



TRINIDAD AND TOBAGO.

No. 13—1946.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

6th April, 1946.

AN ORDINANCE to amend the Motor Vehicles and Road
Traffic Ordinance, Ch. 16. No. 3.

[11th April, 1946.]

Commence-
ment.

Enactment.

Short title.

ENACTED by the Governor of Trinidad and Tobago with
the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Motor Vehicles and Road Traffic (Amendment) Ordinance, 1946, and shall be read as one with the Motor Vehicles and Road Traffic Ordinance as from time to time amended, which Ordinance as so amended is hereinafter referred to as the Principal Ordinance.

2. Section 11 of the Principal Ordinance is hereby amended—

Section 11 of
Principal
Ordinance
amended.

- (a) by adding immediately after subsection (4) thereof the following subsection :—

“(4A) No motor vehicle shall be used as a taxi which is not duly licensed as such under this Ordinance ; and if the provisions of this subsection shall be contravened, the owner and the driver of the motor vehicle shall be guilty of an offence against this Ordinance : Provided that it shall be a defence on the part of the owner to prove that the contravention was without his knowledge and that he had taken all reasonable steps to avoid such contravention”.

- (b) by inserting immediately before the words “ of this section ” occurring in subsection (5) thereof the following :—

“ or subsection (4A) ”.

3. Section 77 of the Principal Ordinance is hereby amended—

Section 77 of
Principal
Ordinance
amended.

- (a) by adding the following paragraph immediately after paragraph (l) :—

(ll) the issue of licences to drivers of taxis by the Licensing Authority and the conditions to be observed by the holders of such licences ;”

- (b) by adding the following paragraph immediately after paragraph (m) :—

(mm) the prevention of indecent or immoral behaviour in taxis.”

4. The Principal Ordinance is hereby amended by the addition thereto of the following new section—

Addition of
new section
to Principal
Ordinance.

“ Approval of
Regulations.

77A. Regulations made under this Ordinance shall have no force or effect until they have been approved by the Legislative Council.”

5. All regulations made under the Principal Ordinance and in force at the commencement of this Ordinance shall be deemed to have been approved by the Legislative Council, and until varied or revoked by any regulation made in accordance with the Principal Ordinance as amended by this Ordinance, the regulations contained in the Schedule to this Ordinance shall be and remain in force. Saving.

SCHEDULE.

The Motor Vehicles and Road Traffic (Amendment) Regulations, 1946.

Short title.

1. These Regulations may be cited as the Motor Vehicles and Road Traffic (Amendment) Regulations, 1946, and shall be read as one with the Motor Vehicles and Road Traffic Regulations, 1944, as amended by the Motor Vehicles and Road Traffic (Amendment) Regulations, 1944, which Regulations as so amended are hereinafter referred to as the Principal Regulations.

New Regulation 61B added to Principal Regulations.

2. The following regulation is hereby inserted in the Principal Regulations immediately after regulation 61A :—

“ Advertisment.

61B. No owner or driver of a taxi shall place or suffer to be placed any printed, written or other matter by way of advertisement on any side window of the taxi.”

New Part added to Principal Regulations.

3. The following Part containing regulations relating to taxis is hereby added to the Principal Regulations immediately after Part X :—

“ PART XA.

Taxis.

Taxi Drivers' licences.

90A. (1) No person shall drive on any road a taxi licensed as such unless he is the holder of a taxi driver's licence issued to him by the Licensing Authority under these Regulations.

(2) Every application for a taxi driver's licence shall be in the form set out in the Sixth Schedule hereto and shall be signed by the applicant. Duplicate photographs of the applicant of passport size and his driving permit issued under the Ordinance shall accompany each application.

(3) The Licensing Authority may refuse a taxi driver's licence to any applicant who fails to satisfy him that he is a fit and proper person to hold such a licence: Provided that before refusing a licence the Licensing Authority shall inform the applicant of the grounds for the proposed refusal and shall consider any representations made in writing in support of his application within seven days thereafter. If the applicant notifies the Licensing Authority that he wishes to make oral representations and/or adduce witnesses in support of his application the Licensing Authority shall hear such representations and/or witnesses or shall direct his Deputy or such other officer as he may appoint to hear and determine the matter in dispute. A taxi driver's licence may be refused notwithstanding that the applicant is the holder of a driving permit under the Ordinance, but shall in no case be issued to an applicant who is not the holder of such a permit. The fee for a taxi driver's licence shall be \$2 and shall be paid to the Licensing Authority before the licence is issued. The licence shall be in the form set out in the Seventh Schedule hereto. A taxi driver's licence shall not be valid during any period in which the holder is not the holder of a driving permit under the Ordinance.

(4) On the grant of a taxi driver's licence there shall be issued to the holder thereof a badge on which is embossed the number of the licence and a photograph of the holder if the Licensing Authority provides such badge and/or photograph. Such badge shall be displayed therein at all times when any taxi of which such holder is the driver is standing, plying or being driven for hire, in such a manner as to be plainly and distinctly visible.

Duplicate
licences.

90B. If the holder of a taxi driver's licence shall satisfy the Licensing Authority that the licence issued to him has been lost, destroyed or defaced and that he has not wilfully effected or been a party to such loss, destruction or defacement, it shall be lawful for the Licensing Authority to issue a duplicate licence: Provided that if the former licence has been defaced it shall be surrendered to the Licensing Authority prior to the issue of a duplicate licence. The provisions of paragraph (3) of the preceding regulation shall apply in relation to duplicate licences and every such duplicate licence shall be endorsed as such by the Licensing Authority: Provided that the Licensing Authority shall not refuse to issue a duplicate licence on the ground that the applicant is not a fit and proper person to hold a licence except on facts which have come to his knowledge since the original licence was issued.

Cancellation
of taxi drivers'
licences.

90C. (1) The Licensing Authority may cancel any taxi driver's licence (which expression when hereinafter used shall include a duplicate licence) if the holder thereof shall be convicted of any offence against any of the regulations contained in this Part of these Regulations or if the Licensing Authority shall be satisfied that it was obtained by any false representation, or that the holder has ceased to be a fit and proper person to hold a taxi driver's licence: Provided that the Licensing Authority shall inform him of the substance of what is alleged against him and shall consider any explanations or representations made by him in writing in connection with such proposed cancellation within seven days thereafter. If the holder of the taxi driver's licence notifies the Licensing Authority that he wishes to make oral representation and/or adduce witnesses in connection with such proposed cancellation the Licensing Authority shall hear such representations and/or witnesses or shall direct his Deputy or such other officer as he may appoint to hear and determine the matter in dispute. Cancellation of a taxi driver's licence may be effected by notice to the holder and on such cancellation the holder shall forthwith surrender his licence and badge to the Licensing Authority. When the driving permit of any person has been cancelled under the Ordinance it shall be in the discretion of the Licensing Authority to refuse any further taxi driver's licence to that person.

(2) The holder of a taxi driver's licence shall surrender such licence and the badge issued therewith forthwith to the Licensing Authority on ceasing to be the holder of a driving permit issued under the Ordinance.

(3) Whenever a taxi driver's licence and badge are surrendered for any reason by the holder thereof the Licensing Authority shall refund to such holder the sum of 80 cents.

Changes in
particulars
set out in
taxi drivers'
licences to
be notified.

90D. It shall be the duty of the holder of a taxi driver's licence to notify the officer in charge of the police station nearest his residence of any change in the particulars set out in his licence and to produce such licence to such officer. If required to do so by the officer, he shall sign a statement containing full particulars of the information given and the officer shall forward the licence and the particulars to the Licensing Authority who may make any necessary correction on the licence and return the same to the holder.

Production
and inspection
of taxi drivers'
licences.

90E. It shall be the duty of every taxi-driver to take all proper steps to preserve his licence and badge against loss, destruction or defacement and to produce the same on demand for inspection by any member of a police force constituted by law in the Colony or by any passenger in any taxi of which he may be the driver,

Only *bona fide* passengers to be in taxis plying for or on hire in taxi stands.

90F. (1) Whenever any taxi is on a taxi stand, or is plying for hire or is under hire, no person (other than the driver) shall be in the taxi unless he is a *bona fide* passenger.

(2) In this regulation the expression "*bona fide* passenger" means a person (hereinafter referred to as "the hirer") who, on his own account or jointly with others, has hired the taxi for reward and any other person who has entered the taxi with the permission of the hirer.

(3) If the preceding provisions of this regulation are contravened, the driver of the taxi and the persons who were in the taxi in contravention of those provisions shall be deemed to have contravened these Regulations; and in any prosecution for any such contravention any person (other than the driver) proved to have been in the taxi who cannot give a good account of himself shall be deemed not to be a *bona fide* passenger.

No person to loiter on or about a taxi stand.

(4) If any person shall loiter on or about any taxi stand (whether in a vehicle or otherwise) and shall fail to give a good account of himself, he shall be deemed to have contravened these Regulations.

Taxi not to be used for indecent or immoral purpose.

90G. A driver of a taxi shall not himself use, or knowingly permit the taxi to be used by any other person for any indecent or immoral purpose.

Cancellation of licensing of taxi.

90H. The Licensing Authority may cancel the licensing of any taxi under the Ordinance—

(a) if the owner or taxi driver has been convicted in respect of the commission of any criminal offence, whether against the regulations or otherwise in connection with the use of the taxi unless the owner shall prove that the offence was committed without his knowledge and that he has taken all reasonable steps to avoid the commission of the offence; or

(b) where the owner is also the driver of the taxi and has had his taxi driver's licence cancelled under these Regulations:

Provided that the Licensing Authority shall inform the owner of the substance of what is alleged against him and shall consider any explanations or representations made by the owner in writing in connection with any such proposed cancellation within seven days thereafter. If the owner notifies the Licensing Authority that he wishes to make oral representations and/or adduce witnesses in connection with any such proposed cancellation the Licensing Authority shall hear such representations and/or witnesses or shall direct his Deputy or such other officer as he may appoint to hear and determine the matter in dispute. Cancellation may be effected by notice to the owner and on any such cancellation it shall be in the discretion of the Licensing Authority to refuse any further licensing of the vehicle as a taxi whilst in the same ownership.

Exemption.

90I. The provisions of paragraph (1) of regulation 90A and of regulation 90F shall not apply in relation to any taxi when it is on a road or is being driven on a road for the purpose of test by any garage keeper or any employee of any garage keeper and is not being used for hire or reward.

4. The following Schedules are hereby added to the Principal Regulations:— Two new

- Two new Schedules added to Principal Regulations.

“ SIXTH SCHEDULE.

TRINIDAD AND TOBAGO.

FORM OF APPLICATION FOR TAXI DRIVER'S LICENCE.

1. Full name of applicant (Surname first, in block letters).....
2. Postal address of residence of applicant.....
3. State number of Driver's Permit (Motor Vehicles and Road Traffic Ordinance) and date of issue.....
4. State date and place of birth.....

Signature of Applicant.....

Date of application.....

SEVENTH SCHEDULE.

TRINIDAD AND TOBAGO.

TAXI DRIVER'S LICENCE.

PHOTOGRAPH
OF
HOLDER

Licence No.....To Drive a Taxi.....
.....Driver's Permit No.....
of
.....
is hereby licensed to drive a taxi.

Dated this.....day of.....19...

Signature of holder.....

Licensing Authority.

Fee \$2.00 "

Passed in Council this twenty-ninth day of March in the year of Our Lord one thousand nine hundred and forty-six.

W. J. BOOS,
Clerk of the Council.