

Leave of Absence

Tuesday, February 02, 1999

SENATE

Tuesday, February 02, 1999

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. President: Hon. Senators, leave of absence has been granted to Sen. The Hon. Brian Kuei Tung, Minister of Finance, for the period February 1—3, 1999.

SENATOR'S APPOINTMENT

Mr. President: Hon. Senators, I have received the following communication from His Excellency, The President of the Republic of Trinidad and Tobago:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ARTHUR N. R. ROBINSON, T.C., O.C.C.,
S.C., President and Commander-in-Chief of the
Republic of Trinidad and Tobago.

\s\ Arthur N. R. Robinson
President.

To: MR. VINCENT CABRERA

WHEREAS Sen. Brian Kuei Tung is incapable of performing his functions as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ARTHUR N. R. ROBINSON, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, VINCENT CABRERA, to be temporarily a member of the Senate, with effect from 2nd February, 1999, and continuing during the absence from Trinidad and Tobago of the said Senator Brian Kuei Tung.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 1st day of February, 1999.”

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OATH OF ALLEGIANCE

Sen. Vincent Cabrera took and subscribed the Oath of Allegiance as required by law.

ORAL ANSWER TO QUESTION

**Toxic and Hazardous Waste
(Disposal Site)**

6. Sen. Prof. Julian Kenny asked the Minister in the Ministry of Planning and Development with responsibility for the Environment:

- (a) Could the hon. Minister inform the Senate whether a dedicated site has been established for disposal of toxic and hazardous waste in Trinidad and Tobago?

If the answer is in the affirmative, could the hon. Minister inform the Senate of the location of the site, the authority responsible for operation of the site and the protocols under which toxic wastes are made safe?

If the answer is in the negative, could the hon. Minister inform the Senate of its policy on safe disposal of toxic and hazardous wastes, particularly heavy metals, radioactive materials, organic solvents and pesticides?

- (b) Could the hon. Minister also inform the Senate of any special arrangements made for disposal of similar toxic in Tobago?

The Minister in the Ministry of Planning and Development with responsibility for the Environment (Dr. The. Hon. Vincent Lasse): Mr. President, there is at present no dedicated site for disposal of toxic and hazardous wastes in Trinidad and Tobago. However, over the years, depending on the nature of the hazardous waste, secured cells had been used for the disposal of pre-treated hazardous wastes at the Forres Park landfill.

In addition, individual firms operate by remediation facilities for treating petroleum contaminated soil. Further, some hazardous wastes have been exported to countries that treat such waste. In particular, led batteries are exported to Venezuela, and spin catalyst and other hazardous waste from the Point Lisas Industrial Estate are exported to the United States of America.

Government's policy on hazardous waste is outlined in the National Environmental Policy that was recently laid in Parliament. The policy that is being implemented through the Environmental Management Authority, incorporates the following major elements:

Compilation of an inventory of hazardous wastes;

Specification of requirements for their handling and disposal;

Establishment of standards and design criteria for handling waste and disposal facilities;

Enforcement of standards through licensing and permit requirements;

Establishment of supporting legislative and regulatory framework;

Prohibition of importation of hazardous waste; regulating the mixing of wastes;

Periodic inspections of premises/facilities where hazardous wastes are generated, stored and transported;

Regulation of the importation, storage, manufacture, sale, use and transport of pesticides and toxic chemicals, to ensure adequate safety, particularly in relation to the toxicity and eco-toxicity of substances before marketing them for industrial use;

Regulation of the marketing of pesticides and other toxic chemicals.

It is expected that the policy will be fully in operation by mid-2000.

The above policy applies both to Trinidad and Tobago.

Thank you.

Sen. Prof. Kenny: Mr. President, I wonder whether the hon. Minister could indicate to us how the Government deals with rogue disposals of hazardous and toxic wastes. That is where somebody who has a hazardous or toxic waste disposes of it without any concern for the environment. For example, the lead at Demerera Road—that was a rogue disposal. Is there a mechanism to control such activities?

Dr. The Hon. V. Lasse: I mentioned quite clearly in my reply to the question, that as far as lead contamination is concerned, lead batteries are transported to Venezuela.

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At least, you asked me an easy question because that is one of the areas that we deal with effectively at this point in time.

Sen. Prof. Kenny: I was really asking about rogue disposal of toxic waste. It means simply that somebody has an operation, and rather than responsibly going to Forres Park, he just gets a contractor, puts it in a truck, and dumps it anywhere.

This was the question: Is there a mechanism to prevent this from happening?

Dr. The Hon. V. Lasse: Mr. President, very shortly there would be a mechanism in place because the Environmental Management Authority is now in the process of recruiting 20 police officers who would serve as environmental police.

Sen. Prof. Spence: Mr. President, through you, could I ask the hon. Minister this question? Did the hon. Minister in answer to his question, mention the disposal of containers? I did not hear any mention made of containers that may have been brought in with pesticides, for example.

The second question is: Would it not be useful if there were some agencies such as Solid Waste Management Company Limited that could ship these containers that had toxic waste to some country where there is a mechanism for disposal, perhaps in container loads of material? If there is not this mechanism, then would he not agree that the rogue disposals are more likely to occur? In other words, if one makes it easier for people to dispose of toxic waste, they are likely to comply. But if it is difficult and costly for them to do so, they may not.

1.40 p.m.

Dr. The Hon. V. Lasse: Well, I was trying to follow the question, but it was in the form of a statement and I think it is very difficult to respond directly to that. However, what I can say is that, I mentioned a policy has been laid recently and through the Environment Authority, we would be looking very carefully at regularizing these substances.

Thank you.

Sen. Dr. Mc Kenzie: Mr. President, in response to (b) of Sen. Prof. Julian Kenny's question, the Minister made a broad statement that Tobago was included in the policy for Trinidad and Tobago. I would like to find out what is really happening because he mentioned Forres Park which I know is in Trinidad, I do not know what sort of arrangement could be there. As far as the Minister knows,

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especially the organic solvents and pesticides in relation to Tobago specifically, does it come under the central government or under the Tobago House of Assembly? That is the first question I would like answered. Secondly, if it comes under the central government, what are these gracious plans?

Dr. The Hon. V. Lasse: What I can say is that when we were formulating the policy on the environment, we held extensive consultations with the Tobago House of Assembly and there is a secretary, more or less responsible for the environment, one Mr. Baird. We have been working out the modalities of how to deal effectively with the control of these substances both in Trinidad and Tobago.

**VALIDATION OF THE THIRD REPORT (ELECTIONS AND BOUNDARIES
COMMISSION) (LOCAL GOVERNMENT) BILL**

Bill to validate the Third Report of the Elections and Boundaries Commission under the Municipal Corporations Act, 1990 and the Elections and Boundaries Commission (Local Government) Act, Chap 25:50 for the purpose of Local Government Elections [*The Minister of Public Administration*]; read the first time.

Motion made, That the next stage of the Bill be taken at the next sitting of the Senate [*Hon. W. Mark*]

Question put and agreed to.

REGISTRATION OF CHARGES (MOTOR VEHICLES) BILL

Bill to provide for the registration of charges on motor vehicles and for matters incidental thereto [*The Minister of Public Administration*]; read the first time.

Motion made, That the next stage of the Bill be taken at the next sitting of the Senate. [*Hon. W. Mark*]

Question put and agreed to.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) REGULATIONS

[Second Day]

Order read for resuming adjourned debate on question: [January 12, 1999]:

Be it resolved,

That the Motor Vehicles and Road Traffic (Amendment) Regulations, 1998 be approved. [*Sen. The Hon. S. Baksh*]

Question again proposed.

Sen. Martin Daly: Mr. President, as has been pointed out by previous contributors, the main purpose of these regulations is to introduce the new licensing regime whereby owners of motor vehicles would be able to have their vehicles inspected by private establishments subject to certain regulations. I have now had the opportunity to study these regulations in some detail and I see the Minister is proposing to move certain amendments to meet some of the points that have been made already.

My brief contribution, Mr. President, is to try to widen the debate and see if we can provoke a response from the Minister as to what specific plans he has, apart from public relations statements and platitudes about efficiency, for implementation and enforcement of these regulations. You see, anyone who drives all over Trinidad, definitely in urban Port of Spain—if the man from Mars visited us, he would assume that we had no motor traffic laws, substance of laws, let alone regulations. It is an absolute free for all in the streets marked only by periodic bouts of overzealous and *vaille que vaille* alleged enforcement of the motor vehicle regulations.

So I really think it is very important, given these amendments and given this new licensing system, for the Minister to tell us how the *vaille que vaille* lack of administration and what I should be referring to as “connection justice” will not bedevil the operation of these regulations. You see, Mr. President, the things that we neglect, always come back to haunt us and then we fool ourselves.

The resumption of this debate is taking place against the background of yet another fatal road accident on the Priority Bus Route, and I look at these regulations and I ask myself: What in these Motor Vehicle Regulations, the original ones as well as the amended ones, will stop people being killed on the Priority Bus Route? And the answer is zero, absolutely zero. The Priority Bus Route has three problems, none of which is addressed in these regulations, and certainly there are problems of implementation and enforcement. The problems are as follows:

- (1) poorly lit;
- (2) blatantly, regularly and widely the subject of unauthorized use; and
- (3) poorly policed.

The third is connected to the second.

1.50 p.m.

Now, sometime ago, during the life of this Government, I raised the question of the unauthorized use of the Priority Bus Route. Happily, subsequently, usually on a Saturday morning, in the shade of the trees close to the University of the West Indies, on a bench, there would be licensing officers stopping people who did not have Priority pass signs displayed. I regularly carry out surveys, whenever I use the Priority Bus Route, and it is only 1 in 15 and sometimes it is 1 in 31 vehicles that has a pass displayed. If you want the Priority Bus Route to be in general use, fine, declare it an open road; but if you have a system for its use, then that must be enforced, and you must have regulations which must be enforced.

Now, it is perfectly obvious to me that the problem with the unauthorized use of the Priority Bus Route is partly responsible for all these road deaths.

I make the point about implementation and enforcement because in this country, we allow a problem to start; when it becomes unbearable, we then start uttering platitudes, we pass laws to deal with the problem, when we already have laws in the books, and when the problem really is lack of implementation and lack of enforcement.

The Priority Bus Route was put back into use for certain specific types of vehicles. Common sense would tell you that with its restriction to certain types of vehicles, a certain volume of traffic and a certain type of driver would use that road. That is to say, since it was not open to everyone, you would have an idea of how many vehicles would use the road. And since the drivers of vehicles using that road were supposed to be, generally speaking, people who had passed the harder driving test, or otherwise were more seasoned drivers, it would be reasonable to expect that road would not produce as many accidents as an ordinary road. But because we turned a blind eye to the indiscipline or the unauthorized use of the Priority Bus Route, cars are flying up and down and killing people. That is my problem! Why can we not understand that when we store these problems up and we do not deal with them, everything comes home to roost?

On top of that, it is reasonably assumed—I am not a psychologist—that you can make an assumption about the mentality and level of care of the type of person who is going to put the Priority Bus Route to unauthorized use. Therefore, it becomes all the more important to keep that type of mentality off the Priority Bus Route, making it less likely for him to kill someone.

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I ask again, in relation to these regulations and these inspections, are they not going to produce a whole set of problems now, where people will be able to make their “panchayat” with these private garages and have unfit vehicles passed for inspection and go on the roads?

Every day, when I am driving down the foreshore, I see vehicles—you do not have to be an expert to know which vehicles should not be on the road; you could look at the tyres, see the smoke, smell the smoke, and know that they should not be on the road. So we do not need inspection to get those vehicles off the road. This is irrelevant to the taking of vehicles off the road. The Lord alone knows what kind of insurance they have, because you do not have to produce insurance anymore in order to license a vehicle.

Of course, every so often, in a fit of zeal, they will stop Sen. Prof. Spence on the Priority Bus Route, because they have not given him his new pass and they espy the old pass on his windscreen—they do not see the windscreens with no passes; but they see his pass is the wrong colour. Mind you, no one has given us any new passes for the year. They are *vaille que vaille* and overzealous.

What makes matters worse is, when we do not enforce the law and apply the regulations, we not only get these unwanted results, but on top of that, eventually people become angry. And they become angry, particularly those who are less well-off in the society, because they perceive that they are living in a country where justice is completely arbitrary.

You may ask, “How can Daly read all of this into regulations and lack of implementation”? This is a model; a specimen, of how the country is not governed by any of the governments that we have had; the country is not governed.

Every so often, we get a lot of public relations about the environment, pollution, and diesel engines. Do you see any difference on the East/West Corridor? If anything, it is worse.

I, therefore, want the Minister to be very specific in his reply, as to what he proposes to do to ensure that these inspection regulations are fairly, efficiently, and openly administered, without fear or favour to anyone, and without “bobol”; otherwise, we are wasting time.

We cannot say, “We are bringing in these regulations” and not address their implementation and administration. Then when people get angry, or protest—: well, I am happy to know that at long last one member of this Government has asked the right question; but he gave himself the wrong answer.

The reason we have all this anger, and why people's blood is so close to their skins, is because justice and regulation are not being impartially or efficiently administered. We have "connection justice". I will explain what I mean. If you drive a so-called public service vehicle, apparently you are allowed to use the Priority Bus Route. But, as far as I know, you can take the so-called public service vehicle and use the Priority Bus Route to drop children to school. The purpose of allowing a public service vehicle to use the Priority Bus Route is to carry out public service objectives which benefit everybody. But public service vehicles drive up and down the Priority Bus Route, dropping children to school. Therefore, you get a little petty advantage.

If you are working in the Water and Sewerage Authority, or some other agency which has a van with an identifiable logo, even if the police are there, you could say, "This is a public service vehicle"—do not mind that I am going to drop children to school, or I am hustling to WASA's fete.

This is why we have to enforce the law. If a man drives along the Priority Bus Route and a policeman happens to stop him, but he is another police officer who is off duty, or some other public service official off duty, they will talk the matter out and the "godfather principle" will come into play: he will do him a favour now, in return for the favour he will do him the next time.

This whole country is riddled with what I call "connection justice", and the judges and the courts get the blame. More than 50 per cent of the times, the failure of justice in this country is as a result of the failure of officials to enforce the law, and this "connection justice". That is where the problem lies! If I am a—well, I do not want to single out anybody, I will just say a public official—"bad John" public official, I could do anything I want. I could bring in a suitcase of goods because my brother is in the customs in Piarco; or something on the docks, because my brother is an immigration officer on the docks; or drive up the Priority Bus Route, toting something that I am not supposed to be toting, because my brother is a police officer.

Is it any wonder that people suspected that the driver in that particular incident was a policeman? Now, it is a terrible thing when the society believes almost automatically or ritually that a crime has been committed and that it has been committed by a policeman, because of the speed with which it is apparently being covered up. Do you expect people to stay sane and rational when they believe—not "believe", "know"—that is how the society functions? Sen. Mahabir-Wyatt

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has a motion that is going to raise a whole host of cover-up problems within the police service, in relation to certain types of matters.

There is therefore no point in the Minister coming here and giving us any public relations. He has to tell us precisely how these regulations are going to be implemented; precisely what checks and balances are going to be in place; and precisely how he is going to eliminate the obvious room for "bobol" and favouritism, in the implementation of these regulations.

2.00 p.m.

It is no good having this debate without that, because implementation and enforcement is key. After yet another fatality on the Priority Bus Route, what is the Government's response? It blames the media, saying that it is giving a negative image of the country. People's children getting killed because only one in 31 vehicles is supposed to be on the Priority. It is no accident that this latest issue arose apparently as a result of a vehicle that was not supposed to be there. A certain type of mentality and a certain volume of traffic is let loose on the Priority Bus Route, and until you stop that you could bring any amount of regulations. Of course, the Government also has an obligation to light it and so forth, but I do not want to stray from the regulations, so the media are to blame.

Mr. President, I refer to page 23 of the *Newsday*, Friday, January 29, 1999

"Minister of Social Development Manohar Ramsaran had joined Prime Minister Basdeo Panday in decrying the national media, claiming that Wednesday's *Newsday* editorial was creating a negative image of this country, and that both television stations, by their coverage of protests, could not help citizens.

Ramsaran also took up the call of his political leader, pointing to Wednesday's protest by residents on the Priority Bus Route at Beetham Estate and saying 'for an accident to cause that, I think that something is really wrong with the psyche in this country at this moment...'"

He is right, but it is not the media which caused it, or turned the psyche of the people. The psyche of the people was turned by the inability to see that justice is being impartially administered by the administrators, not the courts. The matters do not reach the courts. Therefore, I congratulate the Minister of Social Development for understanding at long last, that there is something really wrong with the psyche of the people.

The next question we must ask is, how did it come about that something is wrong with the psyche of the people? In the context of these regulations, it has come about because since gaining independence we have not enforced critical laws for the peace, good order and good government of the country, and we persistently look the other way on a "breds" and connection basis. I would not hold you on a "breds" basis, because I would not hold you on the Priority Bus Route so that when I am coming through the customs at Piarco you would not hold me. We operate on a "breds" and connection basis. It is not the fault of the judges or the courts because the matters never reach there. There is the subject of all these informal, private arrangements and a huge underground network of people who are constantly fixing things for each other. Everyone sitting in this Chamber knows this.

The end result is, you end up with people being killed repeatedly on the Priority Bus Route and eventually the people had enough and they gave vent to their feelings. If, of course, you kept all these unauthorized vehicles off the Priority Bus Route and made the volume of traffic what it was supposed to be, no one would be killed and no one would have any reason to be angry, or protest. Thus, it is our poor implementation and lack of even-handed justice that is stirring up the psyche of the people.

Everyone can make a sacrifice, providing it is fairly applied, but when the same people get jammed all the time, do you not expect them to react? Is it the media which made them react? They are reacting because somebody got killed! Thank God there are some in the country who care about senseless deaths! They should be complimented for being concerned about senseless death! As I said previously in the exercise of my right of free speech and fitness as a Senator, people in this country are not concerned about murder and people being killed going to the bank. Therefore, if these people are concerned about their children getting killed on the Priority Bus Route, senseless murders and connection justice, then they are absolutely right! It is certainly not something created by the media.

I urge the Government to recognize that something is wrong with the psyche, but what has turned the psyche is the failure by every government we have had since independence, to see to it that ordinary regulations like these—never mind the big laws—are implemented or even-handedly enforced.

If we follow our normal track record, the implementation of these regulations would be marked by the usual "bobol", unfairness and connection thing. I am in the streets all the time, like Sen. Kuei Tung. I have learned the jargon somewhat

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belatedly, but I heard recently that every little man in Trinidad and Tobago "does be looking to make a connection", that is why I understand about connection justice. So if you make your connection, you would not have to get your car inspected. You borrow four tyres and send it for inspection and probably in the sight of the inspector he helped you—I am not referring to the licensing inspectors, but this new breed of private entrepreneurs—put on the bogus tyres out in the road, you drive in the compound and he help you take them off afterwards.

I had an experience concerning the Licensing Office in which I was representing the state in a judicial review matter. The highest profile piece of evidence in the matter where three Laurel motor cars that somehow got licensed when they should not have, one of them was bright blue with gold rims. You really could not miss it. That car was the subject of a major part of the controversy. The defendants concerned—I would not do anything more to identify them other than say that they were employees; the people who brought the judicial review, the applicants, were employees of the state and were challenging certain disciplinary action which the state had taken. We were representing the state.

This case took place in San Fernando. These applicants came to court every single day in the blue and gold Laurel. No problem! Mr. President, do you know what was the best irony of all, where they used to park in the side street—I do not know the names of the streets in San Fernando, there are all these side streets where one could park to go up to the new court building. Had the judge only known that the car was around town, he would have just had to raise off his seat, look through the window and see the blue and gold car! That is the logical conclusion of always telling people that they could do what they want.

You are going to the High Court in a matter and one of the exhibits, so to speak—it was a civil matter—you are "gallerying" the thing in front of everybody. If that was not "betty goatee" to the nth flaunt, I am very much obliged. That is a very good word for this season as well. So you flaunt your indiscipline act, metaphorically, in the face of a High Court judge, and certainly, in the face of all concerned who knew the facts. That had to do with licensing, regulations and how vehicles qualify for registration.

I am very concerned, to widen the debate, as to how these regulations are going to be implemented without "bobol", favouritism and without making a connection, and that they are going to be applied fairly, so that one man does not get a rigorous inspection and another gets a superficial inspection. I want to know

how that is going to take place. I am really baffled. If you follow our track record, these regulations would suffer from a lack of efficient, even-handed and forceful administration and will take us no where. It is important for the Minister to tell us how he plans to go against the tide, or break the track record.

I know that Sen. Marshall said that he is very busy—I know that he is—and I also know that he is very urbane and never blames the media or the Independent Senators for anything in his Ministry, which is largely because of the sympathy we extend to him being the latest of those ministers who is unable to have an airport built, but that is track record too. No Minister of Works in this country is ever going to get an airport built, and that is track record! This Minister, as much as we love him, is saddled with that track record, because it is axiomatic in this country that if you have a big works project everybody must make a "ting"! No one is going to stand up against anyone making a "ting" if they could put their hand in the pie and make a "ting" too. That is why I feel sorry for all our governments, because in some ways the country is almost ungovernable because we have allowed this kind of network and connection justice to go on for so long.

Of course, I cannot possibly tell them in the fear of their freedom of speech, but I sincerely hope that none of those immediately north of me is going to suggest that this problem began with this Government. In fact, I see signs that this Government would like to do something about it, starting with Sen. Baksh who has been trying to include people in what he is doing, but he has a hard problem. This networking did not start now.

In the unlikely event that anyone immediately north of me tries to suggest that it is the fault of this Government, if they would give way I would then ask very searching questions about what went on in the days of previous governments, with EC1s and EC0s where you sat in Central Bank with your form to get a few thousand dollars to pay your daughter's school fees, and fellas walk in behind you, go through a door and come out with US \$50,000 approved to buy their wife a diamond ring, while you are still waiting. [*Laughter*] But those are different regulations and I must not stray.

Mr. President, in the end, I am really saving you having to rise again, because I am serving notice to those immediately north of me not to be so incautious as to suggest that this networking or "connectioning" started with this Government. It did not start there.

When we come with yet another set of noise regulations, there is the same problem. We have laws on the books to deal when noise pollution. Who is going

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in "Flour more than water" and tell 25,000 people that the music too loud? Which police or licensing man would do that? If he goes he is suicidal because as the noise problem grew, we stood back and did nothing. Now it is becoming dangerous to health, of course, it is now a problem. We are "mamaguying" the population, bringing in laws for noise pollution. We already have laws. The question is, how do you implement them?

The proportion of flour and water would change when you tell those 15,000 people to turn down the music. It is the same problem here. If these regulations are brought in, who is going to apply them? You sat and allowed the problem to go on and on. I venture to suggest that based on track record, these regulations would do absolutely nothing to make our roads safer, unless the Minister has in his papers a comprehensive administration plan, where for the first time, regulations for peace, good order, and good government would be fairly and efficiently administered; not in an arbitrary fashion.

Mr. President, I would just tell the Government one last thing if I may. I certainly do not want to get into the quality of the regulations; I have won that debate so comprehensively that I do not want to reopen it. In case anyone immediately to the north of me seizes on this latest "free press" issue, I would close with a rhetorical but seasonal question, who banned "Soca Baptist"?

Sen. Muhummad Shabazz: Mr. President, when we look at this Motion there are a number of things that must be questioned. Before going into it, I would start first with the presentation of the hon. Minister. There were certain things brought into this Motion in his presentation. Firstly, he spoke about why we intended to bring some sort of privatization to what is happening at the Licensing Authority.

2.15 p.m.

Before getting to the second point, there were certain things which came up. I have here the *Hansard* of January 12 in which the question of traffic wardens, the introduction of breathalysers, the introduction of a school transportation system, the information base of the Transport Division and the introduction of overall land-based transportation policy were all spoken about. In looking at these things, I do not know why they were presented in this Motion. I do not know what was the importance or the relevance in this Motion. Maybe the hon. Minister would explain.

We have heard the question of traffic wardens coming up for a long time. How will this system be implemented? These are really relevant questions. Has the

system been set up in such a way that it would be properly implemented and would work? Let me just deal with the traffic wardens for a bit. This has come up over and over. The Minister has told us that pilot project programmes in San Fernando and Port of Spain are presently being put in place. I think I have heard that before. If that traffic warden system is going to be set up, I ask the hon. Minister at this point in time, to look at the young people, who have been trained under the Civilian Conservation Corps and given a certain type of discipline, and bring them into this system. Because the Civilian Conservation Corps, we now understand, is going to be disbanded and passed over to some other place in a harder kind of situation. I ask him to look at that.

We have been hearing about the introduction of breathalysers for a long time. One of the problems that has been coming up with breathalyser testing is that the alcohol level which is sustained in Trinidad and Tobago as opposed to where it was made, for some reason, does not work and is not compatible with what is happening here. So, perhaps the Minister can tell us when it will be brought into effect, because we do not want it to be just a promise.

One of the main concerns under this Bill is that there are 44 garages which have been set up for nearly a year. People have put money into the system and they have been promised that it will work with 44 garages in this country and one in Tobago. To date, nothing has been done to put it into effect.

Now, there are a number of questions being asked. We feel that this system would generate, at a conservative level, anything like \$80 million. What is the Government getting out of this, apart from VAT and whatever other taxes are to be paid? Really, it is the feeling on this side that if the post office can be privatized, do the privatization in some way. We are saying that yes, people in the country should be given the benefit to do things but it should be done in such a way that some revenue would come to us.

They started this whole thing—and I am saying this regardless of what some of the people south of me would say—when people no longer had to license their vehicles. They created a mood in the minds of the people. They said they were going to raise the price of gas in order to make up for that, but today they are bringing back a system that would cost even more than licensing of vehicles. We need to look at that and see how promises are made and changed, and how regularly it is being done.

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I ask the Minister to tell us how much this will cost, tell us why it was done in that way and why this system was set up, because the question of corruption and no real penalties in this Bill is something to be looked at.

Again, on this side we are saying, “Bring people into the thing; set up private enterprises”. But the licensing officers still have basically the same duties—well, some work may be taken away from them, but they are still supervising the whole thing. Tell us the real role of the Licensing Authority: What it will be doing, how private will the system be, and how it will work.

I want to go a bit further on the Minister’s contribution. He spoke about the information base of the Transport Division and the introduction of an overall land-based transportation policy. He spoke about the school transportation system provided by private operators currently being reorganized to enhance the level of service offered to our school children.

Since this Government has been in power, it has been speaking about setting up a proper school transportation system, and it brought in some new maxi-taxis to deal with that. The original maxi-taxi drivers were not included in that system because of the culture of the maxi-taxi drivers. There was a plan to train people to deal with the school children, which was good and noteworthy, but today nothing seems to have been done in that direction.

We are asking that the plan should be put in place early and be completed before starting something else. There are a number of things which were promised to put this whole transportation problem into some kind of order, but many of these have not been done. So, we are asking that they look at that and look at it carefully.

We have seen that a number of people have been trained. Garages have been set up, people have been trained at the Caribbean Industrial Research Institute (CARIRI) and nothing has happened for a year. It is time to get these people moving and to get this system put in place.

Again, in order to reorganize the system, on the question of information and the vehicles that would fall outside the net. I am saying we on this side believe that yes, if we are going to do something, how are we going to get it to work? When we talk about the number of road accidents happening now, it is a very sad thing. There may be a number of other problems but we believe that long ago, there was a training system in the schools where we were taught very early how to cross the street—look left, look right, look left again.

I think we need to have programmes brought back into the schools. Ask the Minister to do that. Train children how to cross the street. Put systems in place that would help people to move more effectively on the street and it would help save the lives of some of them. Get back into the schools and set up proper training programmes to help the children to cross the road, in addition to the other programmes needed to be implemented at this point in time.

Mr. President, looking at the Regulations, on page 5, number (9):

“The Licensing Authority may issue renewals of conductor’s permits between 15th and 31st December, to become effective on the following 1st January.”

I ask the Minister: what is the relevance of the conductor’s permits? Is it put in here to give somebody an opportunity? Why is it here in this Motion? I would like an explanation from the Minister about that.

I have seen, too, where they have set up a system where there are certain ways to have garages and everything working; sending people on courses to be trained, but page 7, regulation 27B(2) says:

“The Licensing Authority may, at any time, if it so thinks fit, authorise in writing any person to carry out examinations notwithstanding that the requirements of regulation 27A have not been complied with.”

I hope the Minister would develop on that and talk about it some more.

We have seen a number of ways in which new garages would come into effect. Are we going to go to garages in our areas or will we go to garages anywhere? Can I leave Port of Spain and go to a garage in Manzanilla? Or, are they going to zone it and say that if someone is from a certain area, that person will have to go to a certain garage? Or, will there be special garages to be used? How will it be done? Or, is it that a person can go to any garage that he or she chooses? Or, should it be worked out in zones. I do not know how they are going to do it because this Motion has not said that.

Somewhere there seems to be a breakdown in the method of applying. On page 14, there is a way for the person to have his car inspected. But, lower down, it says under regulation 27F(3)(b):

“where in accordance with the provisions of paragraph (2) a vehicle is submitted for examination by the proprietor or, as the case may be, the Licensing Authority without any appointment for the carrying out of the

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examination having been previously made, the applicant is informed either that the examination can be carried out forthwith or, if not, at the earliest time at which it is reasonably practicable for the examination to be carried out during the normal working week;"

So, it means that people probably do not have to use this application form, they probably do not have to apply and if they did not apply, they could still drive into a garage and say, "Listen, I came to have my car done", so maybe the application form is not necessary. Or, should we set up the system where a person needs to apply first in order to get his or her car done? Because I could just drive into a garage and say, "Listen, I want to get my car done today", if the person is my friend; or would the person just tell the people there, "Listen, this gentleman was here before and I will take his car now". If the system is being set up to bring order, keep it orderly. Be consistent in what is being done.

When looking at the Motion, one of the things we found is that there is much inconsistency. Maybe that is the hallmark of this Government. One person will tell us today, "Protest to get what you want", and tomorrow somebody will say, "Protest will get you nowhere". They need to be consistent with what they are saying and in what they are doing. It is these inconsistencies that we look at that make us wonder whether things will really be implemented. We are saying that these things are important, that we should spend our money here. In these times when money has become so very hard to come by for this Government, put it into things like this and make things like this important.

It is all well and good to hear from the south, "Refurbish Whitehall at whatever cost, whether it goes 10 times over the amount". We on this side cannot say that. We are saying how hard it is; put our money into a number of people-oriented things; develop people; develop systems which will work and develop them at all costs.

We like to see what is happening. We like to see the buildings and everything happening and developed but, in these times, it cannot be at all cost. It cannot be and we ask that these things be dealt with effectively.

As I am on that and we are talking about people getting "bounced" in the road and how people are dying on the streets, I have seen something, which I would bring to the attention of this Government.

2.30 p.m.

As we are speaking about people being knocked down, I would like to mention something. I passed in front of the Prime Minister's residence recently. In

front of the Prime Minister's residence, one cannot make a U-turn—I think that is good for security reasons, but there are also three cones on the side of the pavement. I saw a lady passing there with three children and a pram. She could not get through the three cones, stepped off into the street, and was nearly knocked down by a motor vehicle. I ask that they allow people the free pavement to pass and remove those cones. Give people the opportunity to walk freely on the pavement. They should not cause a death and then say they are going to change it.

At page 21, 27J:

“Where in the course of an examination of a vehicle by a proprietor or the Licensing Authority it is found that there are such defects in the construction or condition of the vehicle or its equipment or accessories that to carry out a braking test of the vehicle in the manner in which braking tests of such vehicles are carried out at the vehicle testing station at which the examination is being carried out would be likely to cause danger to any person or damage to the vehicle or any other property, the proprietor or the Licensing Authority shall not carry out the braking test but shall complete the rest of the examination in accordance with the provisions of these Regulations.”

I find that a bit difficult to understand. I think that when we are setting up the system it should be said that if a certain garage could not do the braking test, there must be some place to do it. To say it is not done and do everything else and not talk further as to how this braking test will be done is something I would like explained by the Minister.

I have now received the amendments and I think the only thing that has come up is the question of biannually.

Mr. President: You cannot speak on the amendments because they are not before the Senate.

Sen. M. Shabazz: Okay, Sir. I see on page 4 that the reference to biannually was incorrect. I think it is supposed to be biennially. Again, I do not want to go further on that because I think that one of their Senators has already spoken about how this Government presents and speaks the language. As a matter of fact, this seems to be a sort of “para-dig-m” mistake. *[Laughter]*

Mr. President, at page 10: Termination of Authority:

“An authorization of an individual as a proprietor terminates if he—
(a) dies;”

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I think that is clear. If somebody dies, the authority must terminate, but I want to link that to the business.

If I own a gas station and I die, somehow, the gas station will still continue if I had a son or somebody to run it. I do not want die here to mean that if the person dies, someone has to reapply and there is a whole long process and the business has to stop for a period. There should be some way that if someone could inherit this business, that business could continue without stopping because the owner has died.

Mr. President, subclause (b) where a person commits a criminal offence, I would prefer to see here “if a person is convicted of a criminal offence”. We know that sometimes someone has committed an offence, the case has gone to court so he holds off for a while, and the system may take two or three years to determine that matter. If a person is convicted of a criminal offence and I think where obscene language and some other offences are considered as criminal offences, we should look at what type of criminal offences should be brought into effect here. It should not just be criminal offences. I think the word “commit” should not be just “committed” but “convicted of a criminal offence” and the type of offence should be stated. I think this subclause (b) should be a little wider.

Again, there are a number of things in here that the hon. Minister needs to explain. We understand his reason for wanting this done. I think they would like us to consider at all times that it is a noble one, but because of operation and the way things are done by them—the way their minds are changed quickly—we would like to see that this is brought about, but brought about in a manner that will be consistent with bringing about proper road traffic happenings on the road. Let it be orderly. Let it be done. Let all the other systems be put into place. We are not certain on this side that at the end of the day when these regulations are passed that this system will work as effectively as they want it to, and if it will work as effectively as they want it to, we think there are other things to be put in place and we are asking the Minister to do this as soon as possible.

Mr. President, I would like the Minister to explain. I have been checking the number of vehicles in Tobago. Why is there only one place in Tobago? Why not two? Is it that the Licensing Office in Tobago will continue to do a lot of the work with this one garage? We should look into it. We see here there is a lot of paperwork; people must submit to the Licensing Office in their area on a monthly basis. We ask that this system should work and there should not be much back-up.

This information system should be put into the Licensing Office so the system could flow smoothly.

We keep hearing something the Minister spoke about coming up all the time: standardization of number plates. Whether that system is good, the proposed shift is intended to convert from the existing numbering system, which links the plate numbering to the vehicle, to a system whereby the numbers would be assigned to individuals. The main purpose of the change would be the standardization of number plates to provide an enforcement mechanism, reduction of evasion from the system, and a more efficient system, generally.

I would like to know from the Minister when that would be effective. He has been speaking about that for over a year now. The thing with this Minister is that a number of programmes he has been speaking about for a very long time are only talk and they are not coming into place. Besides the public relations, it seems as though the projects this Minister concentrates on are those that have large cost overruns. For some reason, those are the projects he seems to concentrate on more. The other projects that are affecting people do not seem to get that same kind of enthusiasm from him when it is time for implementation. The Minister should work a little faster and better on the programmes.

With respect to the road situation, I think it is time that if we are talking about preparing vehicles, we need to see more in areas on the East/West Corridor, the West and the North; a better development of the roads, because many of the roads, although we are paying taxes, seem to be getting worse. I ask him to please develop these roads so that the vehicles could—within the two years that we have to go back for inspection—still be in a better condition. Please use the road tax to develop the roads they are not developing in our areas. The Minister seems only to be coming to our areas to build a name for himself and do public relations.

Mr. President, before closing, I would like the Minister to answer the question of the cost. What would the Government be getting out of this? How does the Minister intend to implement these things? How soon will a number of these things be implemented and how will he get the system to work effectively? Maybe at some of these garages, because there is a great input of the licensing officers, they could build the licensing staff and have an officer placed at some of the garages to ensure that a number of these things are done effectively. On this note, we look forward to hearing the Minister answer some of these questions in his winding up. Thank you.

Sen. Prof. Julian Kenny: Mr. President, like Sen. Daly, I am very concerned about the implementation of regulations. I am not going to digress, but I want to go a little back in our history. If we go into our history about transportation, we will see this gradual breakdown. At the end of the Second World War, the pirate taxis started in Port of Spain and St. Ann's. It is against the law to solicit passengers. The police tried and eventually gave up, and this gave birth to the route taxis which multiplied all over the country. Of course, the route taxis presented their own problems and one of the governments thought that the solution was the 10-seater maxi taxis, and so it goes.

We have had a long history of lawlessness, and I am afraid that I doubt whether these regulations can be effective. I would like to refer to something which the hon. Minister said about the proposal to use the garages. In his introduction, he said it was intended to utilize private sector resources, namely, private garages. This is fine. This has happened elsewhere in the world. He also pointed out that they had considered the options of the existing system and there were really only two: the Licensing Authority and private garages.

I question whether this is the only option: going to private garages. What about the prospect of doing something *de novo*? We are a small country. Most of the so-called garages are already in built-up areas. This is more congestion as we had in the Licensing Authority when we went down there; a string of cars parked from as early as 6 o'clock in the morning waiting to go in. My point is that we are a small country and the Government is moving towards privatization. Is the garage the only option?

When the hon. Minister pointed out to us that approximately 200 garages became interested, I think that they became interested not in the protesting; they became interested in business opportunities. Out of this, 44 came up to scratch. I question whether we want to go to 44. This is a small country. When we had the illegality of vending on the highway, one government set up the off-highway market at Pasea, which is hardly utilized. Is there not a possibility that there may be fewer dedicated, purpose built, privately operated vehicle testing garages strategically placed off the highways so that from here to Sangre Grande, one might take four or five, or from the East/West Corridor, these might be a similar number?

2.45 p.m.

Do we really need 44? I think that a smaller number of dedicated sites might be more effectively policed. I share Sen. Daly's concerns, that once the system

gets operating it is going to be subverted. Mr. President, I question also the \$165.00. The normal run of a new vehicle is about \$100,000 and this vehicle inspection fee represents less than, well I think approximately, I say between 0.1 and 0.2 per cent of the value of the vehicle. This is puzzling because if you go to insure your privately-owned vehicle full comprehensive, the basic fee is 10 per cent a year. Is this a realistic fee? Is this a question of the Government not wanting to press the small man too much? Let us face reality, if you are going to do a good job of inspection, the fee has to bear some relation to the inspection and I think that the size of the inspection fee really has to be re-thought.

Sen. Daly quite eloquently described the sort of progressive lawlessness, and he does not blame this Government or the past government. It is something which has happened which I started off by saying, you know, it is in our history, that we defeat the system and eventually the authority is given. Now, I know that what I am going to talk about is not directly related to these regulations but it also refers to other Motor Vehicle Regulations.

I mean, I would repeat at length, the subject of parking on sidewalks, but here it is accepted. You drive around the Savannah in front of the Prime Minister's Office or Whitehall, and vehicles were parked for about a month and a half right along the sidewalk, in breach of the law and you can go elsewhere around the Savannah, elsewhere in the country. In fact, Mr. President, I happened to use a particular route that goes besides a church on a Sunday morning and all these God-fearing and God-worshipping people were parked right on the sidewalk, to make it easy for the other motorists to move but the poor pedestrian has to work his way up against fences and things to get along. The thing goes right through the society.

Mr. President, one of the things that worries me about regulations is this "flaunting." I happened to walk from where I live to the village of Maraval. It is a lovely village, people say good morning like the old days, and there is a magnificent police station, and there is a pedestrian crossing, and you know there is the Morne Coco Road. It is a lovely place. I walk down about 14 kilometres and I have to defend myself against traffic. There is no sidewalk.

Mr. President, I had to defend myself with an umbrella against a police vehicle. When I was walking facing the traffic I actually had to hit the vehicle to get him to slow down and this was a police vehicle. And not only that, coming down the Priority Bus Route you see an army ambulance roaring down—an ambulance—

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black smoke belching out. Just today I was down to Parliament earlier this morning and going back home, I followed a PBC Fire Service jeep, belching out black smoke, The law is—visible vapours—any policeman seeing that can ticket a person for a breach of the law.

Mr. President that is only a minor part of my concern about lawlessness. There has developed in this society, in spite of all the Motor Vehicle and Road Traffic laws, the “PH” system. In fact, the newspapers, the much maligned media, indicated that in this tragic accident whoever was driving down, was picking up passengers on the Priority Bus Route and not one of them was actually a policeman. So, “PH” is apparently part of our system. We accept it, we do not question it, it is our way of doing things.

Mr. President, my insurance company tells me that if a person who owns or who is operating a privately owned vehicle, operates that vehicle for hire, his third party insurance, is null and void. This is a fact.

Mr. President, I go back to Maraval, and at this beautiful pedestrian crossing there is an officer every morning when I go down, and he holds his ‘book of tricks’ where he can ticket people. The cars come out of Morne Coco Road—PBE, PBD, PBF—I do not carry money on me—and the drivers are clutching a wad of a bills right in front of the policeman with his book, and Maraval Police Station is perhaps mere feet across the street away from this. Not only that, one morning I had to go around because in front of the Maraval Police Station, there was a vehicle parked on the sidewalk.

Mr. President, this, I am sure, is repeated right around the country and there are people who argue, if it is somebody from the army or the police or the fire service driving “PH,” they are helping out the remote areas and so forth. But the point is, we cannot condone people driving without insurance. Now, I do not know the number but I have heard Prof. Deosaran of the University of the West Indies give an estimate of about 25,000 vehicles operating “PH”. They are driving without insurance. Now, I have full comprehensive insurance—and I shall assume that most people do—and it is just my misfortune, if I hit, my company will settle me, but if you happened to be a third party, you just lost; and yet it is condoned.

My point is that these regulations are all very fine, very noble, let us get some vehicle safety on the road, let us be rather rigorous in applying the standards of roadworthiness. But, how can we face up to trying to enforce these regulations, when we stand in front a police station and we see people breaking the law

soliciting passengers, blocking the road with a wad of dollar bills. They are helping out, but they are driving without insurance, and this is an offence against the very same Motor Vehicles and Road Traffic Act.

2.55 p.m.

So, it is a matter of concern; it is the attitudes in the society, the lawlessness which I view as being condoned. As Sen. Daly says, every now and then you have a little *vaille que vaille* and you stop everybody, and you ask them for their insurance and so forth, and then you forget it.

For example, I was the first one to congratulate the Ministry of Works and Transport on the pilot programme on vehicle emission along the East/West Corridor. In fact, I asked a question and I was given the answer as to the number of vehicles. I was appalled at the data—not the Minister—because the diesel engine vehicles, there are a number of them that would not pass any tests, their emission standards were far too high. This should never be tolerated in any ordered, civilized society. Mr. President, that has gone.

I am not entirely convinced that things are going to be activated. I mean, we were told earlier last year that an Environmental Commission was going to be set up and, in fact, we were told the dates. I asked the question and, of course, the answer was: It is going to be set up this year. Then later, on January 1, I propose asking the same question for the year 2000. So, there is a deep-seated problem. And rather than talk total quality or world class, why do we not start on one thing and say zero tolerance, and let people understand that, listen, we have to re-engineer society; we have to move back towards people obeying the law? Rather than these idle terms that people keep dropping, let us see if we can just take one thing. I suggest that the Ministry of Works and Transport is obviously going to go ahead and start a scheme for the inspection of vehicles. But, can we use some muscle to get some action on the vehicle emissions?

I have read the scientific literature and Sen. Gangar has also read the scientific literature; and the diesel problem is far more serious than we imagine. If we continue tolerance of this sort of—even if we take the diesel fuel and get it up to the best standards, if the vehicles are not maintained, you are getting imperfect combustion of the diesel and you are poisoning people.

Now, in our society, somebody is smashed up on the road and it is all over like that. The poor family suffer and they come to terms with their grief. But, we live a world in which environmental pollution, especially air and water, kills you slowly.

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I use the example of a case in Trinidad where rogue disposal of lead slag into the Demerara Road seven years ago—the lead slag is still there. One of the children, Mark Soodeen, took seven years to die. This is what pollution does. I do not wish to depart this world that abruptly, but if I went quickly in an unfortunate accident, I would go along with it. But if, by our actions, we slowly poison people, and we have a long, lingering death as Mark Soodeen had, then I think that I would use the option that we are poisoning the present generation.

I think Sen. Marshall talked about the transportation problem generally, and how people are going to work and they are affected by the time it takes to get to work and the air quality. I have no reason to expect or hope that the air quality along the Eastern Main Road is any better now than it was when Sen. Baksh's Ministry conducted the monitoring exercise. I expect that it is far worse.

The air along the East/West Corridor—

Mr. President: Senator, focus on the Motion, please; you are digressing too much.

Sen. Prof. J. Kenny: Thank you, Mr. President,

I was really trying to emphasize lawlessness, leading to serious environmental—

Mr. President: That point has been sufficiently made already for the afternoon.

Sen. Prof. J. Kenny: Thank you, Mr. President.

With these words, I would summarize my major points, and one is: Do we need 44 garages? Is there not a third option of establishing *de novo* something like the Secondary Schools Maintenance Company, or the Solid Waste Management Company and giving it, perhaps, a dozen sites and charge proper inspection fees?

Thank you, Mr. President.

The Parliamentary Secretary in the Ministry of Agricultural, Land and Marine Resources (Sen. Vimala Tota-Maharaj): Thank you, Mr. President, for the privilege to participate in this afternoon's debate.

The Motor Vehicles and Road Traffic (Amendment) Regulations are significant to me personally as they are reminders of a tragic road mishap that occurred several weeks ago. Sen. Daly made reference to these accidents on the Priority Bus Route. However, I thought it fit that I participate in this afternoon's

debate because when I went through the *Hansard* of January 12, 1999, and I listened to the contributions of the Senators of the Opposition making derogatory statements about the hon. Minister of Works and Transport—that everything the Minister does is public relations and that the Minister has a tendency to hoodwink and “mamaguy” the nation—the manner in which these falsehoods were articulated, convinced me that Members on the other side are uncomfortable and insecure with the positive progress the Minister and the Ministry of Works and Transport have made since coming into office [*Desk thumping*]. There is a certain level of envy directed towards the Minister.

At this stage, Mr. President, through you, I should like to advise the Minister, Hon. Sadiq Baksh, that the old people have a saying, that when the bad eye falls on you, or what the East Indians call *Najjar*, wear a Black tika, or as some of the older heads would say, I think you better bathe with some blue.

The Ministry of Works and Transport with this Minister at the helm, is implementing measures that the previous government lacked the will to do. So the dear Sen. Nafeesa Mohammed and her colleagues should not feel as if a chair has been pulled from underneath them or that the wind has been taken out of their sails. Have no fear! Whatever is being done, is being done for the benefit of the entire nation, not a selected few. [*Desk thumping*]

Mr. President, these regulations cover a myriad of issues, a few of which I wish to address. [*Interruption*] Mr. President, I should like to speak, please.

Mr. President, the environment: Sen. Prof. J. Kenny has continuously spoken about vehicular emissions. And he used a word that I have here, the “belching”, black, choking smoke we are forced to inhale and the noise and the air pollution to which we are subjected.

The Transport Division has been working continuously with the Minister of Works and Transport to ensure that things are finally being done to get things moving properly.

I should like to share the Transport Division, Motor Vehicle Inspection Check List, section 10, under Carriage Examiners—I have the list here. Under section 3, this suggests the engine.

Now, Mr. President, I do not know anything about vehicles. I know that I sit in a vehicle for it to take me from one place to another. However, I have been fortunate in that I got an education from the officers of the Transport Division, which has really, really enlightened me on certain aspects of a vehicle: the engine,

noise, corrosion. All this is covered here in section 3 of the check list, the check lists that Senators are querying and want to know if there is something in place for the examiners to follow.

3.05 p.m.

Section 3, the engine oil and fuel leaks, and the engine must be properly washed. Section 10, the under carriage, the exhaust system, the noise and corrosion. These are environmental issues and I hope I am correct, Sen. Prof. Spence. I listened to Sen. Joan Yuille-Williams make a statement, and I quote from *Hansard*: “I am now being compelled to repair”. Mr. President, I am quoting from page 5, I have the *Hansard* here in front of me. Are we encouraging derelict vehicles to be on the road? We just heard about us dying slowly from pollution, from fumes. Do we not put checks and balances in place? And this is addressed here by these same officers, by the same Transport Division that Sen. Nafeesa Mohammed claimed are guilty of “bobol” of records, et cetera.

Senator it is in your *Hansard*. That is why as a member of this Government, I no longer wonder why our public servants and public officers used to be accused of all types of “bobol”. You see, with the change of Government, the new Minister of Public Administration, at the helm of the Ministry of Public Administration, Hon. Sen. Wade Mark, now our public officers are motivated, they are no longer always pointing fingers and saying “you are full of ‘bobol’ and you are doing all kinds of nonsense”. Things are changing, and this is what has the Opposition uncomfortable. They are uncomfortable that we are really going to be staying here until 2015.

Mr. President, Sen. Nafeesa Mohammed also indicated, and I quote:

“We know that in Trinidad and Tobago, especially since the early 1990s, the stolen vehicle racket has escalated. I am sure the Minister of National Security would agree with that.”

Sen. Mohammed’s contribution on page 12, I wholeheartedly agree with the Senator. I do not know if the Minister of National Security agrees with her because the People’s National Movement was in government in the early 1990s. It is clear she did not have confidence in that government. We came into office, late 1995, midway 1990 so she was speaking about her government, which she was part of at that time. In 1992, one of my vehicles was stolen. In 1993, another one of my vehicles was stolen and only one was recovered. Now I remember, and I emphasized with Sen. Mohammed, in 1996, I think it was, she went through the

trauma of losing a vehicle, but she got it back almost immediately. You see the kind of work this Government, this Minister of National Security is doing. You see how motivated our police officers are now.

I now move to Tobago, the sister isle. Members of the Transport Division were recently in the sister isle, as a matter of fact they were there on January 21 and 23, 1999 which was last week. I think the information I have to date is that 12 persons applied as proprietors and I think Members need to get clear in their minds, that a proprietor is not necessarily an examiner or a person who is examining the vehicle. I can be a proprietor, but I am not entitled to be an examiner, because I did not do the course and I did not pass the test. So, 12 persons applied in Tobago. So far, we have one garage which is 90 per cent complete, that is Jones Motors in Scarborough, Tobago. We have one that is almost 80 per cent complete, that is on the Public Service Transport Corporation compound in Scarborough, Tobago. We have another one, Antoine's in Sangster's Hill, which is 75 per cent complete, and all the others are being addressed.

When it comes to Tobago, the programme which has been formulated by the University of the West Indies, Tobago does not have the facility to be part of this process and we knew that Senators would raise an issue such as this. In Trinidad, we have John Donaldson Technical Institute, San Fernando Technical Institute and Point Fortin Vocational Institute. However, the Tobago House of Assembly and the Ministry of Works and Transport have been holding discussions on how to prepare the appropriate location, and how to conduct the course in auto diesel. As I mentioned, this programme has been formulated by the University of the West Indies for the Ministry of Works and Transport

Mr. President, I am fortunate, in that sitting with the officers of the Transport Division, I have received several forms on the issue of vehicle owners being able to complain when they go to get their vehicles examined and they fail the test, what type of redress they have.

3.15 p.m.

I myself raised the issue with the officers yesterday. I asked: "If I have a cracked light on my vehicle, would I be failed if I go for an examination, or would I be pulled over on the road, by the officers?" I have been told:

- (1) There is a Complaints Notice, issued by the Ministry of Works and Transport, where the complainant's name and address, and the type of complaint, are listed;

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- (2) On courses, examiners will be taught to use a certain amount of discretion, when dealing with the public.

The course covers all these areas; it does not cover the actual physical examination alone. It teaches the examiner how to interact with the public, how to deal with the public. This is very important, to change the mindset of our people.

Now, a number of people are afraid of these regulations and changes that are taking place. But, in order to progress, in order to move ahead, we need to develop these regulations; we need to move step by step. This is what the Minister is doing.

This Government was accused of introducing this a year ago, sitting back and doing nothing. We are a government that listens. We listen to suggestions. We listen, then we go back, discuss, and try to see the other side's view. This is what has been happening. This is not being done in a *vaille que vaille* manner.

The Sticker being used after the Examination: The sticker is quite clear. It contains the year, month identified, the garage. Each garage will have a number. Each tester will have a number. The sticker will be tamper-proof and it will be placed in a strategic place on the windscreen.

I know certain queries were made about putting too many things on the windscreen to obstruct the driver. However, this sticker will be placed in a strategic spot on the windscreen. When the Transport Division officers are out there in the fields making their checks, they will be able to identify that this person was tested; it was done in "this" garage, in "this" particular area.

Mr. President, each garage which is authorized, or each proprietor, will have a testing station authorization issued by the Transport Division, placed somewhere strategically on his premises. This authorization reads:

"I certify that of this [date, month, year], [name of person] has been approved as a vehicle testing station. You are duly authorized to perform roadworthy tests on all motor cycles and private cars, not exceeding the tare weight of 2,270 kilograms. Valid unto the day of [year, date].

/s/ The Transport Commissioner."

This will be placed in a visible position for the motoring public who come in to conduct their examinations.

Several issues were raised, Mr. President, concerning doing a test at one garage, going to have your vehicle checked at one garage, failing certain aspects of the test, and then having to go back. You have to go back to get your vehicle re-inspected or checked, within a six-week period, and you do not necessarily have to go to the same garage that you went to previously. This is what I have been told.

So when we hear—

Sen. Yuille-Williams: Thank you for giving way, Sen. Tota-Maharaj.

Mr. President, I am glad that the Senator has reached this point, because just now she quoted me as saying that I am now being compelled to repair. I want to clarify that it was in that context that I made my contribution. You would go to a testing station, and if you failed, then you have the option of repairing at that station, without paying a second fee. I said, if I went to my own mechanic, I would have to pay a second fee for the repair. The context in which I said it, was that I was almost compelled to repair my car at the first station, and probably for some things that I did not need. That is how I said it. In that context. The repair was because I felt if I went to my own mechanic, I would have to pay a second testing fee. But, if I went back to the first person, the testing station, I do not have to pay. I was concerned about that.

When I say “compelled to pay”, I mean compelled to repair at that first testing station. That is what I was actually saying. It meant, therefore, Mr. President, that at the testing stations you could be told anything is wrong with your car. You are anxious to have it repaired. Therefore, they are going to do it there so that you could get your car.

Sorry, if I was not clear then. That is what I meant, if I was misquoted.

Sen. V. Tota-Maharaj: Thank you, Mr. President. I have also been informed by the Transport Division that when these garages are set up, weekly spot checks will be made there, by members of the Transport Division, to ensure that the examiners at the testing stations comply with the regulations, and conduct proper examinations or tests. So there will be constant checking, constant monitoring, when this whole process has been implemented.

Mr. President, concerning the public relations: Nearly every time we have a debate, the issue of this Government being a public relations government, projecting only public relations, comes up. Some people who sit on the other side, who are looking in, constantly harp on this issue. Perhaps if they did the proper

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public relations in 1995, they would be on this side, and we would still be there. But they did not do the proper public relations. So I would suggest, Mr. President, that within their party mechanism, if they do not have a proper public relations officer, they need to get one. It is just, as usual, a little feeling of envy that we, this Government, are working in a consistent manner, and people are feeling badly about it—that they could not have done it because they did not have the will to do it. They had their chance, and in 3 1/2 years they decided to demit office, because they did not have the will.

To refer to these regulations as “a bundle of confusion”, “a bundle”, really is disrespectful. We are here in the Parliament of Trinidad and Tobago. To make references to regulations or bills coming here, as “a bundle” and “a bundle of confusion”, really is disrespectful. This is the place where ideas are generated; the place where the views of the country are articulated; this is where discussions need to be held; this is where ideas need to be shared. So to get up in a debate and speak of “a bundle”, in respect of documentation on which we have to debate, really is disrespectful, in my view.

3.25 p.m.

Mr. President, at this stage I propose some amendments on behalf of the Government. The Motion is to be amended by adding the following after the resolution:

"Subject to the following amendments to the regulation—

- In regulation 3
- A. Delete paragraph (b);
 - B. In paragraph (dd) delete sub-paragraph (iii);
 - C. Delete sub-paragraph (nn); and
 - D. In proposed regulation 27(1)
 - (a) insert between the words 'a' and 'motor' in line one the word 'public service'
 - (b) Delete the word 'biannually' in line nineteen and substitute the word 'biennially'
- Renumber accordingly"

I thank you for this opportunity to speak.

Question on amendments proposed.

Mr. President: Senators who have spoken before may speak again, but only on these proposed amendments. Senators who have not spoken before may speak on the original Motion and the proposed amendments.

Sen. Danny Montano: Mr. President, being somewhat north east of Sen. Daly and not exactly due north of him, I would make my comments accordingly. *[Interruption]* I am proud to be here.

The Motion before us is ill-conceived, notwithstanding the comments of the speaker before me. *[Desk thumping]* Surprisingly, she referred to the comments of my colleague, Sen. Mohammed, when she spoke of the Motion as being a "bundle of confusion." I would deal with the last matter first.

In the original regulation the requirement is to have it examined every six months, biannually. It is now being changed so that it would be done biennially, which means every two years. The first part of regulation 27 reads clearly that every car must be examined once a year, annually. Therefore, cars under five years are going to be examined once a year, but according to this regulation, cars over five years are going to be examined every two years. What on earth is the sense in that? That makes absolutely no sense whatever!

In the first instance, we objected to it because it was every six months, now they are making it every two years. So an older car needs less inspection than a new one? Talk about a bundle of confusion! I did not make it that way, I met it so, and they have the audacity to come here and talk about what we did! We did not bring nonsense like this to the Senate.

I would take the mind of the hon. Senator back a bit, to a few budgets ago, when the Minister of Finance removed the requirement to pay the annual licensing fee in order to stop the long lines at the Licensing Office each year. In order to compensate for the loss of revenue to the Treasury, he increased the price of gasoline a few cents, now a short three years later we are back with a charge of \$165 a year for every single vehicle, which is the same thing that we had when there were licences for motor cars. In fact, in the original regulations it was every six months for a car five years old, now we are being told it is every two years. I do not know what it is, but the fact of the matter is, they have completely overlooked the issue that they are dancing themselves forwards and backwards. They do not know if it is going to be a revenue-neutral matter or a revenue-generating scheme.

Except that the revenue is not going to the Government at all, but to the 44 garages that have been licensed. According to my calculations, on a very simple,

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rough and general guide, based on the original regulations which have to be the correct interpretation—it cannot possibly be that they really intend to examine the cars over five years every two years, that does not make any sense—I would have to assume that the original regulation was the intention of the Government. Based on that and the population of motor cars we have in the country, there would have to be 400,000 inspections every year, with 44 stations to do it!

Mr. President, with a little arithmetic—you could check it if you like—it comes down on a per garage basis, over an eight-hour day, to one every 12 minutes! Are we being told that everybody would arrange with everybody else to arrive 12 minutes apart, and there would be no lines? That is ridiculous! For anybody to think that, is not to deal with reality at all.

The anticipated revenue from that is going to be approximately \$66 million. My colleague at the end of the Independent Bench can check my calculations: 400,000 times \$165 is \$66 million a year. Divided by 44 stations that is approximately \$1.5 million per station.

What is the cost of doing one inspection? How many inspectors do they need to have? Do they need three or four inspectors, mechanics or whatever? The revenue for each station is likely to be \$1.5 million. If they have five inspectors and pay them each \$2,000 a month, that is \$10,000 a month for the garage, that is a total cost of \$120,000 per year. That is the cost of earning \$1.5 million in revenue, and you have a captive audience. He cannot go away, he has to have his car serviced. God forbids if he finds anything wrong with your car because as Sen. Yuille-Williams was trying to point out—and the goodly Senator simply did not understand what our colleague was talking about—you are going to have a certain amount of extortion taking place, where the guy may say, "I am not going to pass you unless you let me fix this, that and the other".

On top of the \$1.5 million that he is making, this is a formula for institutionalized corruption! And the hon. Senator thinks that we envy the hon. Minister of Works and Transport? We envy that! Has the Senator taken leave of her senses, that we in the PNM are going to admire and envy confusion and corruption? [*Desk thumping*] No!

The hon. Senator obviously fancies herself as a politician on the hustings, but we on this side look forward to meeting her out there on the hustings. We know what the outcome would be. The population is already calling for a change. They are looking for integrity and honesty. [*Desk thumping*] Notwithstanding anything

that has gone past, Sir, we on this side look to the future. There have been mistakes made by all governments in the past. We on this side have learnt from the mistakes of all the administrations that have gone before. [*Interruption*]

Mr. President: Order please!

Sen. D. Montano: Mr. President, I am hearing noises from the other side about jail. We have a few surprises that would be coming down very soon and we would be talking about jail.

Some of the comments that were expressed relative to this Motion concern what is, in fact, a management problem. It concerns the fact that we have been systematically and continuously unable to enforce the laws that the country has. I would remind a particular Senator sitting south west of me that sometime ago—when we are talking about traffic regulations, who polices the roads? Is it the Traffic Branch of the police? Is it the Licensing Office?

If you have a car accident and you call a policeman, as I have done in the past, he would tell you, "That is not my area, go to Traffic Branch and make a report to the station nearby". In other words, because of the system and the way that the service has been set up, a policeman in CID cannot assist you if you have a traffic accident. It is not his problem, he cannot do anything about it. If he is standing on the side of the road and some young boy goes pelting through a red light, he cannot do anything about that either. That is just the way the system is set up.

I would remind those in this Senate that in 1994 the previous administration brought a Constitutional (Amdt.) Bill to change the structure and management of the police service in order to stop problems just like that. It was the UNC in Opposition which defeated that Motion. I was chastised by an Independent Senator, because they wanted put into that Bill something called a "throne speech", as if that has anything to do with the management of the police. So the problems that we face on the roads today are not necessarily of our making, because we would have set out to fix them as far back as 1994. They face these problems today and they do not have the courage, wisdom or foresight to do anything about them. [*Desk thumping*] The fact of the matter is, they would never do anything about them.

They would pass laws like this Motion here, designed to fill the pockets of a few closed quarters and allies. [*Desk thumping*] We have to look towards getting things done right. We are about governance and getting things done for the benefit of the people as a whole; not necessarily for the people in Caroni or Laventille, but all the people. The watchword is "governance"

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Make no mistake, Sir, there is nobody that I know who envies the track record of the hon. Minister of Works and Transport. [*Desk thumping*] To preside over \$150 million corrupt contract, issued twice not once but twice, is an effrontery to our intelligence for God's sake! [*Interruption*]

Mr. President, the issue is to get this thing right and to get the management of the road done right. It is not sufficient that we merely pass meaningless, confusing bits of legislation. It must be sufficient that someone in authority who sees citizens breaking the law, whether his tyres are bald, his brake lights are not working or his engine is belching smoke, somebody outside of these regulations must take the responsibility to stop them, charge them and get the problem fixed, outside of this. That, Sir is called governance. If the goodly Senator would like me to spell it for her I would be happy to do so, but I would not bore the rest of this Chamber with that.

3.40 p.m.

Mr. President, the good Senator said much about the stickers on the windows. So, we had stickers before; the Minister of Finance comes and says, "Oh, we do not need stickers and so forth"; he did not agree with that; now we have stickers again. But, the question coming from the Bench behind me, again, was, "Who is going to ensure that it is there?" That is the issue; the issue is one of governance; the issue is one of management and unless we tackle that problem, we can pass all the laws that we like, we are not going to clean up this country unless we deal with the issue of governance and of getting the job done.

Mr. President, on one last issue that I would rebut. The good Sen. Vimala Tota-Maharaj, I would remind her of the efforts that my colleague, Mr. Colm Imbert, made by putting into the Licensing Authority the Fraud Squad, to try to clean up the situation there and, in fact, all the cleaning up had already been done by the time it got there. We had cleaned it up and straightened it out and put the right people in place. There are still changes to be made and yes, the nuts and bolts and intents of this are essentially good but as it is written here, it is clearly, a total bundle of confusion.

I thank you very much, Sir.

Sen. Dr. Eastlyn Mc Kenzie: Mr. President, I join the debate with a few comments. I go to the Regulations as submitted without the amendments. I took note of the amendments and realized that some of my doubts have been cleared, but I would like to look at the definition of "overcrowding" on page 2. I really do

not understand who determines overcrowding. Who determines this? The driver, the police, the inspector? Who determines if a vehicle is overcrowded? Because drivers never think they are overcrowded. I would like some clarification of the definition of “overcrowding” on page 2. The question of twice a year or once every two years has been cleared up.

I go to page 10—Termination of authorizations—and I wondered whether we should not have an (e) in 27D(1), where later on in the Regulations, we have a clause where a fraudulent activity as giving a licence sticker and someone is found to have done it wrongfully, the person could be convicted. I wondered whether someone’s agency could not be taken away because of a fraudulent activity, as it relates to this.

For example, it is well covered in the Regulations, where a licensing officer could pull over a vehicle that has been deemed to be examined and as Sen. Daly pointed out, someone could have taken his or her vehicle to have it examined and passed and, as soon as the person got out, he or she changed the tyres, gave back the fellow his tyres, *et cetera*, and the inspector picks up that person and takes him or her for the inspection, probably in the Licensing Office and discovers that the person has been wrongfully passed. If someone’s garage was repeatedly an offender, could not his licence be terminated?

I think this is something that needs to be looked at, that people must not feel that they can pay a fine or take six months in jail and get out of it, and out of \$1 million, \$50,000 can be paid easily and then go back operating. I think there should be a clause that if someone is found in that type of illegal activity, the Licensing Authority should be able to recommend that that person’s licence be pulled.

I go to page 19, where it says:

“When it is not practicable for a test certificate and inspection check list to be issued on the same date...”

I am not against it, but I want to know what could be some of the reasons why I cannot give the person and say, “These are some of your defects”, or “I cannot give you your certificate”, or whatever it is on the same day. Is it too much work? I could not understand why this had to remain for another day.

I am thinking of people, especially in Tobago, because from what I have heard, most of these garages would be in the Leeward, so I leave Charlotteville and bring my vehicle down and I am told, “I do not know what is wrong with it. You have to

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bring it back”, and I do not even know what I have to buy to fix it. So I want an explanation there.

I would like to make some other comments with respect to implementing some of the regulations that we have. These are just some suggestions. I would like to know that we have published in the newspapers, stuck up in the Licensing Offices, stuck up in insurance companies, all the garages in Trinidad and Tobago that are permitted to carry on as private garages, so I could clip it out, keep it and wherever I feel to take my car, I could take it to a particular garage. I would like to see it stuck up.

I know in the Regulations that one of the criteria there is that people must take their insurance certificates and driving permits to the garage. I would like to see it in the reverse also, that people must take their certificates of clearance also before they can have their cars insured for the next year. It is a sort of check and balance for compliance. I would like to see that happening; so there is something with the insurance companies that this could be done.

Mr. President, I would like to go to the presentation of the hon. Minister when he spoke on January 12. I go first to Tobago. We have heard some statistics being given and we have heard some comments. It is interesting how it is the first time that I am hearing of some of these people with garages. Here again, we begin to see. I know that Jones Motors is an established garage, an agency for cars, but some of them, it is the first time I am hearing of them. So here it is we have the proprietor coming in.

But, more important to me, Mr. President, is the question of training, technical training and the lack of that in Tobago to qualify people to fit into these posts. I found it very interesting that the hon. Minister, in his presentation on January 12, spoke of the number of jobs that may be created. I tell him that this may not be so at all, it might be an exchange of jobs, where the people who are in the garages and are not qualified to work with that proprietor, may be let go for people who can do a double sort of shift. Because I would tell you what is happening in Tobago, Mr. President.

In Tobago, we have no technical institute, nothing for technical training. We closed down the youth camp that was doing auto-mechanics. We have no youth camp doing auto-mechanics. The young men have been shifted to the trade school; they have all dropped out because the trade school that is handling this aspect of the training is in the Windward. There are transportation problems, *et*

cetera; we only have five out of 20 persons who started. So, we do not have in place the facility for training these people to fit into this new scheme that we are devising.

I would like to make a suggestion, that the hon. Minister and the Transport Division, the licensing officers run some courses in Tobago. In fact, we also do not have a composite school. We have no technical training as regards auto-mechanics, except these five young men who are in the Roxborough Trade Centre. The Works Division does something, but it does not send up anybody for the National Examinations Council examinations as was said in the Minister's contribution. He said that persons:

“...must at least be a graduate of part two of the auto and diesel technician course conducted by the National Examinations Council or they must possess qualification of an equivalent standard from a recognized institution.”

Where in Tobago would we find this? I am saying that we probably need to run a crash course and do a combination of experience and qualifications until there is a situation where scholarships can be given to people. I have been clamouring for this ever since I have been in this Senate, asking that our young people be given accommodation scholarships—pay for their housing and let them come to Trinidad and be exposed. If they are tied down with a scholarship then they have to come back to Tobago to serve. I will again clamour for it.

Here we are in a crisis situation, that if we open these garages, we do not have Tobagonians who can fit into them. We are not producing anybody; we are not training anybody; we do not have the institutions. We have five people out of 20 who, for one reason or the other, have dropped out of it. So, I would really like to see us do something about training and getting our people ready.

I ask the hon. Minister in his Regulations that any loss of stickers or documents of that nature should be reported immediately. We have had instances where people have been caught at such and such place, and when we go back to where the documents should come from, they say, “Well, you know we missed them two days ago”. But they would have never been reported if those culprits had not been caught.

I am saying that in the handing over of these stickers, there must be a clause to say “any stickers lost must be reported immediately within so many hours”. So that if someone is caught one week after, he or she cannot say, “Well, you know last week Monday, I lost the sticker”, and there is nothing to compel that person to report it. So I would like to see that type of proviso put in.

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I also ask the hon. Minister: In the case of the foreign used cars, when does the five years start? Does it start from when I bought my car here, or does it start from—I do not know. I probably am a little daft when it comes to understanding things of that nature but I do not know when the five years start. So, how do I consider how old is my car? Which birth certificate? The one from Tobago or the one from foreign? I would like to know which birth certificate I must use.

3.55 p.m.

Mr. President, I would like to make another suggestion—I know it is in the Minister's presentation—that there are follow-up visits by the licensing officers, when even after cars have been certified, that they could stop a car anywhere and go to the garages. I suggest that they rotate the officers. There must not be an officer in one zone all of the time. They must not even know which garages they will be inspecting. Cut the familiarity syndrome. There are risks involved with familiarity. I suggest that they do a sort of rotation in their follow-up visits and in the implementation.

Finally, I would like to encourage the hon. Minister to ask the Minister of Finance to build in an incentive for garage owners for training of their mechanics right now to bring them up to the level. They could probably send them to training and give them an incentive—whether it is a tax break. Discuss it with the hon. Minister to upgrade those people so that they could be certified and they would fit into the prerequisites and qualifications that he has set out in this document.

My mechanic at the garage that I have been going to for the last 13 years is an expert—an ace mechanic—but the young man has about seven O'levels. He left secondary school and that was what he wanted to do. He has studied and done many courses. He does not have any National Examinations Council (NEC) certificate, but the fellow with NEC may not even have five or six subjects. I am saying through you, Mr. President, to the hon. Minister, that sometimes we have to waive this rigidity in certain instances because I could ask him, in Tobago, how did some of his licensing officers of the past get to be licensing officers?

They studied under the introductory occupational courses run by the Ministry of Works and Transport, we mounted from experienced mechanics—they did not have any qualifications. In those days there was nothing about qualifications; no NEC. There was City and Guilds, and they had that. They ran these courses and they had the exposure, experience and training but no qualifications, but they fitted in very well. I know of some of them, because I was in charge of some of

those programmes, and I can tell you that some of the very automechanics, foremen and supervisors of the Works Division who are probably going to be suited to fit into this have done the City and Guilds examination.

The only institute in Tobago that does the City and Guilds examination is the Quaccoo Technical Institute. It is a private man who is running this, bringing over his trainers from Trinidad every weekend and fitting into this. There are these officers who are ambitious and reading the times. They have gone in and done their Part I or Part II, but how many of them? Some of them do not have the basic academic background on which to build that technical training.

Mr. President, I am appealing to the hon. Minister. Sir, this is your baby. You alone cannot mind it. You need the support and it must be an integrated process. The hon. Minister of National Security must be involved; the policemen must be involved; the educational institutions must be involved; the THA must be involved. It is a very complex situation and I commend the Minister very highly for this, but I suggest to him that he must have it as an integrated process, and I am sure that with the support and checks and balances and working closely with the experience of his licensing officers, he could minimize the problems and minimize the difficulties and ensure that we have something good going.

I hope that the hon. Minister in his winding up would give some sort of clarification and some consolation—if we want to call it that—for those of us whose fears may never be minimized and to help all of us by putting our heads together. Giving him a suggestion here and there would make this work.

Thank you very much.

Sen. Prof. Kenneth Ramchand: Mr. President, when I look at you, you are neither priest, pundit nor Thusian, but I must confess to you that I am puzzled by the present Motion. I do not know what problems it is intended to solve or what problems it is intended to avoid. According to the hon. Minister, the Motion intends to utilize private sector resources; namely private garages, to undertake the inspection of private vehicles in Trinidad and Tobago that are over five years old.

Mr. President, is there any evidence that the road and traffic problems which we currently suffer are in any way caused by the 120,000 privately registered vehicles over 5 years old? Are they the cause of the carnage on the roads? Are they the cause of the bad driving, the emissions and lawlessness? Why are we going to spend a lot of money and set up a whole set of operations to test these vehicles when there are so many other things we could do? What evidence is there that the

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120,000 vehicles are a menace or danger to themselves, to others or the environment? If they are such, is the Government trying to tell me that a policemen on patrol cannot see, hear and smell well enough to pull them aside and say, “You are off the road”? [*Desk thumping*] Any vehicle over five years old that should not be on the road, one would know it from a mile off. One does not need to test it; just smell it.

I do not know why we are going into this inspection business. The Minister says that it creates jobs. He presents it as a revenue earning measure. He says that they will get \$6 million for the issue of the certificate of inspection and \$1 million in VAT. As Sen. Montano asked, “How much is it going to cost them to earn that?” It costs me about \$30 to grow a pound of baigan. At least I get some muscles and fresh air as I do it, but I cannot say that I am earning revenue by growing it. I feel that the revenue gains from this exercise would be gained at great expense, so I am not buying the argument that there is revenue gain or job creation.

I want to consider these garage owners. There is a term the economists have for what I am going to describe. I heard it, fell in love with it, and like most of the things we fall in love with, I forgot it right after. [*Laughter*] I hope it will come back or someone will recognize what it is. When one is sick and goes to a doctor, the doctor uses his stethoscope and sends one for tests. One pays for the visit, the diagnosis, the prescription, the treatment and the poor patient does not know a thing. One is utterly at the mercy of this man.

With a car, a mechanic and an owner, it is exactly the same thing. These garage owners and mechanics are going to charge the person an inspection fee and then tell the person that they prescribe the following repairs before he is going to get the certificate. They are going to do the repairs and he has to buy the spare parts and pay for labour. Do not tell me the inspection fee is 'X'. That is not it. That is only a fraction of what we are going to have to pay, potentially, to these people. To people who own cars that are over five years old and happen to be the poorer people of this country, this is a measure that is going to fleece the ordinary people of this country; the people of low incomes, and it is going to bring money to the garages that are selected and chosen. I cannot see any need for the measure and all I can see is that its intention and purpose—or certainly, its effect—will be to rip off the ordinary citizen.

Mr. President, every year for the last five or six years when I go with my Cressida to have it insured—it is 13 years old and a lovely car—the insurance company tells me that I am getting third party. I tell them, “No. I am not getting third party. Come and see my car. Drive it, listen to it and watch for the smoke. I want you to look at my car and tell me I cannot get comprehensive cover”. So far, I have been getting comprehensive because I can argue hard and loud and threaten to put them in my column.

A number of times, friends have come and told me their cars were insured for a sum, it got in an accident or was stolen and the company said it depreciated: “Even though you paid a premium on such and such, we just took your word for it and we insured your car for that”. I have a solution for the hon. Minister. If he wants to inspect these private vehicles, let the insurance company earn some money. Let them examine the vehicles and kill two birds with one stone. He is getting the vehicles inspected and forcing the insurance company to abide by the value that is put on one's car.

I do not see why the insurance companies of this country cannot be asked to undertake the exercise of inspecting these vehicles every time they come up for renewal of insurance. It is in their interest to inspect it properly. It is in my interest for them to inspect it properly, and the Government could just relax and say that at least there are a few insurance companies that are doing some work for the money they get. Mr. President, I would just like the Minister to withdraw this legislation and come back with something to ask the insurance companies to handle the inspection of the private cars.

The Minister, in presenting the Motion, presented it and talked in the context of something larger. He spoke about an overall land-based transportation policy. He spoke of plans for a comprehensive national land-based study which would clarify rules for various modes in an integrated transport system. That, Mr. President, I am very interested in. I will respond to that element in the hon. Minister's presentation.

4.10 p.m.

In doing so, I want to draw the Minister's attention to two pieces of writing. The first one is by a Trinidadian geographer, Dr. Vernon C. Mulchansingh who wrote a piece entitled: “A Model Approach to the Understanding of the Transportation Network of Trinidad, West Indies”, and I would talk a bit about that in a minute. The second piece of writing I want to draw to his attention is a

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survey called “The Trinidad Government Railway (T.G.R.) and Socio-Economic Development 1900—1968,” submitted in partial fulfilment of the requirements for the degree of the Masters of Arts in History by the Honourable Minister’s niece, Ms. Karen A. Baksh. Now, I know the Minister is a family man so I hope he would consult his family about this. This is a very useful piece of work which will assist, as I hope to show, in the formulation of a national transportation policy. But to go back to Dr. Mulchansingh’s paper—I am going back to it, Mr. President, because I would like to see the Government come to the House with a comprehensive transportation policy under the broad heads: Sea, Air and Land.

Mr. President, when Prof. Kenny seemed to say the other day that we had a transportation policy, I half-smiled because I have faith in him, but in my heart I was praying furiously, “Lord, help thou my unbelief” because I do not see at the moment any transportation policy. Mr. President I am not denying the effectiveness or the cheapness of the taxi, maxi-taxi and “PH” services that foreigners take pleasure in, and the stingy ones take full advantage of. I am not denying that we have very good transport, once rain is not falling and once it is not rush hour, but I am sticking to my guns: we have no transport policy and we cannot control or regulate our transport. So I would like to see the Government come to the people with a plan, and the plan would show how services in the three broad areas I have mentioned would be integrated. It would sketch out the shape of what is needed and what would be done, in what order of priority under each of the heads. It would, of course, Mr. President, show us how Government hopes to take hold of the effective but unregulated phenomenon, that is our taxi and maxi-taxi service.

Successive governments have encouraged the taxis and the maxi-taxis. They have tried to use them for want of a public transport policy and to supplement a failing PTSC. They have encouraged these systems but, Mr. President, I have not seen any government attempting to bring standards to bear upon the operations of the taxi service and the maxi-taxi service.

The Minister spoke about the informal bus service which would mean one thing: that there was a formal bus service. He spoke about the informal bus service which he was trying to help. So the state seems to have made it official policy to let an informal school bus service develop. How does the state regulate this service? Does the state ensure the good character, the sense of responsibility and the psychosociological health of the adults who are chosen to ferry our children to and from school? Does the Government assess the experience and

training of the driver and the conductor and the ability to relate to children? Does the Government check to see that the vehicle is equipped to make it friendly to the needs of children going to school? Does the Government make regular checks on the roadworthiness and sanitation of the vehicles being used? Does the Government negotiate some kind of affordability with these operators?

Has the Government thought of setting up an examining system that you have to qualify to be a maxi-taxi driver, who is being integrated into the public service? You cannot just tell these hustlers—most of them are hustlers—yeah, carry these children without any kind of inspection or control or examination. That is the sort of thing I would like to see, Mr. President. I would like to see this wonderful haphazard, unregulated, astonishing system, which we cannot give up—it really makes Trinidad and Tobago one of the best places for transportation. I do not want to scrap it. I just want it to be put under some kind of control and some sort of standards to be applied to those drivers who are given the privilege of operating part of the public transport system.

Mr. President, as I hinted before, the main virtue of the Motion is that it affords an opportunity to reflect on the necessity for a clearly articulated and systematic public transport system.

Now, I have to be guilty of something ungrammatical there, to speak of a systematic public transport system. What I am trying to imply is what we now call a transport system, is no system at all, so I now have to come and say, “Give me a systematic system”. So, Mr. President, a system that would ensure movement of people and goods safely, quickly and with the greatest economy—and that is why I am coming to the paper by Dr. Mulchansingh and the thesis by Ms. Karen Baksh.

Dr. Mulchansingh, in the opening statement of the section I want to deal with, writes:

“One of the recent fast growing sections of geography is transportation geography. The transportation pattern forms such a conspicuous part of the landscape, that it is reasonable that its study should become a field of its own.”

So there is a thing called Transportation Geography, to which I feel we have to pay attention.

Mulchansingh quotes Lord Halley’s well-known pronouncement on Africa:

“There seems to be no other type of development which can effect so speedy a change in the economic and social conditions of backward countries as transportation.”

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Mulchansingh draws on a number of other sources to remind his readers, that “transportation is civilization” and that “transportation is the most important single factor affecting the distribution of economic activities on any unit area of the earth’s surface and the integration of an economy into a powerful viable unit.” Later on in his paper he quotes very chasteningly from A.M. Milne’s book, *The Economics of Inland Transport*, and Milne says:

“In the process of dynamic development improvements in transport facilities may provide the stimulus to progress or where these improvements fail to keep pace with the changes in production demand, the inadequacies of transport may act as a brake on the rate of development.”

Finally, he quotes from the 1966—1970 Development Plan of the Government of St. Lucia:

“The provision of adequate roads is one of the most important factors in the development of the agricultural economy, the expansion of industry and tourism and the process of social improvement.”

4.20 p.m.

Mr. President, I have circulated a couple of maps taken from Dr. Mulchansingh’s article. In the first map, he shows railway stations as nodes in the Trinidad Transport Network. He shows what the railway system was like in 1913—Port of Spain right down to Arima, to Sangre Grande; Port of Spain, St. Joseph, San Fernando; San Fernando, Princes Town; San Fernando, Debe, Penal, Siparia; St. Joseph, Jerningham Junction, Londenville, Rio Claro.

He tells us what we know, that the halts or stations along the railway were centres of social, economic and cultural activity; that the railway was a magnet which encouraged the development of other roads coming towards it. You see that in the second map—The Transport Network of Trinidad and Tobago—a whole system of subsidiary roads and so forth, leading towards the railway

When I read that, Mr. President, I could not help lamenting that we lost this spine, this wonderful spine, in the country, which could have given us a fantastic transportation system; the whole island would have been articulated by this spinal column of railways to which all the other roads would feed and lead. Mr. President, I think we have lost it. I do not know if there is any possibility of re-articulating the system in another form, but I suspect it might be too late.

The point that Mulchansingh is making is, that these nodes are the areas that lead to the development of your society.

I will just like to read a paragraph and a half where he comments on the two maps:

“Once the rail net was laid, there was no turning back. A permanent system of settlement and land use close to the railway necessarily followed. In some cases such settlements already existed because of the pre-existing agricultural pattern. In other cases people gravitated to the railways. This is only to be expected when one considers that this was the pre-motor age in Trinidad and the rail then became the only avenue of mobility.

More importantly, the creation of a system of railway stations ensured a nucleation of settlements at these central places as well as a ‘stringing out’ along the route. All the railway stations were ipso facto nodes. They formed the key foci for routes which either pre-existed or were built later at a subsequent date. In an era when movement was difficult, when all produce and men had no choice but to be moved by the means available...it is only natural that subsidiary routes should lead literally to the points where the trains stopped. The development of trade at the ‘break points’, the urbanisation, the build-up of secondary and tertiary economic activities, entertainment and the rest literally snowballed. The role of nodes like Chaguanas, Todd’s Road, Rio Claro, Princes Town, Penal, Carapichaima, Cumuto, Siparia, Arima...”

And the famous Jerningham Junction, makes the point.

So, Mr. President, I am saying that transportation contributes to social and economic development; and social and economic development contributes to transportation.

A good and sad illustration of the point is the rise and fall of the Trinidad Government Railway. This sad story, in its closing chapters, drives home the moral that you must have a transportation policy able to respond to new needs and new situations; a transportation policy with a sense of the variety of its possible clientele; a transportation policy which is committed to making profits, cash profits, from business and industry and equally committed to its social and civilizational responsibilities, whose fulfilment cannot be measured in the short term in immediately visible financial returns.

The reason that the railway was phased out by 1968 is, that it was not making money. But the other imperative of the public transport system, its social and

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civilizational role was ignored altogether. To me, that is the moral of the story, of the scrapping of the Trinidad Government Railway.

In the research paper by Ms. Karen Baksh to which I have referred, there was a very detailed account of the establishment of the railway system and the demise of the system. She shows how it was established in relation to the demands of sugar, cocoa and oil; and gives us a nice little story of ingratitude where the railway was used to move the heavy machinery down to the oil-bearing areas, get the industry established, and then the industry turned around and said, we do not need transport, we have pipelines to move our oil. So, while oil was being developed, the railway boomed because it had work. Once the oil started to flow, the oil was put in pipes.

But, of course, the problem began with the introduction of the motor car. The first motor car came in 1900. Then, by the 1920s, they began to develop the motor omni buses and the taxis and so forth. For a number of different reasons, people found the vehicles more convenient, and that is when the bad habit started. One of the banes of Trinidad is passengers who want to drop right where they are going. So these taxis—a man drops here five yards down the road, another one says, “give me it here”; another one says, “give me it here”. And you, coming along in a nice little Cressida, you have to watch that you do not bounce them. You are mashing brakes hard because if you swing out, another hustler will bounce you broadside on the side there. So you are trapped behind these fellows, and it is because our pedestrians are spoilt. They have become spoilt. They want to walk out their gate, stand up there, and hail a taxi. They are not walking a hundred yards to a spot to meet a bus or a car.

When they go to England or America, you should see them in their jackets and ties trotting to the bus stop, standing and queuing—no pushing and shoving. They are standing there very decent. But here, as they come out of their homes, they wait right there for the cars. When the car reaches near their homes, that is where they want to drop.

Mr. President, that is a digression, but it is not really a digression because I am coming back to the evils of the transportation system.

Mr. President: Senator, you will return to that after tea.

We will suspend for tea until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Sen. Prof. K. Ramchand: Mr. President, I was just at the stage of winding down part two of my contribution. Just to drive some of the points I was making, I was looking at Miss Baksh's account of the demise of the railway. She spent a great deal of time speaking about the social impact of the railway: how the railway stations were places where you made telephone calls, sent telegraph messages; the railway stations operated as post offices, also the existence of the railway stations led to the development of technical skills for the maintenance of machines and the track and so forth.. There were all kinds of education coming up as a result of it. She spoke of the way in which the railway sped patients to the hospital; at one time there was no water in San Fernando and the railway was required to take water to San Fernando for a considerable period to keep the city alive. So it is simply elaborating the point made by Dr. Mulchansingh about the way in which transportation affects socio-economic development and socio-economic development affects transportation. But towards the end of her account, the funeral bells start to toll and she talks about scrapping the railway. I just want to end this section with her account of the dying of the railway.

As early as in the 1930s and 1940s, there was talk about scrapping the TGR, yet the public was romantically fond of the railway. In 1947, during the debate, a survey showed that the majority of the population was against any such move. Although the public was against scrapping the railway, however, the public was staying away.

Road transportation took the public away from the TGR, because of less time spent in travelling and the ability to be let off at the exact location. Another factor was the condition of the carriages, when the railway did not have the revenue to upkeep the carriage; the public also did not look after the trains. Now, most of the rolling stock was sold to Guyana when the railway was scrapped. If the accounts are correct, Guyana bought rubbish, but I have a feeling they did not buy rubbish. One of these days I am going to Guyana to try to find out what happened with the rolling stock that was sold and who made money off it, and I know Sen. Mark would let some of them make a retroactive jail.

The death knell began in 1952, when the railway board was appointed, and this board felt you could not retrench and you could not curtail the service, so you had to use the axe. The first line closure took place in 1952, the San Fernando/Siparia line. This was followed by the Arima/Sangre Grande line. Mr. Clive Nunez led an action on behalf of the San Fernando/Siparia line and that was reopened for a short time.

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In August 1965, the entire south—from St. Joseph to St. James—was closed. The only remaining line then was the line from Port of Spain to Arima and this was closed in three instalments. The section from Tunapuna was closed down and the rest of the line rallied until the end of 1968. On December 28, 1968 the final section, Port of Spain to San Juan, was done away with and the TGR came to an end after 92 years of existence.

Mr. President, I have carried on the discussion of the TGR to lament the decision that was taken and to show the ways in which transport is intimately involved in social and economic development, and to show a need for the transportation policy. If the people who were operating the railway at the time had a transportation policy in which they had spelt out priorities to themselves and seen a social and civilizational responsibility, they perhaps would not have been so easily swayed by the simple argument that the railway was not making money. If they had a transportation policy, which had forced them to imagine what would happen 20 years later, they might have said, let us hold on, because this thing is going to come into its own at a later stage. But there is no point crying over spilt milk. I am still fanatical enough to believe that we can get back some kind of railway system, and I promise you, Mr. President, that in the next year or so, or before the next election is called, I hope I will be reporting to the Senate on some of my findings on this subject.

5.10 p.m.

So, Mr. President, before I go into my fourth section, I want to say that I am not in favour of the system of inspection. I think it is going to lead to the exploitation of those citizens who cannot afford to be exploited, citizens, poor people, who own cars that are over five years old. I fear exposing them to the prescriptions of the garages, the bills for medication, the bills for treatment, before they finally get their certificates.

I have suggested that a major problem is, to address the integration of the maxi and taxi service into the public service, making it clear that this is not private enterprise. That the maxi service and the taxi service which are being integrated, are now becoming part of the public service; they have certain standards to meet and certain responsibilities to carry out and similarly, we have certain obligations to them.

I am also suggesting that I would like to see a broad transport policy, under the heads of Sea, Land, Air. I have talked about the need for land transportation policy. Also, for learning the lessons of the railway.

I would now like to come to the horror story section of the talk. If none of these things can be done in a hurry, there are still many immediate problems calling for urgent action. The present Motion is focussing on vehicles, but I think some attention has to be focussed on drivers, pedestrians, and passengers. In the end, the evils that we suffer are caused, not by the vehicles, but by those who manage and drive the vehicles. The drivers are mainly responsible for the horrors. We have to look at what we do about drivers.

Mr. President, in a lot of creative literature, and even in ordinary talk, driving is given all kinds of symbolic dimensions. In the calypso, it has a kind of political meaning: the driver cannot drive. In a famous novel by Ayi Kwei Armah, *The Beautiful Ones are not Yet Born*, driving is the ability to manoeuvre, manipulate, and gain, out of a corrupt system: “That man could drive good, boy,” meaning he is a good schemer, *et cetera*. But driving is also a metaphor for comporting yourself properly: how you conduct yourself, the kind of consideration you show to others, the respect you show for others. The way in which you conduct yourself, the way in which you drive, has to do with social relations and social conscience and social responsibility.

Mr. President, the driving that we see in our country is more akin to the driving that Wole Soyinka wrote about in one of his famous plays called *The Road*, which is about the carnage that takes place on the Nigerian Roads. What we see on the roads, is emblematic of a total breakdown of law and order in our society.

I have turned off the Priority Bus Route, passing between the Mosque and St. Joseph Police Station. I am on the hill there, waiting for the light to change. The light changes; I have green. There has never been an occasion when at least three cars do not pass “frankomen” on the red light. They do not pass slowly. I have been sitting at traffic lights, in a line with people, people are behind me, the light is red. I do not see anything coming on the main road, but I have a red light. People honk and curse me. They tell me what my mother can and cannot do. They pass me just to grab a piece of empty road, even though they are facing a red light. Mr. President, there is nobody to stop them. If you stop them, they give you language. If you are lucky, you could even get a crank handle. It is macho to do it.

A number of years ago, I came out of a side street—I was on Wrightson Road. Somebody was coming from Berger. Traffic was tight. He tried to force his way in. I did not let him in. He caught up with me later on, and cursed me roundly about why I did not let him out, why I did not ease him, why I did not let him pass. I said, “I am sorry. I cannot be an accomplice in your breaking the law”. He cursed me for

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that. Then I said, “With that kind of language and behaviour, nobody would ever ease you up”. At that time, clause 4 was being discussed in Parliament—whether a husband can rape a wife, and so forth. So I wittily said to him, “Fellows like you do not ask, you take. You should ask, you must not take”. This fellow was sophisticated. I am saying that these men who behave criminally are not morons. What he said to me was, “It is fellers like you who does lose your women”. *[Laughter]* That was what he told me, Mr. President. What he meant was, “I do not care what the law says, or what anybody says, I am taking”. It is macho to take.

Mr. President, I have already talked about how taxis stop on a green light, to set down and take up passengers; passengers love to stand at traffic lights to wait for taxis. The traffic light is a famous waiting place. If I were a policeman, I would charge the driver and the pedestrian. I would like to see police patrols. Sen. Teelucksingh mentioned this the other day. This is what we need. We need a strong police presence to stop people from speeding, from breaking traffic lights, from pulling out without giving signals, from reversing on to the road from Kentucky Fried Chicken without looking to see who is passing, to stop those Coosal trucks that drive on the Riverside Road at about 70 mph. Mr. President, Coosal is paying them for the number of loads they deliver for the day. Those fellows do not care who they kill or what they break. They are mashing up the roads. They will kill you if you are in their way, because they have to come with this load of gravel, drop it, return for another one, make four or five trips for the day. This is how they are being paid.

I would like to see, Mr. President, some kind of zoning. There are very narrow roads in this country, which trucks and buses should not use. Buses, and trucks loaded with gravel, should not be allowed to travel at such a high speed. But, even if you had the laws, there is nobody to see them and catch them. What has gone wrong with the ticket system? I do not see policemen with tickets in my area, at all. I do not see policemen at all. They are usually playing all-fours in the station. Disturb them: they have no transport.

Mr. President, I think we have to educate pedestrians and passengers about how to operate within a public transport system. We must have rigorous regulations for drivers, as to how they must behave. I know there is a lot of stress and tension. Some of the violence on the road is a transfer of the anger of people, about what they feel might be various kinds of deprivations. There is something building up in this country, that is manifesting itself in the killing and beating of

women and children, and in the violence on the roads. Unless there is a police presence to try to curb it, this place is going to become another Gaza Strip.

Mr. President: Senator Ramchand, your speaking time has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. Prof. J. Spence*]

Question put and agreed to.

5.20 p.m.

Sen. Prof. K. Ramchand: I will not be long again.

Mr. President, I was stopped by a policeman who asked me about my Priority Bus Route pass. Is this the right pass? Where is your new pass? I was palpitating because I did not have on my seat belt. [*Laughter*] You are a policeman, you stop a man asking him about a PBR pass and he does not have on his seat belt, you should charge him. I do not think that they sent him out of the police station saying, "Go check on PBR passes and do not look at anything else". Why did a policemen, who obviously wants to stick me about my PBR pass, not charge me for not wearing my seat belt?

I am calling for the patrols, and I am telling policemen that they have this book of tickets and the country needs revenue. We could get more revenue from giving tickets than from inspecting poor people's cars.

I really hope that the Minister or the Ministers would explain what is wrong with the ticket system. Has somebody found a loophole in the law saying that policemen cannot give the ticket because once it is challenged in court he does not have a witness? I do not know what is the reason but I feel that we need a ticket and patrol system that is working and a harsher view with offenders: if somebody offends, take away his licence—I do not hear about people losing their licences—suspension of drivers, ticket system, the patrols, make it harder even to get a licence.

I have a feeling that we have to think about whether we should raise the age for the driving test. I see some young people—it is not that they are worse than anybody else, but they are just adding to the numbers. There are too many drivers on the road, one of the ways to control this is by lifting the age for getting the licence; another one might be to make sure that people over 65 are rigorously tested and stopped from driving if possible. [*Interruption*]

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I think everybody has horror stories. There are statistics: 121 people died on the roads in 1997; 147 died in 1998—27 drivers, 59 pedestrians. I am very sore about pedestrians because it is part of the lawlessness or democracy—people do not know the difference—that you are driving your car along the road and a bunch of school children standing at the side of the road, look at you and walk across the road. There is safety in numbers as far as they are concerned. They just walk boldfaced across the road.

If you stop and ask, "What are you doing?" They do not curse you, thank God, but look at you as if you are wronging them. I think children are a little more respectful than that. It is as if they do not understand that they are doing something wrong. I think they teach them in school that if they have to cross the road, cross 20 of you together and you would not get bounced. I have seen single pedestrians do the same thing; they put out their hand to you and cross the road. Sometimes I ask, "Are you a police?" I get cursed, but I cannot bear to miss out the line.

The last couple of things I would say about this horror situation for which I think desperate and immediate measures must be taken, has to do with something that happened the other day that relates to the integration of the taxi system. I was reading in the newspapers that the "PH" drivers were going on demonstration because somebody did them something and they were lining up there in protest. If I was a policeman, I would walk round and charge all of them and say, "What you are doing is confessing that you are running 'PH' and that is against the law". But no police charged them and nobody told them anything. No wonder people feel they can break the law with impunity.

They have been silently allowed to run the "PH", but now they are going further than that and setting up demonstrations; somebody owes them something. And passengers who are not educated about the dangers they are in and have no insurance coverage while driving in these motor vehicles, are patronizing them.

The immediate situation we are facing is a breakdown of order and a dissolution of the belief that there is right and there is wrong. What we are seeing on the roads—this is my last warning—is an emblem or symbol of what is happening throughout this society.

Thank you.

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, I rise in support of this Motion standing in the name of the hon. Minister of Works and Transport. Transport is a very important subject matter. I

have listened very intensely to this debate and some of the wild, reckless and unsubstantiated allegations and statements made by Members of the other side, particularly the Opposition "lost" PNM. [*Laughter*]

There are some points I would raise and some I would refute. First of all, I would indicate that one got from the other side when they spoke, that they were so accustomed and caught up with evil and all kinds of corrupt practices—that is their history—so once they have adopted that particular mode they feel that everyone is going to be like them.

We have heard about this whole system being designed to facilitate the boys, to provide jobs for our supporters. One got the impression that the Opposition was saying that this thing was done in secrecy; there was no transparency in this exercise; these private garages were all designed, and that we all made up this particular strategy to ensure that our supporters, party faithfuls and friends end up owning and controlling this exercise. I want the record to show that these Regulations, particularly as they relate to private garages, were publicized in the newspapers of this country.

In the *Newsday* of Thursday, 10 April 1997, the Ministry of Works and Transport put out a reminder, a notice that read:

"MINISTRY OF WORKS AND TRANSPORT

NOTICE

The Ministry of Works and Transport wishes to notify the public that the closing date for receiving applications for Private Garages to inspect private cars will be April 18, 1997.

Applications received after the above date will not be acknowledged."

It was issued by the Media/Public Relations Department of the Ministry of Works and Transport.

This was a reminder, because they had one previously, and had taken out full page ads in the newspapers advertising this particular arrangement and inviting members of the public to apply. Therefore, when the PNM Opposition Members come here and make these reckless and wild statements, as they have grown accustomed, we need to put the record straight, that there is transparency involved in this exercise. It was publicly advertised and people had an opportunity to apply.

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I would say further, that the PNM has a very short memory. I go to the laws of Trinidad and Tobago dealing with the Motor Vehicles and Road Traffic Act. There was an amendment to Act 20 of 1978 which was made by the People's National Movement when they were in government. I would quote section 27(1) of this particular Act. It states:

"27 (1) For the purpose of the issue of the prescribed certificate in respect of motor cycles or private motor cars, the Licensing Authority may designate premises not under the control of the Authority where such vehicles may be examined by persons not in the employ of the Authority and may authorise such persons to issue the prescribed certificate. A designation or authorisation may be subject to such conditions as may be determined by the Licensing Authority."

In 1978 the PNM brought an amendment to the Act and actually was authorizing the Licensing Authority to designate premises not under the control of the authority. They brought this in 1978, more than 20 years ago.

Here it is the Minister of Works and Transport is implementing something that the PNM, based on its own incompetence was unable to implement while it was in office. We are now seeking to implement a law they brought and passed in the two Houses of Parliament, and they are now saying that, for instance, this is for our friends, relatives and family when they were saying in 1978 to go the route of private garages. [*Desk thumping*] That was what the PNM was proposing.

When I said that they have a short memory, this is the kind of thing I am talking about. They actually brought this legislation to Parliament, and now that we are implementing it in order to have peace, order and good governance we hear Sen. Montano repeating about "governance", as if that is a new slang. "We have to be on governance and management". What is that? I mean to say, the PNM was there for 33 years and some days, did they not know about governance? But all of a sudden, "We are on governance", and they are talking about integrity and morality in public affairs.

They misled this Parliament by saying that when the UNC was in Opposition and they brought a Bill to amend the Constitution of this country to undermine the Police Service Commission—Sen. Montano said in today's debate that the reason the UNC did not support that was because we wanted—talking about the management of the police service—the introduction or inclusion of some "throne speech". I mean to say, what piffle! [*Laughter*] I could only conclude that Sen.

Montano was not in the PNM during that period, maybe he was in Ontario. [Laughter] He does not understand.

If he looks at today's *Guardian* there is an article by Mr. Reginald Dumas making reference to Mr. Manning while he was Leader of the Opposition, when he told his party supporters in south Trinidad that the Public Service Commission is a relict of imperialism and colonialism and has outlived its usefulness. Today, in the same breath, the holier-than-thou Mr. Manning tells the whole country, "Oh, I am glad that Mr. Lalla is standing up to this Government!" As if we are trying to undermine the Public Service Commission, when they themselves were seeking to remove that commission from the face of this earth.

I say these points because I cannot allow Sen. Montano to come here, mislead this Parliament and appear as if the PNM is like Pontius Pilate, innocent and clothed in all kind of holier-than-thou garments. It is impossible!

The first point I would make here is that there was transparency in this exercise; firstly, in terms of the advertisement. We heard from Sen. Montano again that there is total confusion. He does not understand what this amendment that we have put forward is about: on the one hand it was supposed to be biannual, every six months, now we are saying it is every two years. What are they about? They do not know what they are doing and they are confused.

5.35 p.m.

I quote Sen. Yuille-Williams to show the bundle of confusion on that side. They do not understand what they are saying. One Senator is saying one thing; the other is saying something else. We were responding eminently and very reasonably to a proposal made by Sen. Joan Yuille-Williams who attacked the Government in her contribution. I quote:

“This is twice a year. Now, twice a year, a five-year old vehicle is to go to the testing station? Is it that? That is what it is saying here, biannually, twice a year and each time you are paying \$165.00. Please look at it because it seems to be wrong. First of all, I do not see why the year old car must go every year to the garages I would talk about that. Somebody wants somebody to get rich quickly.”

She is saying, on the one hand, if someone goes once every six months or twice in every year, six months is too much. We now come and say, “Look, go once every two years”, Sen. Danny Montano says: “What confusion is this. We do not understand what is happening here.”

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That party called the PNM is totally confused and sick. That is why they are going to be in perpetual opposition.

Sen. Yuille-Williams: Mr. President, let me just say this, again. I have said it and I will repeat it because I think it is worth repeating. Twice a year at \$165—I said that for a five-year-old car and I said the car that is one year old was going every year. What is wrong with drawing those comparisons that the five-year-old car is put twice a year and paying \$165? We must ask that question. Why would it be put in to pay \$165 twice for the year? What is wrong with that? And I said there is a year-old car that is being put there once every year. Something must be wrong. I see nothing wrong about that being asked there. I see nothing wrong. I mean, everybody understands that. In fact, there is an error that is being checked now, because the Minister said “biennially” instead of “biannually”. I do not see anything in going back on that at all. That is clear.

Sen. The Hon. W. Mark: Is the Senator finished? Is she making another contribution?

Sen. Yuille-Williams: We looked at it and we saw another error, again. Oh! They are just wasting time.

Sen. The Hon. W. Mark: I thought the Senator was making a second contribution at my expense. [*Laughter*]

Mr. President, I thought it was necessary to put this in perspective to let the Opposition know, because it seems to me that even in the amendment which is before the Senate, they do not understand the essence of the amendment. What is happening is that what this amendment seeks, especially in regulation 3, is to ensure that—at the moment commercial and public service vehicles are inspected every year. That is part of the law. What we are trying to capture and entrap is what Sen. Prof. Ramchand spoke about earlier, the over 200,000 private vehicles that now escape inspection. What is being proposed here is that those vehicles which are five years and/or more will now be subjected to a two-year inspection. In other words, we are bringing the private vehicles into the net for the first time.

In the past, what happened, even though the PNM passed legislation, it never enforced and implemented the legislation, it never brought regulations here to give effect to the actual provision in the law of 1978. This is what we are doing in 1999 and I think that instead of attacking, assaulting and hypocritically mouthing negatives about the Government, what the PNM should be doing is applauding this

Government. We have come forward with regulations to give effect to what they failed to do in how many years they were in existence. Man, they were so “bazodee” with “tiefing” that they forgot the people’s interest and we are now dealing with those things. They should embrace us.

Sen. Montano: Mr. President, I have to object. He is clearly imputing a strongly improper motive to the Senator about whom he is speaking. That is clearly against the Standing Orders, Sir.

Mr. President: Senators, I think we ought to refrain from the kinds of accusations on the persons, rather than on policies and principles. Please let us keep the debate at that level.

Sen. The Hon. W. Mark: Mr. President, when I made that remark, I was reflecting on a statement made by a member of the PNM in 1986, Mr. Desmond Cartey.

Sen. Shabazz: He is always doing that.

Sen. The Hon. W. Mark: I want to indicate that there was total transparency in this matter and as we proceed, I will show, for instance, even in terms of the vehicle testing station, a form must be filled out, which must be obtained from the Licensing Authority. I am sure you would agree, Mr. President, that the system that has been established for obtaining forms is a very open one. So, I do not understand where all the “bobol”, the favouritism and the corruption come in.

We get the impression that the PNM has nothing to offer the people of the Republic of Trinidad and Tobago and they come here day in day out, every Tuesday and keep repeating one word all the time—corruption, corruption, corruption—and they feel that they will win the masses of people on the basis of corruption. People want to know what the PNM is offering concretely to transform their lives if they are the alternative to the UNC. Not every time they come here to talk about nepotism, corruption and “bobol”, without any kind of evidence whatsoever. One of these days I am going to move a motion to take one of them to the Committee of Privileges.

Sen. Shabazz: Is the Senator threatening us?

Sen. The Hon. W. Mark: Mr. President, we are clear that this particular matter with which we are dealing is very transparent and straightforward, and it is designed to ensure that what we have in Trinidad and Tobago, that is, the number of vehicles on the road—In fact, I am told that per head of population in the

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western hemisphere, outside of Canada and the United States, we have the largest ownership of vehicles in the western hemisphere, given the size of our population. But there are a number of people who are not in the net for inspection. We are for law and order and I would like to surmise—

Sen. Daly: I thank the Minister for giving way. He has twice referred to enforcement of law and order. Will he give an undertaking on the part of the Government that the rules relating to the use of the Priority Bus Route will be rigidly enforced henceforth?

Sen. The Hon. W. Mark: Mr. President, I tell Sen. Martin Daly that this Government is about maintaining law and order. Therefore, it means to say that wherever the law is being violated, we will take stern action. The Minister of National Security has just indicated to me, based on the question, positively and affirmatively, yes; a firm position. [*Desk thumping*] That is what we are about; we are committed to that, Sir.

We want to indicate, for instance, that this issue of transparency is one of the major concerns of my contribution, that there was transparency in this exercise and I do not want anybody to leave here with the impression that we were not transparent in this particular activity.

Another area on which I would also like to touch briefly, has to do with the private/public sector partnership. In 1998, it would be recalled and I did indicate to this honourable Senate that the Ministry of Public Administration, in advancing the concept of National Public Service Week, came up with the theme in 1998 called “Building Alliances and Creating the Future Together”. We worked very closely with the private sector because we feel that with the shape and fashion which the global economy is taking, a partnership between the private and public sectors is needed and, therefore, what is being reflected here is another step in that direction.

For instance, the Government of Trinidad and Tobago—as they recognized in 1978—does not have all the resources to put up, for instance, private or public garages throughout the length and breadth of our country. There are already private garages in existence, so what we are doing is establishing an alliance, a partnership, between the private sector and the public sector. Of course, they will be subjected to the rigid rules which have been established.

If, for instance, regulation 27 is looked at, they would see that there is in fact a system of checks and balances established in regulation 27 to ensure that people are not fleeced and ripped off, as the case may be. We want to ensure, at the same

time, that the partnership that we are going to seek to foster, develop and consolidate would be in the interest of the national community of Trinidad and Tobago.

This is a matter, Sir, that we view very seriously. We feel it is a very positive move on the part of the Government. We are trying our best as a government, after three years in office, to do things that the PNM government, when it was in office, failed to do. We know that it will take a long time. That is why we need a minimum of 10 years to turn around and another 10 years to really bring this country to the level of total quality and national prosperity. If the PNM could stay where it is for the next 20 years, we have no problem and we would do what we have to do to bring about a better Trinidad and Tobago for the people of this land.

I thought it was necessary to make this limited intervention to let this Senate know two things. I want to summarize my brief contribution.

Firstly, there was transparency in this exercise and, therefore, we cannot accept the wild allegations that have been made that this thing is about “bobol”, corruption and friends and family. There was transparency.

Secondly, there is, in fact, a system established by this Government, through the Licensing Authority, to ensure that we promote private/public sector partnership in an effort to better utilize our resources and I feel that if we understand what we are attempting to do, there are going to be hitches and glitches in whatever system being sought for implementation. There are going to be glitches and little hitches here and there but, at the end of the day, we cannot ensure or develop a foolproof system that people may not be able to penetrate.

I understand when Prof. Kenneth Ramchand made some allegations or some reference to the possibility of corruption in the system; I think the Opposition made mention of it in terms of people being ripped off; but the Licensing Authority in which we must have confidence because they are public officers—I am not saying that all is well, I would be the last to say that all is well, but what we are doing is striving toward excellence in the public service of Trinidad and Tobago.

In every organization, there may be negatives and positives; there may be a few bad apples and so forth spoiling the whole “grap”. In the PNM today, there is Manning, Rowley and Mottley spoiling the whole “grap”. [*Laughter*] There is that, so it is a sickness.

Mr. President: That is not permitted. Please withdraw that statement.

Sen. The Hon. W. Mark: Okay. Withdrawn.

Sen. Shabazz: It is not me.

Sen. The Hon. W. Mark: No, the President. I said I have withdrawn the statement which the President advanced.

Sen. Mohammed: He has not said that.

Sen. The Hon. W. Mark: Is the Senator the President?

Mr. President: Let us have some decorum in this debate, please.

Sen. The Hon. W. Mark: Mr. President, I thank you very much for allowing me to make this limited intervention on this very important matter and I hope that my colleagues on the Opposition Bench would realize the importance of this exercise and not take it in the kind of negative way they have attempted to take it. I hope that when the Minister of Works and Transport makes his final contribution to this Motion, he will be able to throw some additional light on matters raised by Sen. Prof. Kenneth Ramchand and Sen. Martin Daly. We would hope, at the end of the day, that we would have unanimous support for this very important Motion.

Thank you very much, Mr. President.

5.50 p.m.

Sen. Cynthia Alfred: Mr. President, I take cognizance of what you said about the name calling and I would not dignify with a reply, some of the wild allegations and accusations that have been made. Rather, I would concentrate my efforts on what is being stated in the Motion itself, but before I do that, I would like to vindicate Sen. Nafeesa Mohammed from statements she allegedly made. I took the trouble to get her actual speech from *Hansard* in respect of imputing certain allegations to the officers of the Licensing Authority.

If I may be permitted, I would not like the national population, nor indeed the Licensing Authority to go away with the impression that certain statements were made about their particular integrity. I would like to quote a little from Sen. Nafeesa Mohammed's presentation in the *Hansard* of January 12, 1999. She is quoting from the Hon. Minister of Works and Transport and says:

“I would make a brief reference to a statement made by the hon. Minister and these are the hon. Minister’s words which I shall now quote:

‘I nevertheless point out that the introduction of this new industry...’”

He is talking here about the foreign-used industry.

“has dramatized the problems at the Transport Division in terms of weaknesses in the system and the information base which have resulted in numerous avenues of fraudulent activities.”

Sen. Mohammed was quoting the Minister from his budget speech. She was not imputing improper motives, but the Minister himself was saying that he recognized that there were problems. So, I do not think it is fair that she should be misquoted and that the wrong impression should be given.

What she did say, if I may go a little further is:

“What I do know is that for some time, the problem linked with the stolen vehicle trade is one where there has been tampering with the records of ownership of vehicles at the Licensing Division. That is a fact known to the population.”

She went on to say that one would request a copy of ownership and one would see a particular engine and chassis number but the registration number and the name of the owner do not correspond. I just wanted to make that clear so she will not be accused of making allegations about the integrity of the licensing people. [*Desk thumping*]

Mr. President, I will look at the regulations and go to page 5, subsection (12):

“A person who commits an offence under subregulation 11 is liable on summary conviction to a fine of fifty thousand dollars or imprisonment for six months.”

It seems to me that there is a great disparity there. I would have thought that it would have been \$50,000 or perhaps three years, or maybe \$10,000 or six months; but \$50,000 or six months? To me there is some sort of disparity there and I think that ought to be examined.

On page 7, 27B(2) says:

“The Licensing Authority may, at any time, if it so thinks fit, authorise in writing any person to carry out examinations notwithstanding that the requirements of regulation 27A have not been complied with.”

Regulation 27A describes a system. There are application forms and one applies. If there is that system in place, why then should the Licensing Authority just pick out an individual or a firm and say, “You go ahead and set up”? If there is

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a system, let the system work. Do not start making exceptions to the system even before the regulations are passed. In that way, we are going to continue to have a sort of top-heaviness in our entire system. I will not read all of it, but on page 8, 27C(c) says:

“the proprietor shall give notice to the Licensing Authority at the sub-office in which is situated the vehicle testing station of that proprietor of the names of all persons who are from time to time authorised in pursuance of arrangements made in accordance with subparagraph (b)...and every such notice shall be given within seven days after the date of any such authorisation;”

I would have thought that in order to ensure the integrity and to ensure that the persons who are going to examine these vehicles are properly licensed, their names should be given before, to the Licensing Authority so that the proprietors will say, “In my garage there are seven persons who will be examining; their names are so forth.” So, when the time should come for a vehicle to be examined, that person can sign his name with comfort, but I do not see the logic in taking on somebody, the person examines the car—he may not be properly qualified—and then within seven days afterwards, one writes to the Licensing Authority and says, “These persons are authorized now to examine vehicles”. I think it should be before and not after.

On page 10, regulation (2) says:

“The Licensing Authority may give notice to a proprietor that in the opinion of the Licensing Authority a person should not carry out or supervise examinations, or sign test certificates, and on receipt of that notice the proprietor shall arrange that that person shall no longer carry out or supervise examinations or sign certificates, as the case may require.”

The question I want to ask is, does this person not have some sort of body to which he can appeal? As happens on page 23, 27L, there are avenues where one can appeal, but if the Licensing Authority just says to this proprietor that his garage is not supposed to license vehicles and he does not give reasons—in this case it does not say that he gives reasons, he says that the person cannot do it—the proprietor should have some recourse to a higher authority.

Page 14 states that persons may apply either to a proprietor or to the Licensing Authority—the Transport Commissioner—for permission to register to have their vehicles examined. What happens if everybody decides to write to the Transport

Division alone? Suppose for some reason people say they are not going to the private garages? In other words, there should be some sort of system put in place where, perhaps, it is a certain type of vehicle or whatever, people have an option and they may decide to exercise that option by saying they are only going to the Licensing Authority—in which case, the Licensing Authority will be swamped—and they will not go to the private garages for whatever reason. I think that ought to be looked at as well.

At page 15, regulation 27F says:

“On an appointment being made or a time being arranged for the carrying out of an examination in accordance with paragraph (3) the proprietor or the Licensing Authority as the case may be, shall record the hour and the date...”

If the case arises where someone just goes in to a garage, then no such records are kept. I think that is not a good thing.

In other words, if one makes an appointment, when one goes, the examiner examines the car, writes up his records and the records are kept, but if one just drives in and says, “Check my car, please”, he examines the car and says that one may go and one pays the fee, I believe records should be kept. Suppose for some reason a few days or weeks after the person who went into this particular garage goes back to say that something was not done right and he has a query, there will be no records to show that he did go to that garage. Therefore, that also should be examined.

Mr. President, I come to a general situation in respect of the people of this country, with particular reference to the use of roads. There is a particular culture in our country with respect to driving on roads. I will give an example. I went to San Fernando three times in succession. The first time I went by taxi. I thought the driver was going too fast. The second time I decided to go by maxi-taxi. He was going like the speed boats that go between Trinidad and Tobago—just jumping and touching areas. I thought we would all have been dead. The last time I elected to go by bus. I thought that, at least, the bus was big so that if anything happened we would stand a better chance, but I see no virtue in someone boasting that they are taking 15 minutes from San Fernando to Port of Spain. It is not a plane; a highway in the sky. It is a road. When one takes 15 minutes from San Fernando to Port of Spain, that is a blueprint for disaster. It is the culture in this country that people drive fast and recklessly, and by virtue of the fact that very little comes out of hit-and-run cases or accidents, people continue to do these things.

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Mr. President, I remember some years ago, when I was in Paris, someone commented on the battered appearance of small cars there. We were told that when Parisians go for their driving licences, they are told, "Drive as fast as you can, as hard as you can and stop only when you have to". So all the small cars were battered: you hit somebody and you just continue. But what we were also told was that the limousines—nice, big cars—those were in good condition because on weekends the owners of those cars would take their time and drive out of Paris into the country and so forth.

Mr. President, we are not in Paris. Whether it is a written or unwritten law in Paris, in Trinidad and Tobago we have speed limits. I would say 85 per cent of this population break the speed limit all the time—maybe 95 per cent. And you know it is cut in, cut out, drive on the pavement, drive on the lay-by, even though there are policemen around. Mr. President, how much can one policeman do? This brings me to the other question of patrolling our roads.

Mr. President, I know in America, they are very, very strict when it comes to the speed limit and I know it is a very elaborate system, but the system works. Now, I believe the first thing that might be said is that we do not have the money in this country to set up the radar system and so forth. If we are really concerned about the lives of people of this country, then we will have to implement systems like those because you drive from point A to point B, you are supposed to reach within so many minutes and if you exceed your speed limit, by the time you get to the next point, you are charged, and there is no question about it. So Mr. President, I believe that really and truly we have to look at the system that we have which is not working, but more than that, Mr. President, we have to mount an appeal to the people of this country. It is not easy to get out of a certain culture, but if we are really concerned we will do it.

Some years ago in Germany, children were being knocked down, right, left and centre. It was felt that the Germans had absolutely no regard for young life and they were afraid that after a time, there would be no young up-coming people in Germany. So they instituted a rigorous system of road protection for the pedestrians and enforced the law, when it came to driving over the speed limit. If you check the record right now, I am sure you will see that the carnage that used to take place on the roads in Germany no longer exists.

Mr. President, we have to look at these things: the legislation, they thought about it. Nothing is wrong with the thinking, but we have to go beyond the thinking, that is, you set up the garages, you check the cars and so forth. Okay. Then perhaps there is nothing wrong with that, although I must say that when we have hefty legislation like this, it will assist all of us if the Minister—or whoever makes the presentation—were to take us through, clause by clause, then everybody would understand and we will not have to make incorrect assessments *et cetera*. So, I think it is time as I said when I spoke on the WASA Bill, that we stop looking at where we are, but look into the culture of the people, see what we are not doing right and put systems in place to correct that. Mr. President, we can bring all the legislation that we believe will help a situation, but if we do not go back into the culture of the people, we will be wasting our time.

Mr. President, I would like to make one final point. Some taxi drivers have complained to me about taxis in Port of Spain. They said that there are many signs saying “Taxis and maxi-taxis prohibited in these areas.” But what the taxi drivers are saying, Mr. President, is that the private cars, which are not prohibited—those private cars which are running “PH”, as we know it—they have *carte blanche* to drive along these routes where the taxi drivers are prohibited. Therefore, the taxi drivers are saying what they should get the private PH cars are getting. Perhaps, again, it is not going to be easy to determine if, in fact, a private car is taking up and letting off passengers, but it is something that needs to be looked into.

Mr. President, the final point I would like to make is this. Now I am almost certain these Regulations are going to be passed, maybe, with the amendments and I would be sorry in a way. So often we make rules and regulations and do not implement them properly and this is not one particular government. I think that again must be the culture of our people. We have to implement our rules and regulations but before we can do that, we must ensure that, in fact, the rules and regulations, particularly referring to road traffic, are designed to fulfil the sentiments expressed: if not we will be wasting time.

I thank you, Mr. President, and I hope that the Minister will take cognizance of the points that have been made and revisit the whole matter by looking at the culture of our people. If our people continue to operate in the way that they do, we will always have to come to Parliament to pass legislation that really and truly would not have any effect on the people of this country.

Mr. President, I thank you.

Sen. Prof. John Spence: Mr. President, I agree with those speakers who have suggested that some of the vehicles on the roads are in such a poor state, that it should be obvious that they need to be taken off the road by the authorities. Therefore, in a sense, from your argument on that, one may arrive at the conclusion that, perhaps, a bill of the sort may not be necessary.

However, since we have stated in many of our presentations that we seem to have in Trinidad and Tobago a culture of non-compliance and non-enforcement of the regulations, I would think that any measure which goes towards making vehicles safer to drive on the road is to be supported. So I would think that, by and large, this is a useful measure if it can be properly implemented and regulated, so I have no difficulty in going forward with this measure. Perhaps, it should not be necessary but nonetheless, one has to be realistic and accept that we are not very good at enforcement and, therefore, at least, there may be some improvement if vehicles are to be inspected periodically.

Mr. President, I find it a little difficult to understand just what is the policy in the formulation of these Regulations, because before amendment the Regulations were suggesting that all vehicles should be inspected annually, and then after five years they would be inspected twice a year. There is some logic to that, in that all vehicles would be inspected annually and then after five years they will be inspected twice a year. Maybe there was a typing error and “bi-annually” really meant “biennially”, but in order to make sense of the provisions of section 26 it is then necessary to insert in the first sentence before “vehicle”, “public service” for it seems to me very unlikely that there would have been two errors in the same section of the Regulations.

6.15 p.m.

So, it seems to me that we have made a very drastic change in the policy to these Regulations, after it was pointed out that biannually, perhaps, was too frequent. I do not know. It would help a lot if I could just pause, to let the Minister intervene with what was the original intent.

Mr. President: When he is responding, he will respond to everybody who has raised issues.

Sen. Prof. J. Spence: It will take me a little bit longer to do it than if he had just responded now. What I am saying is, now that he is here listening, perhaps I could repeat myself, if he would attend to me; just to be sure that the point gets across.

The original section suggests that all vehicles should be inspected once a year; and that after five years, it should be inspected twice a year. That was the original wording of the Regulations. There have now been two changes made. One change is that the vehicles which are privately owned, would not be inspected for five years. So that in itself is a drastic change, because there is now being inserted "public service vehicles" in the first sentence. If that also is an error, that surprises me. If not, there has been a very drastic change in policy from the time the Minister first presented the Regulations to now.

Now, I would have expected, perhaps, some modifications because this is a drastic change. So, I would then ask the question: Is it really sensible if vehicles are five years old to inspect them every two years? Because, in fact, in countries that do this inspection, after three or four years of a new vehicle, they are then inspected annually. Because after five years old, perhaps it is getting to the stage where they should be looked at more frequently than every two years.

But then, what about the vehicle when it is 10 years old? It is still only inspected every two years. So it seems to me that it is difficult to follow the philosophy of the section dealing with inspection.

If we are saying that after five years the vehicle has got so old you must inspect it every two years, I would say, after 10 years, we must put in a rule to take it off the road completely, or inspect it annually. Otherwise, it seems to me that we have not solved the problem because an old vehicle inspected today, in two years' time could certainly have done a lot of damage on the road because it deteriorated more rapidly at that stage.

I am not suggesting that we should shorten the period for first inspection from the five year period. But I certainly think that we should consider either making it an annual inspection after that, or, put in a provision that after 10 years or after eight years, the vehicle should be inspected annually. Because I really think that these older vehicles need inspection more frequently than a two-year inspection.

I should like to support Sen. Mc Kenzie's point, that there should be a mechanism for recalling the licence of these service stations. Certainly, one of the provisions for recall should be that if a vehicle has just been tested and it can be shown that the vehicle, having been called off the road by an inspector, is found to be defective, that the service station that gave the certificate should certainly lose its licence, or have it suspended for a period of time.

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I am assuming that the age of the vehicle will be from the time it is manufactured and not the time that it had been imported into the country. So that foreign-used vehicles, presumably, would start to age at three or four or at whatever age they are imported.

I wondered what the position would be with cars that have a different engine. Is the age going to be measured from the body of the car or the engine of the car? I think this is the point that should be looked at, because an old engine can perhaps do a lot of damage if something breaks in it when the car is running.

I should like to follow up on Sen. Daly's point about the problems on the Priority Bus Route. I, like most of us, would —

Mr. President: We need a procedural motion at this stage.

PROCEDURAL MOTION

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, on a procedural motion and under Standing Order 9(8), I beg to move that the Senate continue to sit until the conclusion of the matter before it.

Question put and agreed to.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) REGULATIONS

Sen. Prof. J. Spence: Thank you.

I should like to follow up on Sen. Daly's point about the problems on the Priority Bus Route. I would certainly agree that the basic issue is the way that we drive in Trinidad and Tobago, and the way that we ignore our laws. But, nevertheless, I think that something needs to be done if there are particular circumstances that clearly need immediate attention.

I will congratulate the police on the action that they have taken with respect to the Beetham section of the Priority Bus Route in that it certainly defuse the situation.

Like Sen. Daly, I certainly do not blame those persons who protested, although I myself, am not particularly in favour of that sort of protest. One can understand a situation like that. I certainly was very distressed; and I had the feeling, why could I not do something about it? I actually contemplated whether to have a motion on the adjournment on this issue. But since the opportunity is being presented in the course of these Regulations to make some comments on that issue, I should like to do so.

Clearly, it is not possible to have police patrol for the next 20 years on that site which would be necessary if one were going to address it in the way that it is now being addressed. I say I congratulate the police but, nevertheless, this is not a permanent solution.

I do not think we are going to get a change overnight in our behaviour on the road as road-users—either pedestrians or drivers. So, I think we have to try to have another solution. I myself think that it is extremely important that we establish traffic lights along that section of the Priority Bus Route. I do not think that an over-pass is going to do much good because people tend not to use an over-pass.

If you go further up the Priority Bus Route to Tunapuna and St. Augustine, there are frequent traffic lights within a few yards of each other, all along the way. You do not get a big outcry from drivers that there are too many traffic lights, we must have one run straight through. So I do not see any reason why there should be any protest about traffic lights in the lower end of the highway, even though they may be frequent. I think there should, at least, be three, because it happens that the inhabited area runs a very long way along the bus route. So even if you had one, it would be unlikely that people would want to walk to that one site to cross. So I urge the hon. Minister of Works and Transport who is responsible for the installation of traffic lights, to give serious consideration to this solution, to what is clearly a distressing problem, and one that is likely to create loss of life again.

Anyone who drives along that section of the route, especially at dusk when the lighting is perhaps worse, would know that—it is not well lit, and there are a number of people who, because it is their home, walk along the side of the road. It is extremely dangerous. So I would certainly hope that we address that issue by the introduction of traffic lights. The expenditure, I think, would be well-spent, if it saves a few lives in the future.

Mr. President, I think that it is perhaps a useful thing that we are doing to have some form of test on older vehicles on our roads. I myself, am a bit concerned about what would happen if one went in to have one's vehicle tested and one were told by the station that a number of things had to be corrected, and that one could have them done at that same station. I myself, would be in favour of not allowing a station that is doing testing, to also do repairs to the same vehicles. I think that, really, is putting a temptation in the way of garage owners who may not be corrupt.

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But, quite frankly, I think it is really a very difficult temptation to resist, not to find fault with the vehicle and various things to do, if you know that you are going to have further work to do and further income to be earned by correcting them. So my solution would be not to permit repairs to be done on a vehicle by the same garage that is doing the testing. [*Desk thumping*]. That is not that such a garage could also do repairs, but do repairs to vehicles that have been tested at some other garage. I certainly think this would be an important way of addressing that issue.

If we do not address it now, I am sure that later on we are going to have to come back and address it because I am sure there are going to be many complaints on this particular issue.

Thank you very much, Mr. President.

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. President, I should like to offer my sincere thanks to all Members of this honourable Senate for their varied and interesting comments—a critique of the Motion at hand.

At the very beginning of my presentation, I should like to accept some of the recommendations made by Members of the Independent Bench and the Opposition in that the amendment proposed calls for suggestion and accepted by Sen. Cynthia Alfred in terms of the proposed amendment to Regulation 27(12), delete the words “six months” and substitute it with “one year”, to bear some relevance to the points made.

From Sen. Eastlyn Mc. Kenzie, in collaboration with Sen. Daly, to insert after paragraph (d) the following paragraph (e), worded:

“is found by the Licensing Authority to have committed a breach of his or her duty under the Act”.

Both these amendments will, in fact, enhance it. I am very grateful for the suggestions made by both Senators.

Mr. President, however, I wish to reiterate the rationale behind the Regulations and to address concerns that have been raised by Members. Initially, the intention of this Motion was, in fact, to inspect vehicles that are five years and older, every two years. In fact, at present, there is a system for public service vehicles to be inspected annually. That is enforced at present. It was always intended to be biennial and not biannual.

It was never the intention of the Ministry of Works and Transport to have them inspected—the undue hardship on the owners of vehicles. Basically, I was really tempted during the debate to get into the politics of it, and to really explain our policy in terms of transportation policy and the PNM's transportation policy. I do not think that I want to go into that today, because I will be tempted to say that the PNM's policy on transport, really, is to issue bus passes to all old age pensioners and all school children and one week after, remove all the buses. I was tempted to do that. I was really tempted to go back to Sen. Mark and show all the issues that emanated over a long time in terms of the transportation policy. But, today is not the day for that. I think that we have had a lot of constructive suggestions. And in that light, I think that I would like to clear up some of the issues.

At the very beginning I should like to say that proprietors who are still interested in becoming vehicle testing stations could still do so. As of today, they can go to the Licensing Office, get their forms and get their applications as everybody else. Because, although we had over 200 testing stations—people took forms and applied—only 44 to date have reached the standard.

6.25 p.m.

Mr. President, in the North—Arima/D'Abadie area, five stations have been approved; in Tunapuna, two; Petit Valley/Diego Martin, two; El Dorado/Tacarigua, two; Barataria/San Juan, two; Morvant Laventille, two; Maraval, one; St. James, one; Champ Fleurs, one; Sangre Grande, two. In Central —Frederick Settlement, one; Freeport, one; Cunupia, two. South—San Fernando, five; Princes Town, two; Marabella, one; Vistabella, one; Penal/Debe two; Williamsville, two; Santa Flora, one; Guapo, one; Point Fortin, one; Rousillac, one; Fyzabad, two; and Tobago, one.

This is the correct position as today, but not confirmed or restricted to only those that have been approved so far. I assure you that all the equipment necessary have been certified by the Ministry and Transport Commissioner and a team of officers with the responsibility to ensure that the right standard-testing equipment must be fitted into these garages. In addition to that, a number of issues, not necessarily associated with the entire system, but mainly on the question of enforcement—and I must admit, that over the years, enforcement continued to be an extreme challenge for the Government of Trinidad and Tobago, not from this year or last year but for many years, no fault of the Government, but the system of

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implementing and enforcing all the laws on our books continued to be extremely challenging. We, however, feel it very important to do everything possible to introduce the reforms contemplated over a long period, to implement them now, and to set the stage for a more efficient transportation system; to set the stage for a transportation network that will realize the dreams of all Trinidadians and Tobagonians.

We know that it will be challenging. We know that all the systems we put in place, there would be people trying to beat those systems. We start off knowing that, we live in the real world and we know the mentality that exists at present, but we are committed to changing that. We are committed to putting in place the mechanisms to ensure that we create a safer environment for all our commuters and pedestrians. That is our position. Whether we succeed or not, with this measure, this is not the only measure. We have many measures within the Ministry that would bring into the forefront of developing a system that would ensure the type of efficiency that we all expect.

The officers of the Ministry of Transport continue to look forward to the re-engineering of their section to become a full authority. In becoming a full authority they will be able to have the type of equipment, manpower and also be able to receive the type of remuneration that will encourage them to do more and to go further.

In terms of enforcement, the contemplated introduction of traffic wardens is to complement what we have been doing. In addition to that, I would be more than willing to provide to this honourable House, the statistics, in terms of tickets issued on the Bus Route from December 01 to January 31 to any Member, because from December 01, we took a conscious decision to enforce, as far as possible, all the regulations and laws as they pertain to the Bus Route. I am sure that Members on the opposite side who use the Bus Route would have seen the increase in enforcement on the entire Bus Route over the last two months.

I must admit that the Bus Route has been in existence for over a decade, but I can only tell you of the improvement for two months. I am willing to bring the statistics forward to show that. As at today, in fact, before coming here, I was made aware of the number of tickets issued today. I am willing to do that also. In addition to that, only at the beginning of this year we introduced a system of the confiscation of passes to maxi-taxi drivers and any users of the Bus Route who happened to be convicted of any traffic offences. It is a condition—if you look at the back of the pass—that you must comply with all the laws, it is a condition of

the issue. So I am not issuing a warning to those Members who own a Bus Route pass, but once you are charged with a traffic offence, it is confiscated immediately. That is what is taking place. It is all in an effort to try to put into the network, a system that will encourage enforcement. As at today, I am aware of over one dozen passes from maxi-taxi drivers that were confiscated during the month of January.

A number of members raised concerns, and it is necessary to emphasize the safety element of this measure, and to indicate that private vehicles, five years and over will now be afforded greater scrutiny above the level that has been practised in Trinidad and Tobago before. Because today, any motor vehicle inspector seeing a vehicle looking in a derelict state has the authority and, in fact, the responsibility to ensure that the vehicle is taken off the road and ensure that it reaches to the right standard.

Today, I saw licensing officers in Princes Town, but I am sure that they could do more. I see vehicles on the roads that I know cannot be certified as roadworthy. Secondly, this particular Motion attempts to utilize resources of the private sector in the provision of the service and to provide an opportunity for upgrading the skills level in the motor vehicle industry.

I realize the point made by Sen. Dr. Mc Kenzie in terms of the opportunities for training in Tobago, and the Ministry would be more than happy to join, and we have started discussions with the Tobago House of Assembly on the establishment of private garages and they will be more than willing to assist in the training opportunities to ensure that the skills level of the people in Tobago meet the standards required by the Transportation Division.

6.35 p.m.

In addition to that, we would be more than happy to look at the comparative or equivalent educational qualifications and experience. We understand quite clearly that very experienced people may not have passed the National Examination. They would be able to have comparable certification from a recognized institution in Trinidad and Tobago, or in another country. So the certification of such a person will not go unnoticed.

Mr. President, a number of Senators raised issues in terms of the date of commencement of inspection of foreign-used vehicles. Any vehicle that is presented for registration at the Licensing Division, be it new or foreign-used, once it is presented for registration to acquire a number, must be inspected for

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roadworthiness. A brand new vehicle is inspected and certified. Similarly, a foreign-used vehicle will be certified; but, in this case, only at the Transport Division. The Transport Division is the only recognized authority for the registering of vehicles. So all new vehicles are taken to the Transport Division for number plates, and to be registered. They will be inspected at that point.

The date of manufacture, for the foreign-used vehicle, will be at the date of original manufacture, as stated on the vehicle plate, and not on the engine. I could, therefore, envisage some problems, in terms of someone replacing an engine in a three-year old car, and the engine might be that of a seven-year old car. That is an anomaly, a situation which we would not be able to legislate, at this end. However, we do have records, because people need to register a change of engine, and I am sure that we will be able to look at some opportunities to trace that. You know how difficult it is to really keep up with that type of information. While, as I mentioned before, this is part of a range of measures, the information system at the Licensing Authority will, in fact, be geared for that type of thing.

The information system at the Licensing Authority will be geared, in the same way, to enforce the ticketing and points systems—a part of enforcement. We see the comprehensive measures at the Licensing Division as part of the re-engineering of the Ministry, and as part of the modernization of the entire facility, to make it more customer focussed and to ensure the type of efficiency which we would all like to see there. We are working on it, and we look forward to getting it going.

In addition to that, there was a suggestion from Sen. Alfred, in terms of radar and video monitoring. Yes, this is something that we envision. It is not a new idea; it has been around the Ministry for over two decades. We would like to see it come on stream. This is something that we will be striving for, as the Ministry puts into place the types of systems which will be able to have it monitored. In fact, we have studied the first video monitoring system for Trinidad and Tobago, and we have recommended it for the Uriah Butler/Churchill Roosevelt intersection. It will come on stream during 1999. It is late, yes; we have got completed designs in 1970. It took some time from 1970 to now, we are committed to doing it.

Our traffic management system is tied to a monitoring system, through video recorders, based at the Uriah Butler/Churchill Roosevelt intersection, and at the upgraded Sackville Street intersection; to enable us to co-ordinate, change lanes, and that sort of thing. It is part of the system, and we will see it in Trinidad and Tobago, hopefully before the end of this millennium.

Sen. Prof. Spence: Just on a point of clarification, Mr. President. If a five-year old vehicle comes in and it is inspected at that point, and it does not have to be inspected for another two years, would the inspection given by the Licensing Authority be as thorough as that given in a garage? Do they have the same facilities as a garage would have?

Sen. The Hon. S. Baksh: The Licensing Division has all the equipment necessary, to provide that type of testing. We must be reasonable, because the number of inspections under the belt of every motor vehicle inspector at the Licensing Division would be in the vicinity of thousands, compared to new garages now coming on stream. However, because they know the systems, the inspection at the Licensing Division might be less thorough. People at private garages might be more inclined to be more thorough; because of the penalties of fines and imprisonment. I am not saying that the Licensing Division is not thorough. Our quality control measures continue to encourage that type of thing.

Surely, people will take more time at the Licensing Division. That system is geared to take between 25 and 40 minutes, a good average for vehicles. It would not be a question of getting one every 12 minutes. There is no such type of assembly line-operation. We do not expect that type of proficiency, in terms of being able to sequence them in 12 minutes. We expect between 25 and 40 minutes.

In addition to that, in the initial period—

Sen. Prof. Ramchand: Mr. President, while the Minister is on that subject, could he clarify for me whether the system of testing currently in practice at the Licensing Office is being modified? Or are we going to end up with a situation where the tests applied to private vehicles are much more rigorous than those applied to commercial vehicles?

Sen. The Hon. S. Baksh: It is not intended to be more rigorous; it is intended to be the same type of thing, except that in terms of public service vehicles, you would look for a number of additional things. Public service vehicles, because of public safety, and because of the number of people who use them on a regular basis, need to be fitted with special utensils: garbage bags, in the case of maxi-taxis, and other things. Public service vehicles must be kept in a particular manner. So, yes, the tests for public service vehicles will be more rigorous, mainly because of their nature.

Sen. Shabazz: I just want to check. Could we still go to the Licensing Office and have our vehicles tested?

Sen. The Hon. S. Baksh: No. Mr. President, it is not intended, at this time, that the private vehicles go to the Transport Division for testing. The main reason for this is, we do not want to go back to the long lines. At present, we look after all the public service vehicles, all the trucks, taxis, buses, and everything else. To place that additional burden on the Transport Division would be extremely difficult.

In fact, the reason we sought the private sector's assistance was because of the number of people, convenience, and a number of other things. In addition, some of the private garages that were approved, include the Public Transport Service Corporation; state organizations, like Caroni (1975) Limited. A number of motor dealerships are part of these garages. It is not a question of fly-by-night people who came and said, "I am ready to go." A number of public sector organizations applied to get the status of a vehicle testing station; obviously, they met the criteria and were quite easily approved.

So, whereas the Transport Division might not be available for the testing of private vehicles, other state organizations will be available, as part of the overall system.

In addition to that, Mr. President, an initial twelve-month grace period will be provided after the laws have been passed, and after we begin this whole process. This will allow persons a period to schedule their inspections, without significant difficulties.

6.45 p.m.

During the one-year period, additional garages would be established as they conform to requirements that have been determined by the Transport Commissioner. It is to be noted that the public would not be prosecuted for non-inspection during that period, however, in cases where defective vehicles are encountered, prosecutions will continue as exist now.

Sen. Shabazz: Are you saying that if a car is seven years old now it has one year's grace period still and does not have to fall within the two-year period immediately? Or is it that at the end of one year's grace period the two years would then be counted? I want to be clear on that.

Sen. The Hon. S. Baksh: The one-year grace period is to allow for the 120,000 vehicles over five years old to get inspected. Somebody owning a vehicle today that is 12 years old still has a one-year grace period to get inspected. We

cannot reasonably expect to have 120,000 vehicles inspected in any set period. Thus, you have a one-year grace period to do that.

Many people told me that the average Trinidadian would wait until the last month to do so. I do not agree. I feel that we would market it and get people to schedule their inspections. If we find people with defective vehicles they would be charged as normal.

During this one-year period the Transport Division would undertake a public information programme to make the public aware of the different aspects of the new measure. In addition to the requirement to undertake the inspection of public service vehicles, officers of the Transport Division will be required to undertake a monitoring and supervisory role in respect to the activities of the private testing stations to ensure the quality of customer service offered by the vehicle testing station. This will require transport officers to visit sites on a regular and sometimes unannounced basis for on-the-spot inspection, to ensure that the system is functioning properly and to ensure compliance with this legislation.

In addition, plans are afoot to establish a steering committee involving the Transport Commissioner, the Ministry of Consumer Affairs, the Town and Country Planning Division, the Police Department, the Transport Branch and representatives of the Ministry of Legal Affairs. This committee will provide the necessary administrative guidance for the operation of the system.

One of the issues raised was in respect of the penalties in place in the event of malpractice by testing stations and testers. We just, in fact, ensured that in addition to the \$50,000 there is a one-year jail term, in terms of a penalty for non-compliance or for offences committed under this Act.

Another issue raised related to the spread of testing stations and the equity of distribution. I dealt with that in terms of giving the locations and also informing this honourable House of the opportunity still in place to ensure that other garages which meet the right standards, are allowed to come into the net of the vehicle testing stations.

A number of questions were raised in terms of the cost and fees: which one came to the Government and which one went to the vehicle testing station. The sum of \$50 represents the prepaid cost for inspection certificates which goes to the central Government for every vehicle inspected. This represents a number of all the stationeries that go with it, including a tamper evident sticker to ensure that

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you would be able to identify a vehicle that has been inspected. In addition to that, \$15 represents receipts from the value added tax, and the sum of \$100 represents the earnings of the testing station for each vehicle inspected. That is the money that the proprietor would be able to utilize for the effective management of his or her business.

Mr. President, I think I have dealt with most of the issues relating to those raised by Members in terms of the entire motor vehicle testing station.

Sen. Yuille-Williams: First of all, I am very happy that the Minister has spoken, it sort of vindicated the concerns that we had. I hope that Sen. Mark listened to it. The two amendments, "public service" and "biennial" certainly changed it. I think the Minister appreciated our concerns. They were real concerns, because he read the document very thoroughly, and I thank him for that.

There are two things I would like him to look at: the definition of "overcrowding" which Sen. Dr. Mc Kenzie also spoke about; that is a simple one. *[Interruption]* I spoke about it the last day. I think that the definition of "overcrowding" was inadequate. Sen. Mark should have looked at that. It looked at overcrowding as long as it interfered with the mechanical aspects of the vehicle, if you look at it very carefully. *[Interruption]* It was inadequate for the definition of "overcrowding".

In terms of a little housekeeping, on page 5 there is a line there that talks about, "The Licensing Authority may issue renewals of conductor's permits..." I do not know how that was stuck in there. I was really surprised when I saw it, because I did not read it the last day. I thought when the Minister was rereading it he might have said that it was out of place.

I would also like him to talk about the retesting procedure because I am a bit concerned about retesting in the testing station, as against my using my own mechanic, which I spoke about this afternoon. I would have to pay if I use my own mechanic for a second test, but if I went to the testing station I would not have to pay.

I hoped he would have said something about the appeals other than those who fail, because I do not know if in here there are other opportunities for upkeep. Thank you.

Sen. The Hon. S. Baksh: Mr. President, in terms of retesting, again, I think we had a little mix up. If someone should go to a vehicle testing station and pay \$165 to have his or her vehicle inspected, that amount is VAT inclusive—\$150 plus \$15.

But if a number of defects were found by the tester, he would identify these defects, the person then has the option in all cases to have it redone there, or to go away and come back within six weeks to that station.

The rationale for coming back to that station is that the person would have already paid the \$100 to that proprietor who does not have a branch of his garage somewhere else. Out of that \$100, the \$65 which comes to the Government would be retained, because that sticker only goes on once the vehicle is passed. The rationale for that is: you go into a station within six weeks to know your defects; you go home and get your own mechanic to repair your defects; come back within six weeks and have them inspect the areas that were defective; you get your pass and you get your certificate to go home; no charge.

If however, you should take more than six weeks to correct that particular fault, then you would have to pay again for a total re-inspection, because after six weeks many things could go wrong, there could be additional defects. They would no longer only check the vehicle for those defects identified but, in fact, they would have to do over a total inspection. [*Interruption*]

If you go to another garage then you would pay a full \$165 after six weeks.

Sen. Yuille-Williams: This is one of the things that confused me because I do not think we agreed on that at all, because on page 28, (b) states:

"if the vehicle is removed from the vehicle testing station in consequence of the notice of refusal of a test certificate but, within 14 days of the date of issue of that notice it is brought to and left at that or some other vehicle testing station so that the defects which have been revealed by the examination can be repaired and a further examination of the vehicle is carried out there on the completion of those repairs, there shall be no fee....,"

That is just the opposite to what the Minister is saying.

Therefore, I can take my vehicle to another testing station within 14 days, that second station could give me the test certificate and I do not pay the second station. So that second station would not have gotten any money out of that \$165 at all, but I could still get a certificate there. You did not bring your car here in the first place, now 14 days later you come to me, I must give you that certificate and nothing went to the station.

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My third comment is, if I went to my mechanic within that same time, I would have to pay if I go to any of the testing stations, whether 14 days or not. So, what you just said is clearly different to what is in 28B

Sen. The Hon. S. Baksh: Mr. President, in terms of 28(b)—[*Interruption*]

Sen. Yuille-Williams: Sorry, it should be 27N(B).

Sen. The Hon. S. Baksh: This is mainly as it pertains to a consequence of notice of refusal of a test certificate. Mr. President, on the presentation of a vehicle to the testing station, it is only to go back to that testing station and not another, within six weeks, because the rationale is clearly there, but that other proprietor would not have been paid any money, and this is a private situation. Concerning this point on 28B there is no relevance to the testing. It is mainly the consequence of refusal of testing.

7.00 p.m.

Mr. President, the officers will, in fact, come up with those areas as they relate directly to the six weeks and they will pass on the information.

Mr. President, in terms of the development of this particular piece of legislation to which reference was made, a number of questions were raised in terms of street lighting, sidewalks and traffic lights along the Priority Bus Route and other areas. We, too, in the Ministry are very concerned about the lack of some of the basic safety requirements on our roads and, as we continue to try to improve in those areas, we will look at all the opportunities which present themselves.

Mr. President, the 14 days here should be changed to read six weeks, so I propose that that section be changed to read six weeks instead of 14 days.

Sen. Yuille-Williams: Sorry to disturb, again, because that satisfies the other thing. Sorry, Mr. President, but the Minister said that when he went to the first testing station, \$100 was paid to the tester there, but in this case, it can go to any other testing station and that testing station would have received no fee at all. I think that little part needs to be clarified.

Sen. The Hon. S. Baksh: If someone chooses to go to another station, that person would have to pay the total new fee.

Sen. Yuille-Williams: But it is not so here so it has to be changed.

Sen. The Hon. S. Baksh: So that if someone goes to another testing station, it is intended to charge a whole new fee, so the person must return to that station to be able to benefit from the fees already paid.

Mr. President, in conclusion—

Sen. Yuille-Williams: Mr. President, we are still talking about “overcrowding”.

Sen. Prof. Spence: Mr. President, I really think we have a problem because this section still needs to be elucidated. I think rather than the Minister wind up, we should really have a break while it is sorted out, because the section is not saying what the Minister is saying it is saying. Apart from changing the 14 days to six weeks, it is saying that a person has to come back to the same garage and that the repairs have to be done at that garage.

Sen. John: Not necessarily.

Sen. Prof. Spence: It does not say that in the legislation.

Mr. President: Senators, please.

Sen. The Hon. S. Baksh: Mr. President, in terms of regulation 27B, instead of 14 days, it should be six weeks. [*Interruption*]

I take the suggestion that we break for a few minutes to get this clarified.

Mr. President: There seems to be a few matters that need clarification, so I will suspend this sitting for 15 minutes. Will that be sufficient? [*Assent indicated*]

The sitting is now suspended until 7.20 p.m.

7.06 p.m.: *Sitting suspended.*

7.20 p.m.: *Sitting resumed.*

Sen. The Hon. S. Baksh: Mr. President, having regard to some of the concerns raised, I would like to continue at the next sitting.

ADJOURNMENT

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, I beg to move that the Senate do now adjourn to Tuesday, February 9, 1999 at 1.30 p.m. at which time we will conclude this Motion and go into the Legal Aid (Amdt.) Bill.

Mr. President: Hon. Senators, before putting the question, I would like to remind you of the proposed parliamentary seminar scheduled for three days of

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next week. By now you would have all received two circular letters of invitation, the last one containing an outline of the programme which is being proposed for the three-day seminar.

While I realize that it would be virtually impossible for each one of you to be here for each session for each of the three days, I think it would be nice for our own edification that we attend at least some of those sessions. We are having four experts from Trinidad—two of whom are former Presidents of the Senate—and we have five very experienced Parliamentarians from overseas: Ghana, India, Canada and the United Kingdom who would be here to form the panel where questions and so forth will be asked for our knowledge to be enhanced. Having regard to what transpired here today, I feel pretty sure that we do need some of that training. *[Laughter]*

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 7.22 p.m.