided that no more than one offence may be charged in any such notice:

Provided further that no more than one notice may be given in respect of a vehicle regarding any one same set of circumstances.

(2) Subject to this section, where a member of the Police Force of or above such rank as may from time to time be prescribed by the Commissioner of Police has reason to believe that an offence to which this Part relates is being or has been committed with or in respect of a motor vehicle, he or she may affix the notice referred to in subsection (1) to any part of the vehicle where the notice may easily be seen.

(3) A notice affixed under subsection (2) shall for the purposes of this Act be deemed to have been given to the person liable for the offence, and notwithstanding any law to the contrary, the registered owner of a vehicle shall, for the purposes of the proceedings instituted by the notice, be presumed to be the person liable for the offence.

(4) Where a member of the Police Force of or above such rank as may from time to time be prescribed by the Commissioner of Police intends to proceed under subsection (1) or (2), the notice referred to in those subsections shall be given or affixed on the occasion when he or she considered that he or she had reason to believe that the offence was committed.

(5) The member of the Police Force of or above such rank as may from time to time be prescribed by the Commissioner of Police proceeding under this section shall send a duplicate of the notice referred to in subsections (1) and (2) to the Magistrate of the district in which the offence is alleged to have been committed, and the duplicate shall be deemed to be a complaint laid before the Magistrate:

Provided that no such reminder need be served on or sent to the driver or owner of the vehicle concerned where the notice was served personally upon the said driver or owner as the case may be.

(6) The Member of the Police Force of or above such rank as may from time to time be prescribed by the Commissioner of Police proceeding under this section shall serve upon or send to both the driver and the owner of the vehicle concerned a written reminder in such form as may hereby be prescribed by the Commissioner of Police stating that the notice referred to in this section was affixed to the vehicle under this section. The reminder shall be served or sent within seven days of the notice being affixed to a vehicle. Evidence that such reminder was left at or posted to the last known residential address of the driver and the owner shall suffice to show that such reminder was served or sent:

Provided that no such reminder need be served on or sent to the driver or owner of the vehicle concerned where the notice was served personally upon the said driver or owner as the case may be.

(7) The reference in subsection (2) to the affixing of a notice to any part of a vehicle includes putting the notice inside the vehicle wherever possible.

(8) For the avoidance of doubt it is hereby declared that where an offence to which this Part relates has been or is being committed, nothing in this Part shall be construed as creating a mandatory requirement for a member of the Police Force, within the contemplation of this section, to give the driver of the vehicle concerned a notice referred to in subsection (1) instead of proceeding by way of summons before a court of law.

(9) Where an offence to which this section applies has been or is being committed by any person, a member of the Police Force, within the contemplation of this section, in making a determination as to whether to issue a notice under subsection (1) to the person alleged to have committed the offence or to proceed by way of summons before a court of summary jurisdiction, shall have regard to any or all of the following—

(*a*) the nature of the offence;

(*b*) the frequency with which the offence is committed generally;

(*c*) the circumstances under which the offence was committed;

(*d*) the conduct of the person who is alleged to have committed the offence;

(*e*) the public interest.

99. Particulars to be specified in notice

A notice given or affixed under section 98 shall be signed by the member of the Police Force proceeding under that section and shall specify—

(*a*) the date, time and place of the giving or affixing of the notice;

(*b*) the section of the enactment creating the offence alleged, and such particulars of the offence as are required under the Criminal Procedure Code, Chapter 72B;

(*c*) the time within which the fixed penalty may be paid in accordance with section 100(2);

(*d*) the amount of the fixed penalty;

(*e*) the clerk of the Magistrate's Court to whom, and the address at or to which, the fixed penalty may be paid or remitted.

100. Payment of fixed penalty precludes prosecution

(1) Where a notice has been given under section 98, the driver or the registered owner of the vehicle, as the case may be, may pay the fixed penalty in accordance with the notice.

(2) The time within which a fixed penalty is payable is thirty-one (31) days from the date of the notice, and where payment reaches the clerk of the Magistrate's Court after that time it shall be returned to the sender.

(3) Where the fixed penalty is paid in accordance with the notice, no person shall then be liable to be convicted for the offence in respect of which the notice was given and the proceedings instituted by the notice shall be deemed to have been dismissed.

101. Amount of fixed penalty payable

(1) The fixed penalty for an offence shall be the amount specified in the fifth column of the Third Schedule for that offence.

(2) Notwithstanding anything to the contrary contained in this Act or any other law, where in respect of an offence attracting a fixed penalty a person is served with a notice under section 98 requiring him or her to pay the fixed penalty or to appear at the court specified, but he or she does not pay the fixed penalty and instead is proceeded against in court, if he or she is convicted of the offence and the court decides to impose a fine, that fine shall not be less than the sum that is the fixed penalty attaching to that offence by this section and the Third Schedule.

102. Payment of fixed penalty

(1) Payment of the fixed penalty shall be made to the clerk of the Magistrate's Court as stated in the notice given or affixed pursuant to section 98, and shall be dealt with in the same manner as payment of a fine imposed for an offence under the Criminal Procedure Code, Chapter 2.

(2) Payment of the fixed penalty shall be accompanied by the notice which shall be completed by the driver or the registered owner, as the case may be, in the manner prescribed.

(3) The clerk of the Magistrate's Court to whom a fixed penalty has been paid shall in writing inform the respective divisional headquarters of the Police Force as may hereby be indicated by the Commissioner of Police in such form as may hereby be prescribed by the Commissioner of Police.

103. Certificate of payment or non-payment of fixed penalty

In any proceedings, a certificate that payment of the fixed penalty was or was not made to the clerk of the Magistrate's Court by the date specified in the certificate shall, if the certificate purports to be signed by such clerk be sufficient evidence of the facts stated, unless the contrary is proved.

104. Consequence of failure to pay or to appear

(1) Where a fixed penalty is not paid within the time specified in the notice to which section 98 refers, being the time within which it should be paid in accordance with section 100(2), proceedings in respect of the offence specified in the notice shall thereafter proceed in the manner prescribed by the Criminal Procedure Code, Chapter 2:

Provided that where a notice under Part VIII of this Act has been given to a person regarding an offence and he or she does not pay the fixed penalty relating thereto in accordance with the requirements of the said Part VIII the said notice shall be deemed to be the information or complaint required by section 71 of the Code to institute proceedings.

(2) No such proceedings as referred to in subsection (1) shall be instituted unless the member of the Police Force proceeding under section 98 serves upon or sends to both the driver and the owner of the vehicle concerned the written reminder referred to in section 98(6).

105. Notice not to be removed or interfered with

(1) A notice affixed to a vehicle under section 98(2) shall not be removed or interfered with except by or under the authority of—

(*a*) the driver or the person in charge of that vehicle; or

(*b*) the person liable for the offence in question.

(2) Any person who, in contravention of subsection (1), removes a notice from a vehicle commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

106. Amendment and replacement of Third Schedule

(1) The Minister may from time to time by regulation—

(*a*) add any offence to the Third Schedule;

(*b*) remove any offence from the Third Schedule; or

(*c*) replace the Third Schedule in whole or in part.

(2) In subsection (1)(*a*), "offence" means an offence against any enactment relating to the use of vehicles on roads which is punishable on summary conviction.

107. Special regulations

The Minister may by regulations make provisions respecting any matter incidental to the operation of sections 97 to 106, and in particular for prescribing—

(*a*) the form of notice to be given pursuant to section 98; and

(*b*) the duties of the clerk of the Magistrate's Court and the information to be supplied to such clerk by the person on whom the fixed penalty is imposed.

PART IX

Miscellaneous

108. Fees

(1) Unless otherwise provided in this Act, the fees specified in the First Schedule shall be payable annually to the Accountant-General on account of the general revenue of the State.

(2) The Minister may by regulations amend, vary, suspend or revoke the provisions of the First Schedule.

(3) Regulations made under subsection (2) shall be subject to affirmative resolution.

109. Fraudulent imitation, etc., of documents

Any person who—

(*a*) fraudulently imitates, alters, mutilates destroys; or

(*b*) fraudulently uses or lends or allows to be used by any other person,

any identification mark, motor vehicle licence, certificate of registration or driving licence issued or purported to have been issued under this Act, or certificate of insurance of a motor vehicle, commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

110. Appointment of stands for public service vehicles etc.

(1) The Minister may by notice published in the *Gazette* designate stands and parking places for use exclusively by public service vehicles and taxis plying or standing for hire.

(2) The driver of a public service vehicle or taxi who causes that public service vehicle or taxi to ply or stand for hire on a road or place not designated under subsection (1) for the use of a vehicle of that kind commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

111. Penalty for offence not specifically provided for

(1) Any person who commits an offence under this Act or the regulations or an Order made hereunder for which no penalty is specifically provided shall be liable on summary conviction to a fine of two thousand dollars or to imprisonment for six months.

(2) Except where a particular provision in this Act specifically varies a fine or term of imprisonment according to whether it is the offender's first or second or third or subsequent conviction, no more than a half of the maximum penalty provided for by this Act regarding an offence shall be imposed upon an offender except in the case of that offender's third or subsequent conviction for that same particular offence and where a person is a body corporate, to a fine of not less than fifteen thousand dollars.

112. Failure to give certain information

(1) A driver or conductor of a motor vehicle who commits an offence under this Act or regulations or Orders made hereunder, or who is alleged by a member of the Police Force to have committed such an offence, who—

> refuses to give his or her name and address, or gives a false name or address, on being required by a member of the Police Force to give his or her name and address,

commits an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(2) It shall be the duty of the owner of a motor vehicle to give to a member of the Police Force such information as is possessed by the owner which may lead to the identification and apprehension of the driver or conductor of that vehicle if that vehicle is

alleged by that member of the Police Force to have been involved in an offence under this Act or regulations or Orders made hereunder if asked by a member of the Police Force to do so. If the owner fails or refuses to give such information within four days of being requested by a member of the Police Force to do so he or she commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

113. General power of arrest

(1) Subject to subsections (2) and (3), a member of the Police Force may arrest without a warrant any person who within his or her view commits an offence under this Act or any regulations, Orders or rules made pursuant to this Act or any person who such member of the Police Force reasonably believes he or she saw committing such offence.

(2) The power of arrest conferred by subsection (1) may be exercised only in the following cases—

(*a*) in the case of a driver or conductor, where the driver or conductor, on being requested to give his or her name and address or to produce his or her licence for examination, refuses to do so;

(*aa*) in the case of an offence under section 83 of failing to comply with a traffic direction given by a police officer in uniform;

(*ab*) in the case of any offence involving obstruction of a road by a motor vehicle if the driver of the vehicle refuses to move the vehicle when requested to do so by a police officer in uniform;

(*b*) in any other case, where a person upon request refuses to give his or her name or address; or

(*c*) where there are reasonable grounds for suspecting that a person has given a false name or address.

(3) Subject to subsection (4), any member of the Police Force may arrest without warrant any person whom he or she sees driving or suspects on reasonable grounds to have been driving a motor vehicle and whom he or she knows has never been issued a licence.

(4) This section does not apply to a person who has failed or refused to produce his or her licence when requested to do so by a member of the Police Force.

113A. Prerequisite for arrests generally

No police officer may arrest any person unless he or she is wearing full police uniform or suitably identifies himself or herself to the person whom he or she intends to arrest.

114. Giving false statement

Any person who makes any statement which to his or her knowledge is false or in any material respect misleading in connection with—

(*a*) an application for a motor vehicle licence;

(*b*) an application for the registration of a motor vehicle;

(*c*) an application for a driving licence;

(*d*) the endorsement of a driving licence;

(*e*) any change or correction in a motor vehicle licence;

(*f*) any change or correction in the registration of a motor vehicle; or

(*g*) the giving of any information lawfully demanded or required under this Act, the regulations or an Order made under this Act,

commits an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment.

115. Duplicate certificates, licences etc.

Any person or authority having power under this Act to issue any certificate, licence or other document shall, on proof to his or her satisfaction that the certificate, licence or other document has been lost, destroyed, defaced, mutilated or rendered illegible, and on payment of the prescribed fee, issue a duplicate of the certificate, licence or other document to the person entitled thereto.

116. Liability of driver and owner of vehicle

Where an act committed by means of a motor vehicle is in contravention of this Act or regulations or Orders made under this Act, the driver of the motor vehicle at the time the act was committed and the owner of the vehicle shall both be held liable for the contravention unless—

(*a*) in the case of the driver, the offence was not due to any act, omission, neglect or default on his or her part; and

(*b*) in the case of the owner, the act was committed without his or her consent and—

(i) was not due to any act or omission on his or her part, and

(ii) he had taken all reasonable precautions to prevent the commission thereof.

117. Power of entry

(1) Any person authorised in writing by the Licensing Authority may at all reasonable times enter any premises for the purpose of—

(*a*) ascertaining whether any vehicle is being kept on such premises for use in contravention of this Act or regulations or Orders made under this Act; and

(*b*) inspecting any vehicle on the premises.

(2) A person authorised in writing by the Licensing Authority may seize any vehicle or part thereof or any equipment or accessory of a vehicle which the person reasonably believes is required as evidence of an offence under this Act or the regulations and retain the same until the final disposal of the proceedings relating to the offence. If any vehicle or thing is seized under this subsection, the person seizing it must give a written receipt to the owner of it and must return the vehicle or thing to the owner on the final disposal of the proceedings unless a court otherwise orders pursuant to this Act.

118. Motor vehicle deemed to be kept for use

Every motor vehicle and trailer shall, in all proceedings under this Act, be deemed, until the contrary is proved, to be kept by the owner thereof for use.

119. Power to require motor vehicles licensed according to maximum gross weight to be weighed

(1) The responsible person of a load of a vehicle or combination shall—

(*a*) on the request of a police officer, satisfy the police officer that the load does not contravene the licence, this Act or any regulation or Order;

(*b*) where required by the police officer referred to in paragraph (*a*), drive the vehicle or combination to the nearest weighbridge, or other machine for weighing vehicles as authorised under the National Metrology Act, Chapter 205B, for the purpose of weighing the load.

(2) Any person who, upon being required pursuant to subsection (1) to proceed to the nearest weighbridge, fails to do so commits an offence and shall be liable on summary conviction to a fine of fifty thousand dollars if the person is a body corporate or otherwise, a fine of five thousand dollars or to imprisonment for three months, or to both such fine and imprisonment.

(3) The Licensing Authority, or any person authorised by the Licensing Authority, as a precondition to granting or renewing a licence in respect of a motor vehicle or trailer, may require such motor vehicle or trailer to be weighed by and at the expense of the owner in the presence of a person authorised by the Licensing Authority.

120. Non-application of section 58 to vehicles when used for certain purposes

Section 58 does not apply to a motor vehicle while it is being used—

(*a*) by a member of the Fire Service for the purpose of proceeding to a fire in answer to a fire alarm;

(*b*) by a member of the Police Force while in the execution of his or her duty; or

(*c*) as an ambulance,

if the observance of that section would be likely to hinder such use of the vehicle.

121. General application

(1) This Act applies to persons in the service of the State, subject to section 120.

(2) Without prejudice to provisions of this Act specially saying that provisions of this Act regarding motor vehicles shall apply to motor cycles, provisions of this Act regarding motor vehicles shall apply generally to motor cycles, unless the contrary is specifically expressed or is clearly required by the context.

(3) Notwithstanding provisions in this Act or regulations made hereunder or subsidiary legislation made under the Motor Vehicles and Road Traffic Act prohibiting the parking of vehicles in any place or area, goods vehicles and trucks shall be allowed a reasonable time, not being ordinarily more than twenty minutes in any hour, to load and offload goods wherever this is necessary in any place or area including a no-parking place or area.

122. Regulations

(1) The Minister may make regulations respecting—

(*a*) the prescribing of anything that is by this Act required or authorised to be prescribed; unless some other person or authority is specifically required or authorised by this Act to do the prescribing; or unless prescribed by this Act itself;

(*b*) the forms to be used under this Act;

(*c*) the construction, fittings, dimensions and design of any motor vehicle;

(*d*) the fitting and regulating of the use of appliances on motor vehicles and the maintaining of those appliances in working order, including—

(i) mirrors,

(ii) trafficators,

(iii) horns, warning or other devices;

(*e*) the number, position and kind of lights and reflectors to be carried on motor and other vehicles together with the times during which they are to be used or exhibited, and the conditions regarding their use;

(*f*) the duties and powers of Inspectors with regard to the inspection of any kind of vehicle;

(*g*) the inspection of any kind of vehicle and the time, place and manner of inspection;

(*h*) the form of identification marks to be fixed on motor vehicles and trailers in respect of registration and licensing and the sizes and colour of the letters and numbers thereon and the manner of displaying such marks;

(*i*) the classification of roads, and the restriction or prohibition of the use of any classified road by vehicles of any specified class or description;

(*j*) the precedence of vehicles and pedestrians respectively at and in the vicinity of crossings and the erection of traffic signs and other notices;

(*k*) the speed limits nationally and for different classes of vehicles;

(*l*) the driving of any vehicle on any specified road;

(*m*) stands and parking places generally and the regulation of the use of such stands and parking places including the imposition of charges in respect of parking places;

(*n*) the badges to be worn by drivers and conductors while operating public service vehicles and the conduct of drivers, conductors and passengers while on such vehicles;

(*o*) the fares and tolls to be paid by passengers using public service vehicles;

(*p*) the maximum hours of employment of persons as drivers of goods vehicles;

(*q*) motor omnibuses—

(i) restricting the use of motor omnibuses to specified routes and requiring motor omnibuses to display prominently easily identifiable route signs,

(ii) regulating and restricting the number of motor omnibuses on specified routes,

(iii) the timetables to be observed by drivers of motor omnibuses,

(iv) the issue of licences by the Licensing Authority and conditions of issue of such licences and conditions to be observed by the holders of such licences in respect of specified routes,

(v) the taking up and setting down of passengers,

(vi) the carriage of goods or luggage,

(vii) the maximum hours of employment of drivers and conductors,

(viii) the issue, cancellation and suspension of licences of conductors, and

(ix) granting limited or exclusive permission to operate motor omnibuses and limited permission to operate car rental services and the conditions under which such permission may be granted;

(*r*) the removal from roads, and safe custody of, vehicles which have broken down, or which have been permitted to remain on a road in such a position or in such condition or in such circumstances or for such time as is likely to

cause danger or obstruction to other persons using the road, or which appear to have been abandoned and of the loads carried thereby;

(*s*) generally for the better carrying out of this Act and in particular for the safety, control and regulation of traffic and the use of vehicles or any class or description of vehicles on any road and the conditions under which they may be used.

(2) The Commissioner of Police may make regulations respecting—

(*a*) the matters regarding which he or she may make Orders under section 77;

(*b*) the matters regarding which he or she may make Orders under section 82;

(*c*) the preventing and controlling of excessive noise being emitted from motor vehicles within the context of section 68;

(*d*) the precedence of vehicles and pedestrians respectively at and in the vicinity of crossings and the erection of traffic signs and other notices;

(*e*) the removal from roads, and safe custody of, vehicles which have broken down, or which have been permitted to remain on a road in such a position or in such condition or in such circumstances or for such time as likely to cause danger or obstruction to other persons using the road, or which appear to have been abandoned and of the loads carried thereby.

(3) Regulations made by the Minister or the Commissioner of Police under this section shall be subject to negative resolution.

(4) Where any provisions in any regulation made by the Commissioner of Police under subsection (2) conflicts with any provision in any regulation made by the Minister under subsection (1), the operation of such provision in such regulation made by the Minister shall be suspended during continuance in force of the provision in the regulation made by the Commissioner of Police.

(5) Except where the contrary is specifically provided for in a particular provision of this Act, where subsidiary legislation made under this Act by any person or authority other than the Minister conflicts with subsidiary legislation made under this Act by the Minister, the subsidiary legislation made by the Minister shall prevail.

123. General power of delegation

Where any power is by any provision of this Act conferred upon the Licensing Authority, or the Commissioner of Police, he may delegate such power to any member of the Police Force.

124. Reward regarding fines and penalties collected

Where any fine or penalty is imposed and collected under this Act—

(*a*) seventy per cent thereof shall be placed on deposit in the Treasury in the consolidated Police Reward Fund; and

(*b*) thirty per cent thereof shall be placed on deposit in the Treasury in the Police Reward Fund established by section 46 of the Police Act, Chapter 244.

125. Repeal

The Motor Vehicles and Road Traffic Act, Chapter 194, is hereby repealed.

126. Effect of existing regulations

(1) The Motor Vehicles and Road Traffic Regulations, SROs 151 to 158, 1958 Revised Laws, and all other regulations, Orders or directions made, or purported to have

been made, by whomsoever, under or otherwise having effect under the Motor Vehicles and Road Traffic Act, Chapter 194, and in force or purporting to be in force at the commencement of this Act shall be deemed to have been duly made under this Act and shall remain in force until otherwise provided but such existing subsidiary legislation shall be construed with such modifications and adaptations as may be necessary to bring it into conformity with this Act.

(2) Where any matter that falls to be prescribed or otherwise provided for under this Act by subsidiary legislation made by any functionary, authority or person, is prescribed or otherwise provided for by or under subsidiary legislation made or purported to be made under the Motor Vehicles and Road Traffic Act by any functionary, authority or person, that prescription or provision shall, as from the commencement of this Road Traffic Act, Chapter 289A, have effect as if it had been duly made under this Road traffic Act, Chapter 289A, by the proper functionary, authority or person until otherwise prescribed or provided but such existing prescription or provision shall be construed with such modifications and adaptations as may be necessary to bring it into conformity with this Act.

(3) Any reference in any existing law to Motor Vehicles and Road Traffic Regulations, Motor Vehicles and Road Traffic Orders, or Motor Vehicles and Road Traffic directions as mentioned in subsection (1) may be cited respectively as the Road Traffic Regulations, Road Traffic Orders and Road Traffic directions.

127. Commencement

This Act shall come into force on such day as the Governor-General may appoint by Proclamation published in the *Gazette*.

First Schedule

ROAD TRAFFIC ACT

Fees

[Sections 21(1) and 108.]

PART I

Motor Vehicle Licence Fees

Vehicle Type	*Annual Fee* EC$
1. Special licence vehicle and goods vehicle—	
— exceeding 10 tons but not exceeding 12 tons	1,500
— exceeding 12 tons but not exceeding 15 tons	2,500
— exceeding 15 tons	3,500
2. Goods vehicle—	
— for the first ton	150
— for every additional ton up to 10 tons	75
3. Motor car—	
— up to 1 000 cc	125
— exceeding 1 000 cc but not exceeding 1 800 cc	180
— exceeding 1 800 cc but not exceeding 2 800 cc	275

— exceeding 2 800 cc but not exceeding 3 800 cc	290
— exceeding 3 800 cc	300
4. Light omnibus—	
— non-commercial	150
— commercial	200
5. Heavy omnibus—	
— non-commercial	300
— commercial	500
6. Motor cycle	100
7. Other passenger vehicle (e.g. quadbike)	125
8. Bicycle	25

PART IA

Vehicles—Special Licences

Yearly Fees	*Fees* $ C
1. Vehicles with gross weight not exceeding 12 tons	500.00
2. Vehicles with gross weight exceeding 12 tons	1 000.00
3. Vehicles with gross weight between 15 and 22 tons	2 000.00

PART II

Driving Licence Fees

Item	*Class*	*Vehicle type*	*1 year fee*	*3 year fee*
1.	A	Motor cycle	75	200
1A.	A1	Quadbike	100	270
2.	B	Private motor car	100	270
3.	C	Light public service vehicle	110	300
4.	C1	Heavy public service vehicle	120	320
5.	D	Light goods vehicle	120	320
6.	D1	Heavy goods vehicle	130	360
7.	E	Tractor/Trailer	140	400
8.	F	Other non-passenger vehicle (e.g. Fork lift/Road roller)	140	400
9.	G	All classes (except motor cycles and quadbikes)	150	420
10.	Replacement	Any vehicle	As above, but *pro rata* to the next anniversary of the applicant's date of birth as provided in section 46(2).	

(A motor cycle driving licence must be applied for separately from a driving licence for other classes of vehicle.)

PART III

Miscellaneous Fees

Yearly Fees	*Fees* $ C
(1) Examination or inspection of motor vehicles	30.00
(2) Amendment of any register or change of ownership	10.00
(3) Registration of motor vehicles	30.00
(4) Certificate extract of entry in motor vehicle register	10.00

Second Schedule

ROAD TRAFFIC ACT

Payment of Licence Fees

[Section 21(4).]

PART I

First Column — Second Column

Registration Numbers with single-digit registration letter	*Period for Payment*
1 to 2500	1st January to 15th February
2501 to 5000	16th February to 31st March
5001 to 7500	1st April to 15th May
7501 to 9999	16th May to 30th June

PART II

Registration Numbers with double-digit registration letters	*Period for Payment*
1 to 250	1st January to 15th February
251 to 500	16th February to 31st March
501 to 750	1st April to 15th May
751 to 999	16th May to 30th June

Third Schedule

ROAD TRAFFIC ACT

Demerit Points and Fixed Penalty for Offences

[Sections 50(1), 101 and 106(1).]

Offence	*Law Contravened*	*Number of Demerit Points*	*Fixed Penalty*

1. Owner keeping for use or allowing to be kept for use, or using or allowing to be used on a road, a motor vehicle or trailer without having obtained the relevant licence	Section 12(1)(*a*)	4	$150
2. Using a motor vehicle or trailer upon any road for a purpose which is not authorised by the relevant licence or in contravention of the Act	Section 12(1)(*b*)	3	$100
3. Using a goods vehicle, or trailer on a road	Section 12(1)(*c*)	3	$100
4. Failing to observe a condition in a special licence granted by the Chief Technical Officer	Section 14(6)	2	$75
5. Using a vehicle on the road in breach of rules as to weight of tyres	Section 14(7)	4	$150
6. Using a vehicle on the road in breach of rules as to tinting, etc.	Section 14A	4	$150
7. Driving a motor vehicle on a road without being the holder of a driving licence authorising the driving of a motor vehicle of that class or description by that person	Section 31	4	$150
8. Driving under the prescribed age	Section 34(1)	4	$150
9. Permitting a person to drive under the prescribed age	Section 34(2)	4	$100
10. Reckless or dangerous driving	Section 56	8	–
11. Careless driving	Section 57	4	–
12. Speeding	Section 58	4	$150
13. Drunken driving	Section 62	8	–
14. Drinking alcohol while driving	Section 62A	3	$100
15. Using a motor vehicle or trailer on a road in a defective condition	Section 66	3	$100
16. Leaving a motor vehicle in a dangerous position	Section 67	3	$100
17. Excessive noise from vehicle or equipment	Section 68	3	$100
18. Amplification greater than 50 watts	Section 68A	3	$100
19. Driving a motor cycle when carrying more than one person or carrying another person otherwise than on a proper seat behind the driver's seat	Section 70	2	$100
20. Failing to wear protective head gear when driving or riding on a motor cycle	Section 74(1)	2	$75
21. Driving or causing a motor vehicle to be driven when it is not fitted with seat belts	Section 74A(1)	2	$100
22. Failing to wear a seat belt when one is fitted	Section 74A(2)	3	$100
23. Failing to stop after an accident	Section 75	6	–
24. Parking or leaving a vehicle at a place or in a manner or at a time prohibited by	Section 77(1)	4	$150

Order of the Commissioner of Police			
25. Driving a vehicle into or on a road from a direction forbidden by a NO ENTRY sign placed by Order of the Commissioner of Police	Section 77(2)	4	$150
26. Driving a vehicle in a direction opposite to that allowed on a road designated by Order of the Commissioner of Police for One-Way Traffic	Section 77(3)	4	$150
27. Driver of a motor omnibus taking on or setting down passengers at a place other than one designated as a "bus-stop" by Order of the Commissioner of Police	Section 77(4)	3	$150
28. Failing to comply with directions of a police officer	Section 83(1)	4	$150
29. Failing to comply with traffic directions	Section 83(2)(*a*)	3	$100
30. Failing to comply with the indication given by a traffic sign or notice	Section 83(2)(*b*)	3	$100
31. Parking a vehicle at a bus stop	Section 84	4	$150
32. Motor vehicle or trailer without identification plates so fixed at the front and back that every letter or figure on the plates is upright and easily distinguishable	Regulation 8	2	$75
33. Using a motor vehicle or trailer on a public road at night without illuminated rear identification plates	Regulation 9	2	$75
34. Failing to affix the licence to the windscreen or other approved prominent part of a vehicle	Regulation 12	3	$100
35. Motor vehicle not equipped with an efficient braking system	Regulation 23(4)(*a*)	3	$150
36. Using a motor vehicle or trailer on a public road with its brakes not properly adjusted and not maintained in good and efficient order	Regulation 23(4)(*g*)	4	$150
37. Fittings on a motor vehicle or trailer in such condition as to cause or be likely to cause damage to a person	Regulation 23(7)	4	$150
38. Motor vehicle fitted with an unauthorised or unsatisfactory silencer	Regulation 23(8)	3	$100
39. Having affixed to the front or rear of a motor vehicle any unauthorised letters or numbers or figures or lamps	Regulation 23(8) and (10)	3	$75
40. Motor vehicle on a road at night without two or more lighted lamps at the front	Regulation 23(11)(*a*)	4	$150
41. Motor vehicle or trailer on the road at night without two lamps showing red lights to the rear, of such intensity as to indicate clearly its presence on the road	Regulation 23(11)(*c*)	3	$100
42. Carrying spot lights or other similar lights on a motor vehicle without the authority of the Licensing Authority	Regulation 23(11)(*d*)	4	$150
43. Failing without sufficient cause to keep	Regulation 26(5)(*a*)	3	$100

a motor vehicle on the left side of the road			
44. When being overtaken by another vehicle failing to drive as close as possible to the left or near side of the road	Regulation 26(5)(*b*) and (*d*)	4	$150
45. Failing to keep to the right or off side when overtaking other vehicles	Regulation 26(5)(*c*)	4	$150
46. Cutting in or overtaking on a corner or at an intersection	Regulation 26(5)(*e*) and (*f*)	4	$150
47. Causing obstruction at a crossing	Regulation 26(5)(*g*)	4	$150
48. Turning left or right improperly	Regulation 26(5)(*h*) and (*i*)	4	$150
49. Stopping within thirty feet of a corner	Regulation 26(5)(*j*)	2	$75
50. Drawing up alongside another vehicle or backing to the side of the road for a purpose other than turning or parking	Regulation 26(5)(*k*)	2	$75
51. Interrupting the free passage of a vehicle, person or animal or allowing a vehicle or trailer to cause unnecessary obstruction	Regulation 26(6)	3	$100
52. Failing to slow down and make the appropriate traffic signal when approaching a turning or crossroads or coming from any private road or place to a public road	Regulation 26(7)(*a*)	2	$75
53. Failing to slow down and make the appropriate traffic signal when turning across traffic or turning to the right	Regulation 26(7)(*b*)	2	$100
54. Failing, when about to stop or slow down, to do so gradually and to make the appropriate traffic signal	Regulation 26(7)(*c*)	2	$75
55. Failing to make the appropriate traffic signal when quitting any place at which the vehicle has been stationary	Regulation 26(7)(*d*)	2	$75
56. Failing to comply with the directions of a road sign without sufficient cause	Regulation 26(7)(*e*) and (14)	3	$100
57. Failing to conform with the rules of the road in regard to traffic or to comply with the lawful directions of a constable charged with the regulation of traffic	Regulation 27(9)	3	$100
58. Failing, when about to stop on any road, to allow a clear roadway for passing traffic, or to remove the vehicle at the request of a constable when the vehicle may cause obstruction on a road	Regulation 26(11)	3	$100
59. Failing to carry attached to a vehicle a horn or other instrument capable of giving audible and sufficient warning of its approach or position	Regulation 26(12)	2	$75
60. Permitting sparks, smoke or visible vapour of an avoidable nature which would cause annoyance or danger to the public to come from a motor vehicle	Regulation 26(13)	3	$100

61. Carrying or permitting on a vehicle or trailer an object projecting beyond the permitted length or in such a manner as to obstruct, endanger or interfere with traffic	Regulation 26(15)	3	$100
62. Carrying more persons on a motor vehicle than it is licensed to carry	Regulation 26(16)	3	$100
63. Allowing persons to ride otherwise than inside the vehicle	Regulation 26(17)	4	$150
64. Leaving or permitting to be left a vehicle which has broken down on any public road without taking steps to indicate its presence and position or failing to take immediate steps to have it removed as near to the left side of the road as possible	Regulation 26(18)	3	$100
65. Failing to draw up close to the left of the road and stop on the approach of any engine or other apparatus of a Fire Brigade	Regulation 26(19)	3	$100
66. Driving or being in charge of a vehicle which causes loud noise to the disturbance or annoyance of any person	Regulation 28	3	$100
67. Failing to maintain the tyres of a motor vehicle or trailer in such condition as to be free from any defect which might cause damage to the surface of the road, or danger to persons in or on the vehicle or to any person using the road	Regulation 29	3	$100
68. Holding out a vehicle for hire to the public by troublesome and frequent demands or by persistent following in such a manner as to constitute a nuisance or cause annoyance or inconvenience to any person	Regulation 42	2	$75
69. Using or causing or permitting the use of an uninsured vehicle	Section 3 of the Motor Vehicle Insurance (Third Party Risks) Act, Chapter 202	4	$150
70. Using or causing the use of a vehicle so as to commit a minor risk breach as defined in section 4B	Section 4D(2)	8	$2 000
71. Using or causing the use of a vehicle so as to commit a substantial risk breach as defined in section 2	Section 4D(3)	10	$5 000
72. Failure to obey a light signal	Regulation 10 of the Road Traffic (Light Signals) Regulations, 1997	8	$500

Notes.—(*a*) A reference to a section is to a section of the Road Traffic Act, Chapter 5 of the Continuous Revised Laws of Grenada, 1994, except where otherwise specified.

(*b*) A reference to a regulation is to a regulation in the Motor Vehicle and Road Traffic Regulations made under Chapter 201 of the Revised Laws of Grenada, 1990.

Fourth Schedule

ROAD TRAFFIC ACT

Speed Limits

[Sections 58(1) and 60.]

	Motor Omnibuses and Goods Vehicles	*Other Motor Vehicles*
1. Within any town as defined by the Town Boundaries Act	20 m.p.h. or 32 km.p.h.	20 m.p.h. or 32 km.p.h.
2. Elsewhere in the State	35 m.p.h. or 56 km.p.h.	40 m.p.h. or 64 km.p.h.

Note:In this schedule, "m.p.h." means miles per hour and "km.p.h." means kilometres per hour.

Fifth Schedule

ROAD TRAFFIC ACT

Notice of Opportunity to Pay Fixed Penalty

[Section 97.]

Take notice that, I, ...
(*Rank*) (*Number*) (*Name of Police Officer*)

have reason to believe that an offence, particulars of which are given below, has been committed

in respect of Motor Vehicle Registration No.: .....

that on .... at .....
(*Day and Date*) (*Month*)

at ..... You .....

.....

.....

.....

Contrary to .....

(*State section/regulation contravened*)

of the Road Traffic Act, Chapter 5/Road Traffic Regulations, Chapter 21.

If the amount is paid to the Clerk of the Court within thirty-one (31) days of the date of issue of this fixed penalty notice, no proceedings will be brought against you.

Should you fail to pay the fine, a summons will be issued for you to attend the Magistrate's Court.

In paying the fixed penalty the following conditions shall be observed—

(1) The fixed penalty shall be accompanied by this notice on which shall be inserted, in the space provided, the serial number of the driving licence of the person liable for the offence.

(2) Payment of the fixed penalty shall be made or remitted to "The Clerk of the Magistrate's Court" at the following address:

.....

.....

The fixed penalty for the offence is .....

(*Penalty in words and figures*)

The offence carries a maximum fine of .....

(*Penalty in words and figures*)

This notice was given/affixed at..... on .....

(*Location*) (*Day and Date*)

..... at .....

(*Month*) (*Year*) (*Time*)

.....

Police Officer

CHAPTER 289A
ROAD TRAFFIC ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Bus-Stop (Prescribed Places) Order (*Revoked)*
2. Bus-Stop (Prescribed Places) Order
3. Road Traffic (Light Signals) Regulations
4. Road Traffic (Prescribed Ranks) Regulations
5. Road Traffic (Bus Routes) Regulations (*Repealed*)
6. Road Traffic (Bus Routes) Regulations
7. Road Traffic (Seat Belt) Order

Bus-Stop (Prescribed Places) Order

SRO 38 of 1993

Revoked by

SRO 9 of 1996

Bus-Stop (Prescribed Places) Order

ARRANGEMENT OF ORDERS

1. Citation.
2. Designated Bus-Stop.
3. Revocation.

BUS-STOP (PRESCRIBED PLACES) ORDER

[SRO 9 of 1996.]

[4*th April*, 1996.]

1. Citation

This Order may be cited as the Bus-Stop (Prescribed Places) Order.

2. Designated Bus-Stop

A motor omnibus shall not take on or set down passengers—

(*a*) on any road in a town or city;

(*b*) on the Public Road from Tanteen through Paddock, Belmont and Grand Anse to the True Blue round about;

(*c*) on the Western Main Road from the Green Bridge to Happy Hill;

(*d*) on the Public Road from the Public Workers Union Building (i.e. the road from the Grenada Ports Authority building to the Lagoon Road) through the Lagoon Road to the junction with the Belmont Public Road;

(*e*) on the Public Road from Melville Street through River Road, Mt. Gay to Beaulieu and Snug Corner junction and Mt. Gay to Tempe;

(*f*) on the Springs Public Road from its junction with Belmont Public Road;

(*g*) on the Western Main Road from Concord through to Gouyave, Victoria to the town of Sauteurs;

(*h*) on the Eastern Main Road from the round about by Government House to St. Paul's,

except at places on each of those roads where a "Bus-Stop" sign is placed.

3. Revocation

The Bus-Stop (Prescribed Places) Order, 1993 (No. 38 of 1993) is revoked.

Road Traffic (Light Signals) Regulations

SRO 1 of 1997

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Definition.
3. Erection of light signals.
4. Light signals.
5. Variations.
6. Portable light signals.
7. Significance of light signals.
8. Light signals for pedestrians.
9. Prohibition regarding light signals.
10. Offence.

Schedule Light Signals

ROAD TRAFFIC (LIGHT SIGNALS) REGULATIONS

[SRO 1 of 1997.]

[3*rd January*, 1997.]

1. Citation

These Regulations may be cited as the Road Traffic (Light Signals) Regulations.

2. Definition

In these Regulations, "traffic sign" means any object or device (whether fixed or portable) for conveying to traffic on a road or to any particular class of traffic, warnings, information, requirement, restrictions or prohibitions of any description and a reference to the erection or placing of a traffic sign includes a reference to the display thereof in any manner whatsoever (whether or not involving fixing or placing).

3. Erection of light signals

The Licensing Authority may install or cause to be installed light signals, whether mechanically or electronically operated, for the control of vehicular traffic, and the Authority may cause to be placed or painted on the carriage way, a stop line or a directional sign to be used in conjunction with such light signals.

4. Light signals

(1) The light signals to be used to control vehicular traffic shall be of the number, colour, size and type prescribed by subregulation (2) or (3).

(2) The number, colour, size and type of light signals for the purposes of these Regulations shall be as follows—

(*a*) three lights shall be used, one red, one amber, and one green;

(*b*) the lamps showing the lights referred to in paragraph (*a*) shall be arranged vertically, the lamp showing a red light being uppermost and that showing a green light the lowermost;

(*c*) each lamp shall be separately illuminated and the effective diametre of the lens thereof shall be not less than seven and one-half inches nor more than eight and one-half inches;

(*d*) the height of the centre of the green lens from the surface of the carriageway in the immediate vicinity shall be, in the case of signals placed at the side of the carriageway or on a street refuge, not less than six and one-half feet nor more than eleven and one half feet and in the case of signals placed elsewhere and over the carriageway not less than sixteen feet nor more than twenty feet;

(*e*) the centres of the lenses shall be not more than fourteen inches;

(*f*) the sequence of the light signal show for the purpose of controlling vehicular traffic shall be as follows—

(i) red,

(ii) green,

(iii) amber.

(3) The light signals prescribed by this subregulation as follows—

(*a*) two lamps each showing an intermittent red light shall be used;

(*b*) the lamp shall be arranged horizontally so that there is a distance of not less than nineteen and one-half inches nor more than twenty-eight inches between the centre of the lenses of the lamp;

(*c*) each lamp shall be separately illuminated and the effective diametre of the lens thereof shall be not less than seven and one-half inches nor more than eight and one-half inches;

(*d*) when the signal is operated, each lamp shall show its intermittent red light at a rate of flashing of not less than fifty-four nor more than sixty-six flashes per minute, and in such a Manner that the light of one lamp is always shown at a time when the light of the other lamp is not shown;

(*e*) the height of the centre of each lens from the surface of the carriageway in the immediate vicinity shall be, in the case of the carriageway or on a street refuge, not less than six and one-half feet nor more than eleven and one-half feet and, in the case of signals placed elsewhere and over the carriageway, not less than sixteen feet nor more than twenty feet.

(4) Light signals prescribed by this Regulation shall be of the colour and type shown in the diagram in the Schedule.

5. Variations

(1) A lens of the size and colour shown in the diagram in the Schedule which when illuminated shows a green arrow—

(*a*) may be added to or substituted for, a lens showing the green light in the light signal referred to in regulation 4(2) in any of the methods shown in the diagrams in the Schedule; or

(*b*) may be affixed to the light signal, referred to in regulation 4(2) or to those signals as altered in accordance with paragraph (*a*) in any of the methods shown in the diagram in the Schedule.

(2) The direction in which the arrow in the diagram in the Schedule points may be varied so as to be—

(*a*) a direction that lies straight upright; or

(*b*) a direction that lies at any angle between ninety degrees either to the left or to the right or the upright direction.

(3) The direction in which any arrow in any of the diagrams in the Schedule points may be varied so as to be—

(*a*) a direction that lies straight upright; or

(*b*) a direction that lies between the direction in the diagram showing the arrow and the upright direction.

(4) Where a lens showing a green light is varied in accordance with this Regulation, the associated lens showing red and amber lights, may be varied with red and amber arrows respectively, in which case subregulations (1) to (3) of the regulation shall apply, *mutatis mutandis*.

6. Portable light signals

(1) Portable light signals may be used for the control of vehicular traffic—

(*a*) where, by reason of roadworks being in progress or for some other reason, the width of the carriageway is temporarily restricted so that only one line of traffic is possible; or

(*b*) during the progress of temporary schemes of traffic control, the signals are in the control of the Police.

(2) Where portable lights being used pursuant to subregulation (1)—

(*a*) two lamps showing coloured lights shall be used, one red and the other green;

(*b*) the lamps showing the coloured lights shall be arranged vertically, the lamp showing the red light being uppermost;

(*c*) each lamp shall be separately illuminated and the effective diametre of the lens thereof shall be not less than seven and one half inches nor more than eight and one-half inches;

(*d*) the light of the centre of the green lens from the surface of the carriageway in the immediate vicinity shall be not less than five feet nor more than eleven and one-half feet;

(*e*) the red and green lights shall not be shown together and one shall follow the other without any appreciable interval of time.

7. Significance of light signals

(1) The significance of the light signals prescribed by regulation 4 or 6 shall be as follows—

(*a*) a red signal is a prohibition that vehicular traffic shall not be permitted to proceed beyond the stop line on the carriageway provided in conjunction with the signals or, if that line is not for the time being visible or there is no such line, beyond the signals;

(*b*) a green signal indicates that vehicular traffic may be permitted to pass the signal and proceed straight on or to the left or to the right;

(*c*) an amber signal is a prohibition that vehicular traffic shall not be permitted to proceed beyond the stop line or, if that line is not for the time being visible or there is no such line, beyond the signals, except in the case of any vehicle which, when the signal first appears is so close to the line or signals, that it cannot safely be stopped before passing the line or signals.

(2) The significance of the light signals prescribed by regulation 4(2), as varied in accordance with regulation 5, is as follows—

(*a*) subject as provided in subregulation (2)(*d*) a red signal is a prohibition that vehicular traffic shall not proceed beyond the stop line on the carriageway provided in conjunction with the signals or, if the stop line is not for the time being visible, beyond the signals;

(*b*) a green signal (where a green signal is provided) indicates that vehicular traffic may pass the signals and proceed straight on or to the left or to the right;

(*c*) an illuminated green arrow indicates that vehicular traffic may be permitted to pass the signals and proceed in the direction indicated by the arrow notwithstanding any other indication given by the signals;

(*d*) an amber signal is a prohibition that vehicular traffic shall not be permitted to proceed beyond the stop line, or, if the stop line is not visible, beyond the signal, except in the case of any vehicle which when the signal first appears is so close to the said line or signals that it cannot safely be stopped before passing the line or signals.

(3) Vehicular traffic passing light signals shall be driven or propelled with due regard to the safety of other users of the road and subject to the direction of any member of the Police Force in uniform, engaged in the regulation of traffic.

(4) The significance of the light signals prescribed by regulation 4(3) is that the intermittent red lights convey the prohibition that vehicular traffic shall not be permitted to proceed beyond the stop line on the carriageway provided in conjunction with the signals or, if the line is not for the time being visible, beyond the signals; except in the case of any vehicle which, when the lights first begin to flash, is so close to the line or signals that it cannot safely be stopped before passing the line or signals.

(5) For the purposes of this Regulation and regulation 3 the expression "stop line" means the traffic sign placed or painted on the carriageway to be used in conjunction with light signals.

8. Light signals for pedestrians

(1) Light signals for conveying to pedestrians the information mentioned in subregulation (3) may be used facing across the carriageway in conjunction with the light signals prescribed by regulation 4(2) if those light signals as varied in accordance with regulation 5; and if so used, shall be of the size, colour and type shown in the Schedule.

(2) The height of the lower edge of the container enclosing light signals from the surface of the carriageway in the immediate vicinity shall be not less than six and one-half feet nor more than eight feet and shall be so designed that—

(*a*) the red figure shown in the Schedule (in this Regulation referred to as "the red signal") can be internally illuminated by a steady light;

(*b*) a green figure shown in the Schedule (in this Regulation referred to as "the green signal") can be internally illuminated by a steady light or by a flashing light, flashing at a rate of not less than fifty-four nor more than one hundred and twenty-five flashes per minute; and

(*c*) when one signal is illuminated the other signal is not illuminated.

(3) The period during which, in the interest of safety—

(*a*) pedestrians should not cross the carriageway, shall be shown by the red signal during such time as it is illuminated;

(*b*) pedestrians should cross the carriageway, shall be shown by the green signal during such time as it is illuminated by the steady light;

(*c*) pedestrians should not start to cross the carriageway, shall be shown by the green signal during such time as it is illuminated by the flashing light.

9. Prohibition regarding light signals

No light signals, other than light signals erected or placed by the Licensing Authority, shall be erected or placed on or near any road.

10. Offence

(1) All drivers of motor vehicles shall obey the light signal in the same manner as a traffic sign.

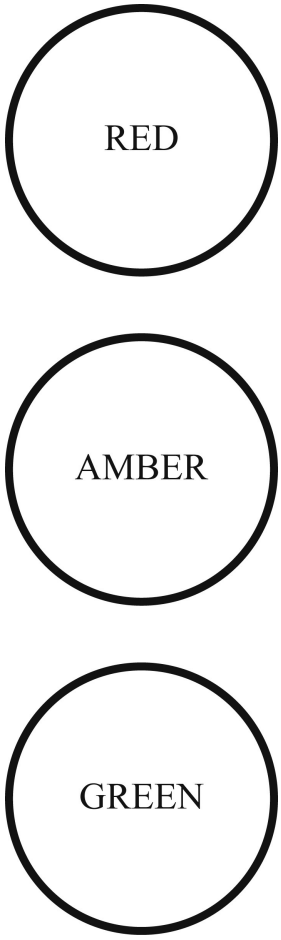
(2) A driver of a motor vehicle who disobeys or fails to comply with a light signal commits an offence and shall be punishable under section 111 of the Road Traffic Act, Chapter 289A.

Schedule

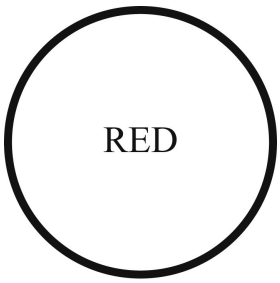
ROAD TRAFFIC ACT

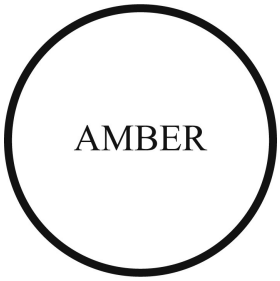
Light Signals
[Regulations 4, 5, 7 and 8.]

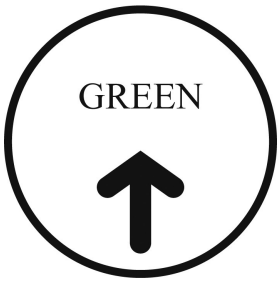
PART I



PART II







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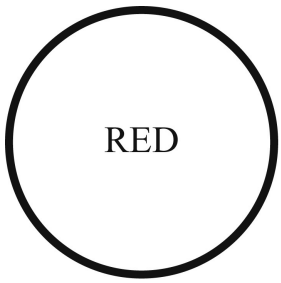
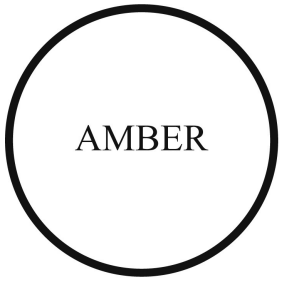
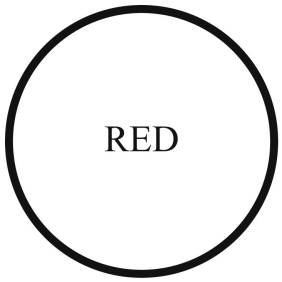
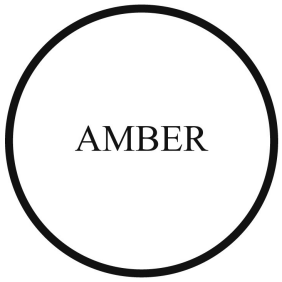




TURN RIGHT

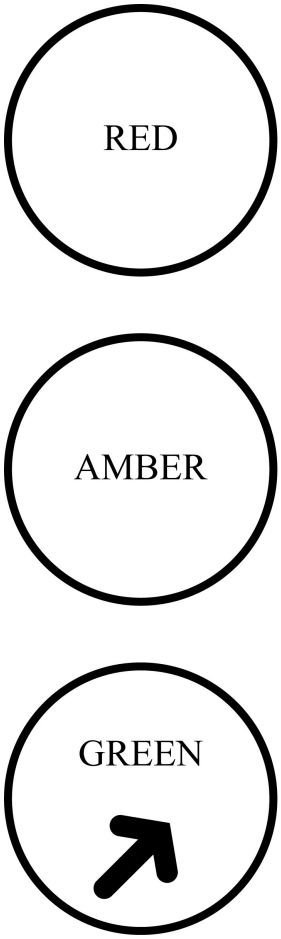
PART IV





TURN LEFT

PART V



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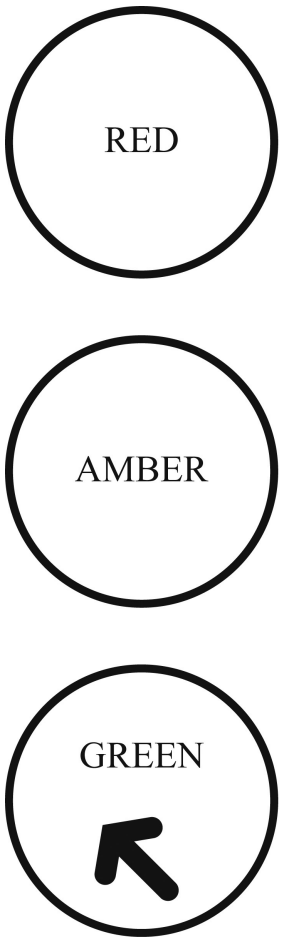
PART VI



Road Traffic (Prescribed Ranks) Regulations

SRO 6 of 1998

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Prescribed ranks.

ROAD TRAFFIC (PRESCRIBED RANKS) REGULATIONS

[SRO 6 of 1998.]

[27*th March*, 1998.]

1. Citation

These Regulations may be cited as the Road Traffic (Prescribed Ranks) Regulations.

2. Prescribed ranks

The prescribed ranks for the purposes of section 98 of the Road Traffic Act, Chapter 289A, are all members of the Police Force holding the rank of Constable and all ranks above that of Constable.

Road Traffic (Bus Routes) Regulations

SRO 2 of 2002

Repealed by

SRO 11 of 2003

Road Traffic (Bus Routes) Regulations

ARRANGEMENT OF REGULATIONS

1.	Citation.
2.	Definitions.
3.	Prohibition regarding bus routes.
4.	Application for route sticker.
5.	Requirements to be satisfied by applicant and driver.
6.	Determination of application.
7.	Consultation by Authority.
8.	Issue of route sticker.
9.	Duration of route sticker.
10.	Conditions of route sticker.
11.	Revocation of route sticker.
12.	Commencement of operations.
13.	Display of route sticker.
14.	Prohibition regarding routes.
15.	Travelling procedures.
16.	List of buses.
17.	Offences.
18.	Amendment of regulation 49.
19.	Repeal.
First Schedule	Bus Routes
Second Schedule	Forms
Third Schedule	Fees

ROAD TRAFFIC (BUS ROUTES) REGULATIONS

[SRO 11 of 2003.]

[14*th April*, 2003.]

1. Citation

These Regulations may be cited as the Road Traffic (Bus Routes) Regulations.

2. Definitions

In these Regulations—

"bus route" or "route" means one of the routes to be followed by the drivers of buses as specified in the First Schedule;

"subroute" means when different routes follow the same road then branch off to a different destination.

3. Prohibition regarding bus routes

(1) Subject to subregulations (2) and (3) of this Regulation and regulation 14(2) no person may operate a motor omnibus for the transportation of persons for reward on a route except under and in accordance with the conditions of a route sticker issued to the person by the Licensing Authority.

(2) A motor omnibus may operate on any route on hire when prominently displaying an "On Hire" sign in addition to the sticker on the front of the bus under the following situations—

(i) the motor omnibus is on hire to a particular person or group of persons,

(ii) the motor omnibus is transporting staff to and from one particular place of employment,

(iii) the motor omnibus is travelling from its home base to the point of commencement of its route between the hours of 5:00 a.m. and 8 a.m.

(3) The motor omnibus may traverse any route on a Bank Holiday not for hire by prominently displaying an "Off Duty" or "On Hire" sign on the front of the bus.

4. Application for route sticker

(1) An application for a route sticker must be in the form prescribed in the Second Schedule.

(2) An application under this Regulation must be accompanied by evidence of the payment of the appropriate fee as prescribed in the Third Schedule.

(3) The application fee paid pursuant to regulation 4(2) is non-refundable.

(4) In respect of motor omnibus already in operation an application for a route sticker may be made by a Bus Association on behalf of any or all of its members, provided each member is named in and signs the application.

(5) Any person whether or not a member of a bus association may apply for a route sticker individually.

5. Requirements to be satisfied by applicant and driver

(1) An applicant for a route sticker must—

(*a*) be a citizen of Grenada or a company incorporated under the laws of Grenada;

(*b*) prove to the satisfaction of the Licensing Authority that the applicant owns or is in the process of purchasing a motor omnibus.

(2) Every driver of a motor omnibus must—

(*a*) have attended and completed a defensive driving course conducted or approved by the Licensing Authority;

(*b*) be licensed to drive a public service vehicle;

(*c*) be of good character and have attained the age of twenty-five years and have at least five years' driving experience.

(3) (*a*) The requirement in regulation 5(2)(*a*) does not apply until twelve months after the commencement of these Regulations.

(*b*) The requirement of age and experience in regulation 5(2)(*c*) does not apply to persons lawfully driving motor omnibuses at the commencement of these Regulations.

6. Determination of application

(1) The Licensing Authority must determine an application within forty-five days after receiving it duly completed except that for six months after the commencement of these Regulations the period is three months.

(2) If the Licensing Authority refuses an application, the reason for the refusal must be made known to the applicant in writing within fourteen days after the period of forty-five days (or three months) mentioned in regulation 6(1).

7. Consultation by Authority

(1) The Licensing Authority may, when considering an application for a route sticker, consult the relevant Bus Association or other like body which has an interest in the route applied for.

(2) Any opinion expressed by a Bus Association or other body regarding the application must be considered by the Authority, but is not binding on it.

8. Issue of route sticker

(1) If the Licensing Authority approves an application to operate a route it must, on payment of the appropriate fee as prescribed in the Third Schedule, issue a route sticker subject to the conditions specified in regulation 10 and keep a corresponding Route Certificate on file as part of the Authority's records.

(2) A sticker issued under regulation 8(1) will be 50.8 mm by 20.32 mm in dimension and of the colour specified in the fourth column of the First Schedule.

(3) A route certificate for the purposes of this Regulation must be in the form prescribed in Form 2 of the Second Schedule and must set out the following—

(*a*) the name of the route sticker holder;

(*b*) the registration number, engine number and chassis number of the motor omnibus to which the route sticker relates; except where the applicant is in the process of purchasing a motor omnibus and this information is unavailable in which case the information must be inserted prior to the commencement of operation;

(*c*) the route in respect of which the sticker is granted.

9. Duration of route sticker

(1) A route sticker issued under regulation 8 remains valid unless it is relinquished by the permit holder or revoked or the yearly renewal fee is not paid by the required deadline.

(2) A route sticker issued by the Licensing Authority is renewable on payment of the appropriate fee as prescribed in the Third Schedule.

10. Conditions of route sticker

(1) Every route sticker to operate a motor omnibus on a route is subject to the following conditions—

(*a*) it is non-transferable but the motor omnibus to which the route sticker relates can be changed or replaced;

(*b*) the motor omnibus to which the sticker relates must be maintained in good physical and mechanical condition to the satisfaction of the Licensing Authority;

(*c*) the motor omnibus must operate on the route for the duration of the route sticker;

(*d*) a photo I.D. of the driver(s) meeting the requirement of the Road Traffic Act, Chapter 289A, and these Regulations and issued by the Licensing Authority must be prominently displayed in the bus at all times except that where this is not possible because of an emergency, the licensing authority must be notified and a photo I.D. must be obtained and displayed after one working day;

(*e*) the motor omnibus must not be used for tourism tours unless permitted to do so by the Authority and the Board of Tourism; but a tourist can be transported as a passenger on a route for the prescribed fare between any authorised stopping points on that route;

(*f*) every driver of the motor omnibus must while driving or in charge of the omnibus comply with regulations as to dress and conduct himself or herself in a seemly manner;

(*g*) the holder of the route sticker must make every effort to ensure that the motor omnibus to which it relates operates after peak hours or on bank holidays if so scheduled to do by the Licensing Authority or the relevant Bus Association pursuant to regulation 16;

(2) (*a*) any modification or addition to the motor omnibus or its equipment must conform to the Road Traffic Act, any regulations made or saved under or by the Act, and any other relevant enactment;

(*b*) the motor omnibus must be kept insured and licensed at all times;

(*c*) except in compliance with section 68A of the Road Traffic Act, Chapter 289A, an amplified stereo or hi-fi system must not be operated on the motor omnibus;

(*d*) only a driver who conforms to regulation 5(2) of these Regulations and whose driving of the motor omnibus will not invalidate any policy of insurance in respect of the motor omnibus issued under the Motor Vehicles (Third Party Risks) Act may drive the motor omnibus;

(*e*) the holder of the route sticker must not permit the motor omnibus to which it relates to be driven by a person whom he or she knows has been convicted of—

(i) dangerous or reckless driving,

(ii) driving while under the influence of alcohol or a prohibited drug,

(iii) overloading a motor omnibus on more than one occasion.

11. Revocation of route sticker

The Licensing Authority may at any time revoke a route sticker if the driver of the motor omnibus to which the route sticker relates has been disqualified from driving and is knowingly permitted to continue to drive the omnibus by the owner.

12. Commencement of operations

A person to whom a route sticker is issued must commence to operate the route within 3 months after such issue, but the Licensing Authority may extend the period for a further period not exceeding 3 months if it is satisfied that the holder of the route sticker has made reasonable efforts to commence the operation of the route.

13. Display of route sticker

(1) Subject to these Regulations the sticker issued by the Licensing Authority indicating the route must be displayed at all times on the left top corner of the windscreen of the motor omnibus while it is operating on the route.

(2) It is an offence for a motor omnibus to display a sticker in respect of a route unless there is in force a route certificate for that omnibus in respect of that route.

(3) A route certificate may not be revoked unless the route sticker to which it relates has been revoked.

14. Prohibition regarding routes

(1) Subject to these Regulations, no driver of a motor omnibus may pick up passengers on a route other than the route for which the sticker relating to that omnibus has been issued.

(2) The driver of a motor omnibus may pick up passengers on another route being a route to or from a special public event such as a sports meet or a celebration or festival as defined by the Public Festivals Regulation Act, Chapter 262A, if notice of the intended route has been given to the Licensing Authority at least 48 hours beforehand and the authority approves after confirming that there are insufficient buses to service the route or routes.

15. Travelling procedures

(1) The first bus into the Terminus Stand or designated depot must be the first to leave for a particular route or subroute unless it is unable to do so for some reason such as breakdown of the first bus in line or any other valid reason.

(2) On every trip a bus must complete its route on the return or outward journey unless the certificate allows otherwise.

16. List of buses

Bus Associations may submit a list of buses on a rotation basis scheduled for plying the various routes after peak hours and on bank holidays for approval by the Licensing Authority in accordance with a schedule prepared by the Authority. If a list is not submitted, the Licensing Authority may itself produce one.

17. Offences

(1) A person who contravenes regulation 3 and any of the provisions of regulations 10(1), 13, 14 and 15 commits an offence and is liable on summary conviction to a maximum fine of two thousand five hundred dollars for each offence or in default imprisonment for three months.

(2) A person who contravenes any of the provisions of regulation 10(2) commits an offence and is liable on summary conviction to a maximum fine of two thousand five hundred dollars for each offence or imprisonment for three months or to both such fine and imprisonment or such greater penalty imposed under the Road Traffic Act, Chapter 289A, for the offence.

18. Amendment of regulation 49

Regulation 49 of the Motor Vehicles and Road Traffic Regulations (motor omnibus to carry conductor) is repealed and replaced by the following—

> **49. "Motor omnibus may carry conductor**
>
> A motor omnibus when in use on any road may carry a conductor in addition to a driver and if a conductor is carried the regulations relating to a conductor apply.".

19. Repeal

The Road Traffic (Bus Routes) Regulations, 2002 (SRO 2 of 2002) are repealed.

First Schedule

ROAD TRAFFIC ACT

ROAD TRAFFIC (BUS ROUTES) REGULATIONS

Bus Routes

[Regulations 2 and 13(2).]

Zone	*Route*	*Parking*	*Colour*
1.	St. George City, Grand Anse, Calliste/Grand Anse Valley.	As designated by Licensing Authority	GOLD
1.	St. George City, Belmont, Grand Anse, Calliste/Grand Anse Valley.		
2.	St. George's, Springs, Woodlands, Woburn.	Ditto	ORANGE
2.	St. George's, Calivigny, Westerhall, Grenville.		
3.	St. George's, Richmond Hill, Morne Jaloux, Marian, Calivigny.	Ditto	PURPLE
4.	St. George City, St. Paul's, Perdmontemps, Vincennes.	As designated by Licensing Authority	BRIGHT GREEN
4.	St. George City, St. Paul's, Perdmontemps, Beaton.		
4.	St. George City, Beaton, La Tante, Pomme Rose, Grenville.		
4.	St. George City, St. Paul's, Old Westerhall.		
4.	St. George City, St. Paul's, Mardigras.		
4.	St. George City, St. Paul's, La Borie.		
5.	St. George City, Grand Roy, Gouyave, Victoria.	Ditto	YELLOW
5.	St. George City, Gouyave, Victoria, Sauteurs.		
5.	St. George City, Concord, Grand Roy Gouyave.		
6.	St. George City, Grand Etang, Birch Grove, Grenville.	Ditto	WHITE
7.	St. George City, Annandale, New Hampshire, Willis.	Ditto	RED
7.	St. George City, Beaulieu, Boca, Vendomme.		
7.	St. George City, River Road, Queen's Park, Darbeau.		
7.	St. George City, River Road, Tempe, Mt. Parnassus.		
8.	St. George City, Cherry Hill, Fontenoy, Happy Hill.	As designated by Licensing Authority	BLUE
8.	St. George City, Cherry Hill, Fontenoy, Mt. Moritz.		
8.	St. George City, Happy Hill, Beausejour, Brizan.		
9.	Grenville, Paradise, Paraclete.	Ditto	PINK

9. 9. 9. 9.	Grenville, Paradise, Tivoli, Hermitage, Sauteurs. Grenville, Paradise, Tivoli, Mt. Rose, River Sallee, Sauteurs. Grenville, Grand Bras, Mirabeau. Grenville, Soubise, Marquis, Mt. Carmel, Munich.		
10.	Hillsborough, Lauriston, L'Esterre, Harvey Vale.	Ditto	RED
11	Hillsborough, Craigston, Dover, Windward.	Ditto	YELLOW

Second Schedule

Forms

FORM 1

ROAD TRAFFIC ACT

ROAD TRAFFIC (BUS ROUTES) REGULATIONS

Application for Route Sticker

[Regulations 4(1) and 8(2).]

TO: LICENSING AUTHORITY

I/We ..... , of ..... (If a company, state registered address) hereby apply for a route sticker to operate a motor omnibus on route No. ....

(*state start, destination and intermediate points*)

(*Complete* (*A*) *or* (*B*) *below*)

(A) I/We own motor omnibus Registered No. .....

Engine No ..... Chassis No .....

☐(B) I am/We are in the process of buying a motor omnibus. If known, state the following:

Engine No ..... Chassis No .....

I ☐m a citizen of Grenada OR We are incorporated in Grenada.

(*Tick as appropriate*)

The fee of $ ..... has been paid.

The present eligible driver(s) of the motor omnibus is/are

Name:	Name:
Address:	Address:
Age:	Age:
Years of Experience:	Years of Experience:
Class of Licence:	Class of Licence:

(*If more than two* (*2*), *attach others on separate sheet*)

The existing insurance company is .....

I/We agree to abide by the Road Traffic (Bus Routes) Regulations, 2003 and the conditions of the route certificate and route sticker and hereby declare that I/We have met the conditions specified in the regulations.

Dated this ..... day of ..... , 20.....

.....

Applicant(*s*)

FORM 2

ROAD TRAFFIC ACT

ROAD TRAFFIC (BUS ROUTES) REGULATIONS

Route Certificate

The Licensing Authority by virtue of the powers vested in it by regulation 8 of the Road Traffic (Bus Routes) Regulations, 2003 hereby issues a route sticker to .....

of ..... to operate a motor omnibus on the route stated below commencing on ..... subject to the conditions in regulations 9 and 10 of the regulations—

Registration No .....

Engine No .....

Chassis No .....

The route is No ..... From: ..... To: ..... Via: .....

(*Starting Point*) (*Final Point*) (*Intermediate Point*(*s*))

Dated this ..... day of ..... , 20.....

.....

Licensing Authority

Third Schedule

ROAD TRAFFIC ACT

ROAD TRAFFIC (BUS ROUTES) REGULATIONS

Fees

[Regulations 4(2), 8(1) and 9(2).]

1. Issue of route certificate and sticker	—	$50
2. Renewal of route certificate	—	$50

Road Traffic (Seat Belt) Order

SRO 10 of 2005

ARRANGEMENT OF ORDERS

1. Citation.
2. Definitions.
3. Type of seat belt.
4. Standard of seat belt.

ROAD TRAFFIC (SEAT BELT) ORDER

[SRO 10 of 2005.]

[15*th April*, 2005.]

1. Citation

This Order may be cited as the Road Traffic (Seat Belt) Order.

2. Definitions

In this Order—

"anchorage point" means that part of a motor vehicle which is designed to hold a seat belt securely in position on that motor vehicle;

"motor vehicle" means a private motor car, a public service vehicle and a goods vehicle;

"seat belt assembly" means an assembly of straps with quick release coupling devices, adjusting devices and an attachment and deployment system which deploys automatically, requires no action by the occupant, is anchored to a motor vehicle and is intended to be worn by an occupant of that motor vehicle.

3. Type of seat belt

Every seat belt shall be of a type the designation of which shall be any of the following—

(*a*) a lap belt which is a seat belt assembly that is anchored at two anchorage points and passes across the front of the wearer's pelvic region from one side of the hip to the other side;

(*b*) a diagonal belt which is a seat belt assembly, that is anchored at two anchorage points and passes diagonally across the front of the wearer's chest from the hip to the opposite shoulder;

(*c*) a three point belt which is a seat belt assembly, that is anchored at three anchorage points and passes across the front of the wearer's pelvic region and across the front of the chest from the hip to the opposite shoulder.

4. Standard of seat belt

(1) Every seat belt assembly shall have legibly and permanently affixed to it a label showing a mark of certification which shall include one or more of the following—

(*a*) the Grenada Bureau of Standards (GBS) Standard Mark;

(*b*) the Japanese Industrial Standard Mark (JIS);

(*c*) an indication of conformity to the United States of America Federal Motor Vehicle Safety Standard;

(*d*) an approved European Economic Community Mark (EEC);

(*e*) an approved Economic Commission for Europe Mark (ECE);

(*f*) the British Standard Institute Mark (BSI);

(*g*) the Australian Standard Mark; or

(*h*) any other mark approved by the Grenada Bureau of Standards.

(2) The label referred to in subregulation (1) shall also have legibly and permanently marked on it either the name of the manufacturer of the seat belt or his or her trade mark and his or her country of origin.