



# Bill Essentials

*Motor Vehicles and Road Traffic  
(Amendment) (No. 2) Bill, 2017*

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## BACKGROUND AND PURPOSE OF THE BILL

1. **The Motor Vehicles and Road Traffic (Amendment) (No. 2) Bill, 2017** (hereinafter “the Bill”) aims to amend the **Motor Vehicles and Road Traffic Act, Chap. 48:50** (hereinafter “the Act”).
2. The Bill was introduced by the Honourable Faris Al-Rawi, Attorney General and Minister of Legal Affairs on October 9, 2017.
3. The Bill seeks to provide for the enforcement of new maximum speed limits on specified classes of motor vehicles outside and within built-up area.
4. The Bill also seeks to allow the Minister to amend the **Second Schedule** to **the Act** by Order subject to negative resolution<sup>1</sup> of Parliament.

## KEY FEATURES

5. **Clause one** (1) of the Bill proposes to amend **Section 62 (7)** of **the Act** which empowers the President to amend the Schedule on Speed Limits (**Schedule 2**) by Regulation subject to the affirmative resolution of Parliament. The section would now empower the Minister to make such regulations by Order subject to the negative resolution of Parliament.

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<sup>1</sup> Negative resolution is a type of procedure that a statutory instrument can go through. A statutory instrument under the negative resolution will automatically become law without debate unless there is an objection from either House of Parliament. Conversely affirmative resolution refers to a procedure where a statutory instrument must be approved by both the Houses of Parliament to become law.

6. **Clause two** (2) of the Bill proposes to amend the **Second Schedule of the Act** (“Speed Limits”). These amendments are related in the table below highlighted in bold:

Class or Description of Vehicle	Maximum Speed Kilometres per Hour	
	Outside a Built-up Area <sup>2</sup>	Within a Built-up Area
(a) Tractor (except a goods vehicle or private motor car with or without trailer)	35	20
(b) Motor omnibus <sup>3</sup>	65	50
(c) Motor vehicle constructed to carry more than ten Passengers	65	50
(d) Goods vehicle the licenced M.G.W. <sup>4</sup> of which exceeds <del>2540 kilogrammes</del> <b>3200 kilogrammes</b> with or without trailer	65	50
(e) Goods vehicle the licenced M.G.W. of which does not exceed <del>2540 kilogrammes</del> <b>3200 kilogrammes</b> with trailer	65	50
(f) <b>Goods vehicle the licenced M.G.W. of which does not exceed 3200 kilogrammes without a trailer</b>	<b>100</b>	<b>50</b>
(g) Private motor car with trailer	<del>65</del> <b>100</b>	50
(h) Any other motor vehicle	<del>80</del> <b>100</b>	50

<sup>2</sup> Pursuant to **Section 62 (8)**, a built-up area, means the City of Port-of-Spain, the City of San Fernando, the Borough of Arima, and any other area or road or portion thereof declared by Order of the Board to be a built-up area for the purposes of this section.

<sup>3</sup> Pursuant to **Section 2** of the Act, a motor omnibus means a public service vehicle other than one registered as a “hiring car”, “private school bus” or “maxi-taxi”, and includes a light motor omnibus having seating accommodation for not more than ten passengers, an ordinary motor omnibus having seating accommodation for more than ten passengers and a freight passenger vehicle;

<sup>4</sup> Pursuant to **Section 2** of the Act, M.G.W refers to the “maximum gross weight” 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 registered; and for the purposes of this definition the weight of a driver, loader, conductor or passenger shall be taken as 60 kilogrammes;

**LEGISLATION MENTIONED**

- Motor Vehicles and Road Traffic Act, Chap. 48:50

[https://rgd.legalaffairs.gov.tt/laws2/alphabetical\\_list/lawspdfs/48.50.pdf](https://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/48.50.pdf)



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