

No. 9 of 2010

Third Session Ninth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend various Acts, namely the Queen's Park Act, Chap. 41:04, the Highways Act, Chap. 48:01, the Motor Vehicles and Road Traffic Act, Chap. 48:50, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 and the Maxi-Taxi Act, Chap. 48:53 to increase the pecuniary penalties for motor vehicle offences; to provide for the issue of tickets for certain motor vehicle offences; to regularize and increase the period for the renewal of driving permits and to provide for related matters.

THE MOTOR VEHICLES AND ROAD TRAFFIC
(MISCELLANEOUS PROVISIONS) BILL, 2010

Explanatory Note

(These notes form no part of the Bill but are intended only
to indicate its general purport)

This Bill seeks to amend the Queen's Park Act, the Highways Act, the Motor Vehicles and Road Traffic Act, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act and the Maxi-Taxi Act to increase the penalties for motor vehicle offences, to provide for the issue of tickets for certain motor vehicle offences and to regularize and increase the period for the renewal of drivers permits.

Clause 1 of the Bill would provide for the short title of the Bill.

Clause 2 of the Bill would amend the Queen's Park Act, Chap. 41:04 to increase the penalty for contravening regulations governing the use of the Queen's Park Savannah.

Clause 3 of the Bill would amend the Highways Act, Chap. 48:01 to increase the penalty for contravening Regulations made under the Highways Act.

Clause 4(1) of the Bill would amend the Motor Vehicles and Road Traffic Act, Chap. 48:50—

- (a) in section 2, by inserting a definition of "private school bus" and amending the definition of "motor omnibus";
- (b) in section 16, by inserting subsection (2A) to empower the Minister to prescribe the identification mark of a vehicle of the State;
- (c) in section 19A, by inserting subsection (3) which would empower the Minister responsible for finance to amend, suspend or revoke provisions of the Fifth Schedule which contains particulars of motor vehicle transfer tax;
- (d) in section 21(1) by including the need for authorization from the Licensing Authority to alter a vehicle which may conflict with the purpose for which it was registered and to increase the penalty for any unauthorized alterations and use from four hundred dollars to eight thousand dollars;
- (e) in section 23, by inserting subsection (1B) which would provide a penalty for contravening subsection (1)(d) which provides for glass being tinted, treated or darkened so as to obscure the view;
- (f) by inserting a new section 41A to empower the Licensing Authority to issue a special permit to the owner of a private school bus;

- (g) in section 43(2) by increasing the penalty for failing to wear a reliable safety helmet to two thousand dollars;
- (h) in section 43A(1), by inserting another category of vehicle, i.e., rented cars, to the list of vehicles for which seatbelts are required to be fitted before registration;
- (i) in section 43B(2), by increasing the fines to four thousand and eight thousand dollars respectively, for not having the motor vehicle fitted with proper seatbelts;
- (j) in section 43(c), by making the driver liable for driving with a person in the front seat who is not wearing a seatbelt, increasing the fine for the failure of a driver or passenger in the front seat for not wearing a seatbelt, to two thousand dollars and providing an exemption to the requirement;
- (k) in section 43D, by repealing subsection (1) and substituting a new subsection to ensure the safety of a child five years and under in a motor vehicle by using a child restraint or booster seat, increasing the fine for contravening the section, authorizing the Minister to prescribe the type of restraint and booster seat to be used and providing exemptions to the requirements;
- (l) in section 58, by repealing subsection (1), and substituting a new subsection detailing circumstances relating to the expiration of a driver's permit;
- (m) in section 61(A) by repealing section 61(A) and substituting a new section which would provide for the fees to be paid for reissuing a new permit, for a permit which has expired;
- (n) in section 62(5) by increasing the fine to four thousand dollars for violating the speed limit;
- (o) in section 65(2), by increasing the penalty to three thousand dollars for violating regulations for the parking of vehicles on any road and driving on a specified road in a specified direction;
- (p) in section 66, by increasing the fine for drivers failing to comply with traffic directions;
- (q) in section 68(7), by increasing the fine for using or permitting the use of a vehicle in contravention of a restriction or prohibition imposed by the Commissioner of Police under subsection (1);
- (r) in section 69(1) and (3), by providing for the prohibitions of parking anytime on Knox Street, between St. Vincent Street and Abercromby Street and on Abercromby Street, between Hart Street and Knox Street, and for increasing the fine for violating this prohibition;

- (s) in section 70B, by repealing subsection (3) and substituting a new subsection (3) to authorize a constable to require a driver of a vehicle which has been involved in an accident on a road, to provide a specimen of breath for a breath test at or near the place where the accident occurred or at a police station;
- (t) in section 70G, to empower transport officers to require drivers to submit to the taking of a breath test or breath analysis;
- (u) in section 77(4), by increasing the fines for a motor cyclist or a cyclist who rides abreast or holds on to other moving vehicles;
- (v) in section 78(1), by increasing the fine for distributing advertisements from vehicles;
- (w) in section 91, by increasing the fines for contravening the Act or Regulations made under the Act, where the fines are not specifically provided;
- (x) in section 100, by providing that Regulations made under the Act are subject to negative resolution of Parliament;
- (y) in section 107(4), by increasing the penalty for parking in a restricted area;
- (z) in section 109, by repealing subsection (1) and substituting a new subsection providing that the charges to be paid for impounding a vehicle would be specified in the Sixth Schedule, and authorizing the Minister to vary such charges from time to time;
- (aa) by repealing the First Schedule and substituting a First Schedule containing the fees and duties payable to the Licensing Authority; and
- (bb) by inserting a Sixth Schedule for the sums to be paid for illegal parking and the impounding of vehicles so parked.

Clause 4(2) of the Bill would provide a six-month period for persons who have made unauthoriszd alterations to vehicles to seek authorization from the Licensing Authority for the alterations made.

Clause 5 of the Bill would amend the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 to increase fines and the repeal and replacement of the First Schedule.

Clause 6 of the Bill would amend the Maxi-Taxi Act, Chap. 48:53 to increase fines for painting a vehicle in a manner to be mistaken for a maxi-taxi and for Regulations made under this Act.

BILL

AN ACT to amend the various Acts, namely the Queen's Park Act, Chap. 41:04, the Highways Act, Chap. 48:01, the Motor Vehicles and Road Traffic Act, Chap. 48:50, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 and the Maxi-Taxi Act, Chap. 48:53 to increase the pecuniary penalties for motor vehicle offences; to provide for the issue of tickets for certain motor vehicle offences; to regularize and increase the period for the renewal of driving permits and to provide for related matter

[Assented , 2010]

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:
Short title	1. This Act may be cited as the Motor Vehicles and Road Traffic (Miscellaneous Provisions) Act, 2010.
The Queen's Park Act, Chap. 41:04 amended	2. The Queen's Park Act is amended in section 2(2) by deleting the words "one hundred dollars" and substituting the words "two thousand dollars"
Highways Act, Chap. 48:01 amended	3. The Highways Act is amended in section 149(2) by deleting the words "five hundred dollars" and substituting the words "four thousand dollars".
Motor Vehicles and Road Traffic Act, Chap. 48:50 amended	<p>4. (1) The Motor Vehicles and Road Traffic Act is amended—</p> <p style="padding-left: 40px;">(a) in section 2—</p> <p style="padding-left: 80px;">(i) by inserting after the definition of "private motor car", the following definition:</p> <p style="padding-left: 120px;">" "private school bus" means a public service vehicle having seating capacity for not less than nine nor more than twenty-five passengers, used for transporting school children and is a type approved by the Licensing Authority;" ; and</p> <p style="padding-left: 80px;">(ii) in the definition of "motor omnibus", by inserting after the words " "hiring car" " the words " "private school bus" " ;</p> <p style="padding-left: 40px;">(b) in section 16, by inserting after subsection (2), the following subsection:</p> <p style="padding-left: 80px;">“(2A) Notwithstanding the requirements of subsection (1) and any other written law, the Minister may by Order prescribe the identification</p>

mark to be carried on any registered motor vehicle or trailer owned or used by the State.”;

- (c) in section 19A, by inserting after subsection (2), the following subsection:

“(3) Subject to negative resolution of Parliament, the Minister with responsibility for finance may by Regulations amend, suspend or revoke the provisions of the Fifth Schedule.”;

- (d) in section 21(1)—

(i) in paragraph (b), by inserting after the words “respect thereof or” the words “is altered in a manner which may conflict with the purpose or use for which it is registered, without permission from the Licensing Authority or is”; and

(ii) in paragraph (c)(ii), by deleting the words “four hundred dollars” and substituting the words “eight thousand dollars”;

- (e) in section 23, by inserting after subsection (1A), the following subsection:

“(1B) Notwithstanding subsection (1A), a person who contravenes subsection (1)(d), commits an offence and is liable on summary conviction to a fine of five thousand dollars.”;

- (f) by inserting after section 41, the following section:

“Special
permit for
private school
bus

41A. The Licensing Authority may issue a special permit to the owner of a private school bus, used to transport school children during a school term, subject to such conditions as may be specified in the permit and on payment of the prescribed fee.”;

- (g) in section 43(2), by deleting the words “five hundred dollars” and substituting the words “two thousand dollars”;
- (h) in section 43A(1), by deleting all the words from the words “(a) private motor car” to the words “goods vehicle,” and substituting the following:
 - “(a) private motor car;
 - (b) public service vehicle;
 - (c) goods vehicle; and
 - (d) rented car.”;
- (i) in section 43B(2), by deleting the words “one thousand dollars and on any subsequent conviction to a fine of two thousand dollars” and substituting the words “four thousand dollars and on any subsequent conviction to a fine of eight thousand dollars”;
- (j) in section 43C—
 - (i) in subsection (1), by deleting the word “sixteen” and substituting the word “seventeen”;
 - (ii) by inserting after subsection (1), the following subsection:
 - “(1A) The driver of a motor vehicle referred to in 43A(1) shall not without reasonable excuse drive a vehicle while there is in the front seat of the vehicle a person who is not wearing a seat belt.”;
 - (iii) in subsection (2)—
 - (A) by inserting after the words “subsection (1)” the words “or subsection (1A)”;
 - and

(B) by deleting the words “five hundred dollars” and substituting the words “two thousand dollars”; and

- (iv) by repealing subsection (3) and substituting the following subsection:

“(3) A person shall not be convicted under this section if he proves that at the material time he or the passenger, as the case may be, held a valid certificate signed by a legally qualified medical practitioner to the effect that it is inadvisable on medical grounds for him or the passenger to wear a seat belt and the certificate shall be valid for a period of not more than two years from the date of issue.”;

- (k) by repealing section 43D and substituting the following:

“Driving while a child is in the vehicle” 43D. (1) The driver of a motor vehicle referred to in section 43A(1) shall—

- (a) not, without reasonable excuse, drive his vehicle while there is in the front seat of the vehicle a child of five years of age and under; and

- (b) ensure that a child—

- (i) under six months of age, be restrained in a properly fastened and adjusted, rearward facing child restraint;

- (ii) over six months and under four years of age, be restrained in a properly fastened and adjusted, rearward facing child restraint or a forward facing child restraint that has an in-built harness; and
- (iii) over four years and under five years of age, be restrained in a properly fastened and adjusted, forward facing child restraint that has an in-built harness or an approved booster seat that is properly positioned and fastened.

(2) The Minister may by Order prescribe the type of child restraint and booster seat referred to in subsection (1).

(3) Subsection (1)(b) shall not apply to the driver of a public service vehicle.

(4) The driver of a motor vehicle who contravenes this section commits an offence and is liable on summary conviction to a fine of two thousand dollars.

(5) The driver of a motor vehicle shall not be guilty of an offence under this section—

(a) if he proves that the child held a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for the child to be placed in a child restraint or booster seat and the certificate shall be valid for a period of not more than two years from the date of issue; or

(b) where there is only one row of seats in the vehicle;

(l) in section 58, by repealing subsection (1) and substituting the following subsection:

“(1) Unless previously suspended, cancelled or revoked by the competent authority, a driving permit shall expire upon the expiration of—

(a) five years from the date of issue or renewal, where on such date the holder of the permit has not yet attained the age of sixty-one years;

(b) four years from the date of issue or renewal, where on such date the holder of the permit has attained the age of sixty-one years but has not yet attained the age of sixty-two years;

- (c) three years from the date of issue or renewal, where on such date the holder of the permit has attained the age of sixty-two years but has not yet attained the age of sixty-three years;
 - (d) two years from the date of issue or renewal, where on such date the holder of the permit has attained the age of sixty-three years but has not yet attained the age of sixty-four years;
 - (e) one year from the date of issue or renewal where on such date the holder of the permit has attained the age of sixty-four years but has not yet attained the age of sixty-five years; or
 - (f) two years from the date of issue or renewal, where on such date the holder of the permit has attained the age of sixty-five years and over.”;
- (m) in section 61A, by repealing section 61A and substituting the following section:

“Expired
driving
permit

61A. (1) Subject to subsection (3), an applicant for the issue of a new driving permit who is the holder of a permit which expired, shall pay to the Licensing Authority prior to the issue of the new permit the sum of—

- (a) three hundred and fifty dollars, where the period from the date of expiration to the date of submission of the application is six months or less;

- (b) eight hundred and seventy-five dollars, where the period from the date of expiration to the date of submission of the application is more than six months but does not exceed three years; or
- (c) one thousand seven hundred and fifty dollars, where the period from the date of expiration to the date of submission of the application is more than three years but does not exceed five years.

(2) An applicant who was absent from Trinidad and Tobago during the period specified in subsection (1)(b) or (c), shall pay to the Licensing Authority the sum of three hundred and fifty dollars.

(3) An applicant for the issue of a new driving permit who is the holder of a permit which expired for a period which exceeds five years, shall, whether such period is spent in or out of Trinidad and Tobago, be required to produce a certificate of having passed a driving test in accordance with section 47 and shall pay to the Licensing Authority the sum of three hundred and fifty dollars prior to the issue of the new permit.”;

- (n) in section 62(5), by deleting the words “five hundred dollars” and substituting the words “four thousand dollars”;

- (o) in section 65(2), by deleting the words “five hundred dollars” and substituting the words “three thousand dollars”;
 - (p) in section 66, by deleting the words “three hundred dollars and on any subsequent conviction to a fine of seven hundred and fifty dollars” and substituting the words “two thousand dollars and on any subsequent conviction to a fine of four thousand dollars”;
 - (q) in section 68(7), by deleting the words “one hundred and fifty dollars and on any subsequent conviction to a fine of three hundred dollars” and substituting the words “one thousand five hundred dollars and on any subsequent conviction to a fine of three thousand five hundred dollars”;
 - (r) in section 69—
 - (i) in subsection (1), by deleting paragraph (a) and substituting the following paragraph:
 - “(a) at anytime of the day or night on any portion of—
 - (i) K n o x S t r e e t,
between St. Vincent
S t r e e t a n d
A b e r c r o m b y
Street; and
 - (ii) A b e r c r o m b y
Street, between
Hart Street and
Knox Street,
- in the City of Port-of-Spain,
by any person not being a
member of the House of
Representatives or of the
Senate or his servant or
agent;” and

- (ii) in subsection (3), by deleting the words “one hundred and fifty dollars” and substituting the words “four thousand dollars”;
- (s) in section 70B, by repealing subsection (3) and substituting the following subsection:
 - “(3) Where an accident occurs involving a motor vehicle on a road, a constable may, subject to subsection (4), on arriving at the place of the accident, require the driver of the vehicle, whom the constable has reasonable cause to believe was driving or attempting to drive the vehicle after consuming alcohol in a quantity that the proportion of the alcohol in his breath or blood exceeds the prescribed limit at the time of the accident, to provide a specimen of breath for a breath test—
 - (a) either at or near the place where the accident occurred; or
 - (b) at a police station within reasonable proximity to the place where the accident occurred.”;
- (t) in section 70G(1), in the definition of “constable” by inserting the words “or a Transport Officer” after the words “Police Service”;
- (u) in section 77(4), by deleting the words “one hundred dollars and on any subsequent conviction to a fine of two hundred dollars” and substituting the words “one thousand two hundred and fifty dollars and on any subsequent conviction to a fine of two thousand five hundred dollars”;

- (v) in section 78(1), by deleting the words “four hundred dollars” and substituting the words “two thousand dollars”;
- (w) in section 91, by deleting the words “one thousand dollars” wherever they occur and substituting the words “three thousand dollars”;
- (x) in section 100, by deleting the word “affirmative” and substituting the word “negative”;
- (y) in section 107(4), by deleting the words “three hundred dollars” and substituting the words “one thousand five hundred dollars”;
- (z) in section 109 by—
 - (i) repealing subsection (1) and substituting the following subsection:

“(1) Where a motor vehicle is removed to a place of safe custody under section 108, the vehicle shall not be released to the owner unless there is paid to the Commissioner of Police a sum for—

 - (a) the removal of the vehicle; and
 - (b) each day or part thereof during which the vehicle is kept in custody,

as specified in the Sixth Schedule.”; and

(ii) by inserting after subsection (1), the following subsection:

“(1A) The Minister may, by Order subject to negative resolution of Parliament, vary from time to time the sums specified in the Sixth Schedule.”;

(aa) by repealing the First Schedule and substituting the following Schedule:

“FIRST SCHEDULE

Fees and Duties

Section 89
(31 of 1976,
36 of 1976)

\$

(7) Driving Permits—

(a) five-year permit	...	...	500.00
(b) four-year permit	...	...	80.00
(c) three-year permit	...	...	60.00
(d) two-year permit	...	...	40.00
(e) one-year permit	...	...	20.00

(f) persons who have attained the age of sixty-five years may renew their driving permit without charge

(8) Maxi-taxi conductor's licence	50.00
(9) Motor omnibus conductor's licence	5.00
(10) Registration of motor vehicle or trailer	100.00
(11) Re-classification of registration of vehicle	100.00
(12) Certificate of extract of entry in Register of Motor Vehicles other than on registration	100.00

(13) Any duplicate or copy of a licence or permit authorized or required to be issued	70.00 for first duplicate or copy 300.00 for subsequent duplicate or copy
(14) Examination of driver under section 53	175.00
(15) Certificate of competency under section 53	35.00
(16) Annual inspection of a—	
(a) trailer 	300.00
(b) motor vehicle (commercial) ...	300.00
(c) motor vehicle (private) 	251.50
(17) Dealer's licence 	5,000.00
(18) Provisional permit 	35.00
(19) Amendment to Register (other than a transfer of registration of the change of possession of a motor vehicle)	35.00
(20) Study guide booklet (including Highway Code)	15.00
(21) Permit to convey persons other than persons employed to load or unload goods, merchandise or other loads on goods vehicles, agriculture trailers or trailers for a period not exceeding six months	90.00 per month or part thereof
(22) Application for a taxi (other than a maxi-taxi)	70.00
(23) Taxi-driver's licence/badge (renewable every three years)	40.00
(24) Duplicate licence/badge for taxi drivers under item (22)	40.00 for first duplicate; 100.00 for subsequent duplicates.
(25) Certified extract of motor vehicle Inspector's report	35.00.”; and

(bb) by inserting after the Fifth Schedule, the following Schedule:

“SIXTH SCHEDULE

(Section 109)

PARTICULARS OF THE SUMS REQUIRED TO BE PAID TO THE
COMMISSIONER OF POLICE FOR ILLEGAL PARKING

<i>Particulars</i>	<i>Sums</i>	\$
Removal Charge		300.
Custody of Vehicle		200.”.

(2) Subsection (1)(d) comes into effect six months after the coming into force of this Act.

5. The Motor Vehicles and Road Traffic (Enforcement and Administration) Act is amended—

Motor Vehicles and
Road Traffic
(Enforcement and
Administration) Act,
Chap. 48:52
amended

(a) in section 11(1)—

(i) in paragraph (a), by deleting the words “four hundred dollars” and substituting the words “five thousand dollars”; and

(ii) in paragraph (d), by deleting the words “four hundred dollars” and substituting the words “five thousand dollars”; and

(b) by repealing the First Schedule and substituting the following Schedule:

“FIRST SCHEDULE

(Sections 6 and 11)

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
1.	Defaced or defective identification plate	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 7	300.00	3
2.	Using vehicle for a purpose other than that for which it is registered	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 8	750.000	20
3.	No identification plate fixed to the front or back of vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 9	750.00	20
4.	No identification lights on vehicles at night	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 10	300.00	3
5.	Number of passengers to be carried not printed on right front door of taxi	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 17(a)	300.00	3
6.	Vehicle with defective brakes	Motor Vehicles and Road Traffic Regulations Chap. 48:50, Regulation 28(f)(v)	750.00	20

“FIRST SCHEDULE—*Continued*”

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
7.	No Tare and M.G.W. painted on vehicles	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>h</i>)	1,000.00	30
8.	Vehicle with defective fittings	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>i</i>)	450.000	5
9.	Vehicle without silencers or fitted with cut-outs	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>j</i>)	300.00	3
10.	Unauthorized lights to front or rear of vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>k</i>)	750.00	20
11.	Unauthorized letters and figures on vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>l</i>)	750.00	20
12.	Vehicle without two head lamps	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(<i>m</i>)(<i>i</i>)	1,000.00	30

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
13.	Vehicle without park lights	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(m)(ii)	1,000.00	30
14.	Vehicle without tail lights	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(m)(iii)	1,000.00	30
15.	Vehicle with unauthorized spot or swivel lights	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 28(m)(iv)	1,000.00	30
16.	No "left hand drive" notice affixed to appropriate vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 31(2)	300.00	3
17.	Reversing on roads for an unreasonable distance	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 1	750.00	20
18.	Reversing at the junction of roads or around corner in the City of Port-of-Spain or San Fernando	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 1	1,000.00	30
19.	Quitting vehicle before applying brakes and switching off engine	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 3	1,000.00	30

"FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
20.	Failing to keep vehicle to left on road	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(1)	1,000.00	20
21.	Improper overtaking on the left side of road	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(3)	1,000.00	30
22.	Obstructing over-taking traffic	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 3, Rule 5(4)	1,000.00	30
23.	Improper overtaking on the right, cutting in	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38 Rule 5(5)	1,000.00	30
24.	Overtaking traffic at a place dangerous to do so	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(6)	1,000.00	30
25.	Parking within nine metres of a corner	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38 Rule 5(10)	500.00	3

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
26.	Drawing up alongside another vehicle; backing motor vehicle to kerb or roadside	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(11)	300.00	3
27.	Parking within three metres of a fire hydrant	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(12)	500.00	3
28.	Parking within three metres of the frontage of a fire station	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 5(13)	1,000.00	30
29.	Negligently or wilfully interrupting the free passage or causing an unnecessary obstruction	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 6	600.00	10
30.	Failing to draw up as close as possible to the side of the road	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 11	300.00	3
31.	Vehicle without horn	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 11	300.00	3

"FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
32.	Permitting excess sparks, smoke or visible vapour to come from vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 13	1,000.00	30
33.	Vehicle carrying excessive projection	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 15	750.00	20
34.	Overcrowded vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 16	750.00	20
35.	Carrying persons in a dangerous manner	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 17	750.00	20
36.	Leaving broken-down vehicle on road unattended	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 18	1,000.00	30
37.	Failing to draw up vehicle for passage of fire engine	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 19	1,000.00	30

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
38.	Towing other than a motor vehicle without written permission of the Licensing Authority	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 20)	600.00	10
39.	Length of tow rope exceeding five metres	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 38, Rule 21	450.00	5
40.	Vehicle without reflecting mirror	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 40	750.00	20
41.	Vehicle carrying unsecured load	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 42	750.00	20
42.	Use of noisy vehicle	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 43	300.00	3
43.	Use of vehicle with defective tyres	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 46	1,000.00	30

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
44.	Use of vehicle with no windshield wiper or defective wiper	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 46	300.00	3
45.	Playing a musical or noisy instrument in a vehicle without permission of the Licensing Authority	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 49	1,000.00	30
46.	Driving vehicle on footpath or pavement	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 57	1,000.00	30
47.	Public Service vehicle without spare tyre	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 76(j)	750.00	20
48.	Public Service vehicle —importuning of passenger	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 78	750.00	20
49	Taxi Driver unsuitably attired	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 79	750.00	20

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
50.	Placing advertisement on side window of taxi	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 80	300.00	3
51.	Taxi unattended at head of taxi stand	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 81(2)	600.00	10
52.	Statement of fares undisplayed in taxi	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 83(1)	300.00	3
53.	Failing to occupy vacant space in taxi stand	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 94(2)	750.00	20
54.	Parking in a public stand appointed for taxi	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 95	750.00	20
55.	Failing to display taxi driver's badge	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 111(4)	450.00	5

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
56.	Failing to preserve taxi driver's badge against loss, destruction or defacement	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 115	300.00	3
57.	Failing to produce taxi driver's badge and licence on demand	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 115	450.00	5
58.	Using or altering a motor vehicle or trailer for a purpose not authorized by the registration or licensing authority	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 21(1)(b)	1,000.00	5
59.	Public service vehicle carrying excess passengers	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 21(1)(c)	750.00	20
60.	Goods vehicle carrying excess weight	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 21(1)(c)	750.00	20
61.	Using a motor vehicle with the windscreen or any other window fitted with glass so tinted, treated or darkened as to obscure the view of the inside of the vehicle from outside	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 23(1)(d)	2,000.00	15

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
62.	Use of motor vehicle under dealer's licence by a person other than the dealer	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 39	1,000.00	30
63.	Riding Motor Cycle without safety helmet	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 43(1)	450.00	5
64.	Failure of a driver and any passenger seventeen years and over to wear a seat belt while the vehicle is in motion	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 43C(1)	1,000.00	15
65.	Driving a vehicle with a person in the front seat who is not wearing a seat belt	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 43C(1A)	1,00.00	15
66.	Driving a vehicle with a child in the front seat who is five years and under	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 43D(1)(a)	1,000.00	15
67.	Failing to place a child who is five years and under in a child restraint or booster seat in the vehicle while driving the vehicle	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 43D(1)(b)	1,000.00	15

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
68.	Exceeding the specified speed limit	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 62(1)	1,000.00	30
69.	Motor racing and speed trials between motor vehicles without permission	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 63	1,000.00	10
70.	Breach of Traffic Order made by the Minister	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 65(1)	300.00	3
71.	Failing to comply with directive of a police constable	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 66(a)	1,00.00	30
72.	Failing to comply with a traffic sign (excluding an electric automatic signal) or notice authorized by the Licensing Authority or Commissioner of Police, respectively	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 66(b)	1,000.00	30
73.	Failing to comply with an electric automatic signal (traffic light)	Motor Vehicles and Road Traffic Act, Chap. 48:50, Regulation 66(b)	1,000.00	30
74.	Contravention of Traffic Order made by the Commissioner of Police	Motor Vehicles and Road Traffic Act, Chap. 48:50, section 68(7)	750.00	20

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
75.	Breach of Knox Street and Abercromby Street parking restriction	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 69(1)(a)	1,000.00	30
76.	Breach of parking restriction made by the Minister	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 69(1)(b)	750.00	20
77.	Dangerous driving	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 71A	3,000.00	15
78.	Motor Cyclist holding on to another moving vehicle	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 77(2)(a)	750.00	20
79.	Motor Cyclist riding with no hands on the handle bar	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 77(2)(b)	750.00	20
80.	Throwing or distributing advertisements or handbills from a vehicle	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 78(1)	300.00	3
81.	Standing for hire at a place not appointed for the purpose	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 91(3)	750.00	20
82.	Unauthorized parking on grounds of public building	Motor Vehicles and Road Traffic Act, Chap. 48:50, Section 107(1)	750.00	20

FIRST SCHEDULE—*Continued*

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty \$</i>	<i>Penalty points to be awarded</i>
83.	Use of Priority Bus Route by unauthorized vehicle	Special Roads (Traffic) Regulations, Chap. 48:01, Regulation 2	1,000.00	30
84.	Using or causing to be used or permitting a person to use a motor vehicle or licensed trailer on a public road without a valid policy of insurance	Motor Vehicles Insurance (Third Party Risks) Act, Chap. 48:51, section 3	1,000.00	15
85.	Unauthorized driving or parking within Queen's Park Savannah	Queen's Park Act, Chap. 41:04, Regulation 1A	1,000.00	30
86.	Operation of maxi-taxis outside specified route	Maxi-Taxi Act, Chap. 48:53, section 7(1)	1,000.00	30
87.	Vehicle painted in such a manner as to be mistaken for a maxi-taxi	Maxi-Taxi Act, Chap. 48:53, section 12(1)	1,000.00	30".

6. The Maxi-Taxi Act is amended—

Maxi-Taxi Act,
Chap. 548:53
amended

(a) in section 12 (2), by deleting the words “five hundred dollars and to a further fine of twenty-five dollars for each day during which the offence continues after conviction” and substituting the words “three thousand dollars and to a further fine of two hundred dollars for each day during which the offence continues after conviction”; and

(b) in section 13(3), by deleting the words “five hundred dollars” and substituting the words “three thousand dollars”.

No. 9 of 2010

THIRD SESSION
NINTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend various Acts, namely the Queen's Park Act, Chap. 41:04, the Highways Act, Chap. 48:01, the Motor Vehicles and Road Traffic Act, Chap. 48:50, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 and the Maxi-Taxi Act, Chap. 48:53 to increase the pecuniary penalties for motor vehicle offences; to provide for the issue of tickets for certain motor vehicle offences; to regularize and increase the period for the renewal of driving permits and to provide for related matters.

Received and read the

First time

Second time

Third time