

TRINIDAD AND TOBAGO.

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No. 42—1934.

I ASSENT,

[L.S.]

A. C. HOLLIS,
Governor.

24th December, 1934.

AN ORDINANCE to repeal such of the provisions of the Licensing of Vehicles Ordinance, 1931, as relate to Motor Vehicles, to repeal certain other enactments relating to Motor Vehicles and Road Traffic and to substitute other provisions in lieu thereof.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

PART I.

GENERAL.

1. This Ordinance may be cited as the Motor Vehicles and Road Traffic Ordinance, 1934, and shall commence on the 1st day of January, 1935.

Short title.
Commence-
ment.

2. In this Ordinance and in any regulations made thereunder,

Interpreta-
tion.

" At night " means from half an hour after sunset until half an hour before sunrise.

- “ Driver ” includes any person actually driving a motor vehicle at any given time and any person in charge thereof for the purpose of driving whenever the same is stationary on any road.
- “ Freight Passenger Vehicle ” means a motor vehicle constructed for the purpose of carrying both passengers and goods and which is approved by the Licensing Authority as suitable for that purpose.
- “ Goods Vehicle ” means a motor vehicle which is so constructed as to show that its primary purpose is the carriage or haulage of goods, merchandise or other loads.
- “ Hiring car ” or “ Taxi ” means a public service vehicle having seating accommodation for not more than six passengers.
- “ Inspector ” means any person appointed under the provisions of this Ordinance to examine motor vehicles or for other purposes of this Ordinance.
- “ Licensing Authority ” means the authority appointed in accordance with the provisions of section 4 of this Ordinance for the registration, licensing and control of motor vehicles.
- “ Maximum Gross Weight ” or “ M.G.W. ” in reference to a goods vehicle means the tare together with the load including the weight of the driver and loaders, and in reference to a motor omnibus means the tare together with the weight of the driver, conductor and number of passengers for which the vehicle is licensed. For the purposes of this definition the weight of a driver, loader, conductor or passenger shall be taken as 126 lbs.
- “ Motor Cycle ” means a motor vehicle with less than four wheels and the weight of which unladen does not exceed 800 lbs.

- “ Motor Lorry ” means a goods vehicle which is, itself, constructed to carry goods, merchandise or other loads.
- “ Motor Omnibus ” means a public service vehicle having seating accommodation for more than six passengers, and includes a Freight Passenger vehicle constructed to carry any number of passengers.
- “ Motor Vehicle ” means any mechanically propelled vehicle intended or adapted for use on roads but does not include vehicles constructed exclusively for use on rails or other specially prepared tracks.
- “ Overtaking ” includes passing or attempting to pass any other vehicle proceeding in the same direction.
- “ Owner ” in the case of a motor vehicle that is registered means the person in whose name the vehicle is registered. Provided that in the case of a motor vehicle which is the subject of a hire purchase agreement it means the person in possession of the vehicle under that agreement.
- “ Parking Place ” means a place where motor vehicles, or motor vehicles of any particular class or description, may wait.
- “ Private Motor Car ” means any motor vehicle, other than a goods vehicle the weight of which unladen exceeds 800 lbs. and which does not fall within the definition of a public service vehicle.
- “ Public Service Vehicle ” means a motor vehicle used for carrying passengers for hire or reward, whether at separate and distinct fares for their respective places or not.
- “ Road ” means any street road or open space to which the public are granted access and includes bridges over which a road passes.

“Tare” means the actual weight of a motor vehicle when unladen but inclusive of the body, accumulators, loose tools, spare wheels and other usual equipment and a full supply of water and fuel used for the purposes of propulsion.

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

“Trailer” means any vehicle which has no independent motor power of its own and which is attached to a tractor or other motor vehicle, but does not include a side-car attached to a motor cycle.

“Traffic” includes bicycles, tricycles, motor vehicles, tramcars, vehicles of every description, pedestrians, and all animals being ridden, driven or led.

“Ton” means the Imperial ton of 2,240 lbs.

“Vehicle” includes carriages, wagons, carts, motor vehicles, bicycles, tricycles, vans, hand carts, sledges, trucks, barrows and all other machines for the portage of goods or persons.

Transport
Board.

3.—(1) There shall be established as soon as may be after the commencement of this Ordinance a body to be called the Trinidad Transport Board (hereinafter referred to as the Board) consisting of the Director of Works and Transport as Chairman, the Inspector-General, a member of the Trinidad Automobile Association and seven other members to be appointed by the Governor after consultation with such representatives or bodies representatives of the following interests as the Governor may think fit, that is to say, local government, commerce, industry, agriculture and labour.

(2) The Board shall act in an advisory capacity and shall advise the Governor on all matters appertaining to road and railway transport and traffic and in particular as to the following matters :—

- (a) Transport, rates, fares, tolls, dues or other charges.
- (b) Licence duties and fees in respect of motor and other vehicles.
- (c) Customs and excise duties in respect of transport vehicles and fuel therefor.
- (d) The needs of areas as a whole in relation to traffic (including the provision of adequate suitable and efficient services and the elimination of unnecessary or unremunerative services) and the co-ordination of all forms of passenger and goods transport, including transport by rail and sea.
- (e) the regulation and control of traffic.
- (f) the construction and maintenance of roads and the cost thereof and
- (g) any other matter affecting traffic or transport that the Governor may refer to the Board.

4.—(1) The Inspector-General of Constabulary or such officer as the Governor may appoint, shall be the Licensing Authority for the registration and licensing of all motor vehicles in whom shall be vested the administration of this Ordinance and who may, subject to the approval of the Governor, appoint such Licensing Officers and Inspectors as may be necessary in certain localities for the due carrying out of the provisions of this Ordinance and of the regulations made thereunder.

Licensing
Authority,
Licensing
Officers and
Inspectors.

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

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

PART II.

REGISTRATION OF MOTOR VEHICLES.

Motor vehicle
registers.

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

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

(3) The Licensing Authority shall supply to any person applying for a copy of the entries relating to any specified vehicle a copy of these entries on payment of a prescribed fee, provided that he shows that he has a reasonable cause for requiring such a copy.

Registration
of motor
vehicles.

6.—(1) Save as hereinafter provided, no person shall drive, or, being the owner, shall permit any other person to drive a motor vehicle on a road unless such vehicle, and any trailer drawn by such vehicle, is registered under this Ordinance, and has affixed thereto in the prescribed manner the prescribed identification mark.

Provided that no person shall be liable to a penalty for a breach of this section if he proves that he has taken all reasonable steps to comply with its requirements, and that the vehicle is being driven on a road for the purpose of being registered.

(2) Application for the registration of a motor vehicle shall be made by the owner on the prescribed form, which must be duly completed by the applicant and be accompanied by the prescribed registration fee.

(3) The Licensing Officer to whom application is made shall, upon being satisfied that the provisions of this Ordinance and the Motor Vehicles Insurance (Third-party Risks) Ordinance 1933 and regulations respectively made thereunder, have been complied with, forthwith

enter particulars of the vehicle in the register, and shall assign to the vehicle a registered letter or letters and number, which shall become the identification mark of such vehicle.

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

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

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

(7) The owner of a motor vehicle shall notify the Licensing Authority of all circumstances or events which affect the accuracy of the entries in the register, at the same time forwarding his certificate of registration for amendment. A Licensing Officer may call upon any owner of a motor vehicle at any time to furnish all information for the verification of the entries in the register relating to such vehicle.

7.—(1) Before registering any motor vehicle or trailer the Licensing Officer shall verify all the particulars entered in the form of application, and may, if he deems it necessary, send any vehicle to be examined by an Inspector for the purpose of ensuring that it is of such construction and in such condition as may be necessary for the purpose for which it is sought to register the vehicle.

Examination
of motor
vehicles.

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

(3) If any owner of a motor vehicle or trailer is aggrieved at any decision of an Inspector, he shall be permitted to appeal to the Licensing Authority, who may order that the demands of the Inspector are unreasonable, or that such demands shall be enforced.

Cancellation of
registration.

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

(2) The owner of any motor vehicle which has been destroyed or rendered permanently unserviceable or has been permanently removed from the Colony shall notify the Licensing Authority of such fact within one month of the happening of such event.

Exemptions
from need for
registration.

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

- (a) New motor vehicles in the possession of manufacturers or dealers in motor vehicles, but subject to such provisions as to dealers' general licences as may appear hereinafter.
- (b) Private motor cars and motor cycles brought into the Colony by visitors for their own use for a period not exceeding three months subject to such conditions as may be prescribed.
- (c) Any motor vehicle the property of or used by the Governor for his official or personal duties.

(2) No fee shall be charged on the registration of a motor vehicle which is the property of the Government or any City or Borough Council.

Transfer of
registration.

10.—(1) On the change of possession of a motor vehicle otherwise than by death—

- (a) The motor vehicle shall not be used for more than seven days after such change of possession unless the new owner is registered as the owner thereof.

(b) The registered owner and the new owner shall make application in writing signed by both of them to the Licensing Authority giving the name and address of the new owner and the date of change of possession and such application shall be accompanied by the certificate of registration and the prescribed fee. The Licensing Officer shall thereupon by endorsement of the certificate of registration and entry in the register substitute the name of the new owner for that of the registered owner and shall date and initial the substitution and from such date the new owner shall for all purposes be deemed to be the registered owner of the motor vehicle described in the relevant entry in the register and in such certificate of registration.

(2) In the case of the death of the registered owner the legal personal representative of the deceased in the Colony shall be deemed to be the owner for the purposes of such transfer and in the absence of any legal personal representative in the Colony the person into whose possession the motor vehicle shall lawfully come shall, for the purposes of such transfer, be deemed to be the registered owner. Provided that such personal representative or other person as aforesaid shall notify the Licensing Authority of the death of the registered owner within one month of the happening of such event.

(3) At the discretion of the Licensing Officer a new certificate of registration may be issued instead of endorsing the original certificate.

PART III.

LICENSING OF MOTOR VEHICLES.

11.—(I) Save as is otherwise in this Ordinance provided, if, after the commencement thereof—

(a) the owner of any motor vehicle or trailer fails or omits to obtain the relevant licence prescribed in respect of that motor vehicle or trailer ; or

Using vehicle
without
prescribed
licence,
an offence.

- (b) any motor vehicle or trailer is used upon any road for a purpose which is not authorised by the licence issued in respect thereof or in contravention of any provisions of this Ordinance ;
 - (c) any goods vehicle motor omnibus or trailer is used upon a road being loaded so as to exceed the maximum gross weight or the number of passengers respectively covered by the licence ;
- the driver and owner of the motor vehicle shall each be guilty of an offence and on conviction shall each be liable to a penalty not exceeding forty-eight dollars.

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

(3) A person shall not be convicted of an offence under this section if he proves that he has not had a reasonable opportunity of obtaining a licence for the motor vehicle or trailer and that such was being driven for the purpose of obtaining a licence.

Restrictions
on licensing
of certain
motor
vehicles.

12.—(1) Save as is hereinafter in this section provided no motor vehicle or trailer

- (a) which exceeds the maximum gross weight of 5 tons ; or
 - (b) all the wheels of which are not fitted with pneumatic tyres
- shall be used upon any road and no licence or permit shall be issued in respect thereof.

(2) The Director of Works and Transport may grant a special permit to the owner of a tractor, goods vehicle or trailer for conveying heavy machinery or other articles in excess of the maximum gross weight of five tons, subject to such conditions as may be specified in the permit, and on

payment of a special fee calculated at the rate of twelve cents per mile or part of a mile to be travelled for each ton of the gross weight to be transported in excess of the maximum gross weight for which such tractor, goods vehicle or trailer is licensed.

(3) The Director of Works and Transport may grant a special permit to the owner of self-propelled machines used for industrial purposes such as tractors, power shovels and other similar machines for the purpose of moving the machine from one place to the other, subject to such conditions as may be specified in the permit and on payment of a special fee calculated at the rate of six cents per mile or part of a mile to be travelled for each ton of gross weight to be transported.

(4) Any person to whom a permit has been granted under this section who fails to observe any of the conditions specified in such permit shall be liable on summary conviction by a Magistrate to a penalty not exceeding forty-eight dollars, and in addition he shall be liable for any damages occasioned by his neglect or failure to observe any of such conditions.

(5) Notwithstanding the issue of any permit under sub-sections (2) and (3) of this section, no such fees shall be payable in respect of road rollers or in respect of motor vehicles using roads which are not maintained at the public expense.

13. Application for the licensing of a motor vehicle or trailer shall be made on the prescribed form, and subsequent applications for the renewal of a licence shall be made in person or by letter, the old licence being at the same time returned to the Licensing Officer. Application for licence.

14. A Licensing Officer shall not issue a motor vehicle or trailer licence until the motor vehicle or trailer has been duly registered or renew a motor vehicle or trailer licence unless he is satisfied that the motor vehicle or trailer does not differ in any respect from the particulars in the register and also that the provisions of the Motor Vehicles Insurance (Third-party Risks) Ordinance, 1933, and of this Ordinance and the regulations respectively made thereunder, have been complied with. Conditions to be satisfied before licence issued.

Alterations
in conditions
on which
licence is
issued.

15. Where the holder of a motor vehicle or trailer licence desires to use the motor vehicle or trailer for a purpose not authorised by the licence, he shall apply for a new licence, and where after the issue of a licence, a motor vehicle or trailer is altered so that a higher duty or a duty of a different class is required, the licence shall become void, and the holder shall apply for a new licence. In such cases a new licence shall not be issued until the old licence has been surrendered, and there shall be deducted from the duty on the new licence a sum equal to the duty which would have been payable on the old licence if issued on the same day as the new licence, provided that the minimum duty on the new licence shall be one dollar and twenty cents. Provided also that before issuing the new licence the Licensing Officer shall be satisfied that the provisions of the Motor Vehicles Insurance (Third-party Risks) Ordinance, 1933, have been complied with in respect of such new purposes. Where a new licence is issued in the circumstances referred to in this section, the Licensing Officer shall duly amend the register and issue a new certificate of registration.

Cancellation
or refusal
of licences.

16. A Licensing Officer may cancel or refuse to issue or renew a motor vehicle or trailer licence if an Inspector certifies in writing that the motor vehicle or trailer is so constructed or is in such a condition as to be a source of danger to any persons travelling in the vehicle or to other users of the road, or to be injurious to the roads themselves, or which contravenes any provisions of this Ordinance or regulations made thereunder. Provided that any owner of a motor vehicle or trailer in respect of which the licence is so cancelled, or for which the issue or renewal of the licence is refused may appeal against the decision of the Licensing Officer to the Licensing Authority and the Licensing Authority may, if they think fit, direct the Licensing Officer in writing to withhold, grant, or issue the licence applied for.

Transfer of
ownership.

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

18. If a motor vehicle or trailer licence is lost, defaced, mutilated, or rendered illegible, the Licensing Officer may issue a duplicate licence on payment of the prescribed fee. ^{Duplicate licences.} Provided that if any such licence be subsequently found, the holder of the duplicate licence shall forthwith deliver up to the Licensing Officer the duplicate licence and any person knowingly retaining or having in his possession both an original and a duplicate licence shall be guilty of an offence under this Ordinance.

19.—(1) Every motor vehicle and trailer licence issued, ^{Licence duties.} shall be in the prescribed form, and the duties to be paid on such licences shall be as set out in the First Schedule to this Ordinance. Provided that no licence duty shall be payable in respect of motor vehicles or trailers which are the property of the Governor, Government of the Colony or of any City or Borough Council.

Provided further that if the Licensing Officer is satisfied that the motor vehicle or trailer had not been used on a road previously during the current year

- (a) Where a licence is issued in the second quarter of a year, eighty per cent. of the full annual duty shall be payable.
- (b) Where a licence is issued in the third quarter of a year, sixty per cent. of the full annual duty shall be payable.
- (c) Where a licence is issued in the last quarter of a year, thirty per cent. of the full annual duty shall be payable.

(2) The Governor in Executive Council may in his discretion authorise in regard to any motor vehicle or trailer which has been rendered permanently unserviceable or which has been permanently removed from the Colony, a rebate of such proportion of the licence duty paid in respect of such motor vehicle as he thinks fit.

20. A Licensing Officer may issue to a dealer in, ^{Dealers' general licence.} manufacturer or repairer of motor vehicles or trailers, who makes application in the prescribed form, a dealers' general licence which, subject to the provisions of sections 21 to 26 of this Ordinance and to any other conditions which

may from time to time be prescribed, shall authorise the use of any number of motor vehicles or trailers the property of the dealer.

Uses of
dealers'
general
licence.

21. A dealers' general licence in the prescribed form shall authorise the use of any motor vehicle or trailer, the property of the dealer, which is being tested by the dealer, or is being tested or used for the purpose of effecting a sale. It shall not authorise the carriage of passengers or goods for fee or reward, or any passenger not engaged in testing the vehicle, or inspecting the vehicle with a view to purchase.

Register of
dealers'
general
licences.

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

Cancellation
of dealers'
general
licence.

23.—(1) A Licensing Officer may at any time cancel a dealers' general licence for a breach of any of the provisions of this Ordinance or of any regulations made thereunder.

(2) The Licensing Officer shall give notice of such cancellation to the person to whom such licence was issued, and may at his discretion repay to him so much of the annual fee paid as is proportionate to the unexpired portion of the year in respect of which the fee was paid.

(3) Any person whose licence has been cancelled in accordance with the provisions of this section or to whom a dealers' general licence has been refused may appeal to the Licensing Authority against the decision of the Licensing Officer, and the Licensing Authority may order that the cancellation shall be confirmed or that the licence be restored to the holder.

Dealers'
general
licence not
transferable.

24. No dealers' licence shall be used for any purpose not provided for in this Ordinance nor shall it be transferred or assigned to any other person without the authority of the Licensing Officer.

Dealer to
accompany
vehicle
when used.

25. No motor vehicle or trailer shall be used on any road under the authority of a dealers' general licence unless the holder of the licence, or a person duly authorised by him in writing accompanies such vehicle.

26. The holder of a dealers' general licence shall keep, in the prescribed form, a record of every occasion on which a motor vehicle or trailer is used under the authority of such licence. He shall produce such record for inspection when requested by any Inspector of Constabulary or by any Non-Commissioned Officer or Constable authorised in writing by any Inspector of Constabulary.

Record of vehicles used under authority of dealers' general licence.

27.—(1) Where a private motor car or motor cycle is brought into the Colony for the purpose of being used by the owner during a visit a Licensing Officer may issue a temporary licence without payment of a fee to use the private motor car without registration for not more than three months. Provided that before a temporary licence is issued, the visitor must satisfy the Licensing Officer that he holds a valid licence issued in the country where the private motor car was last licensed and that the provisions of the Motor Vehicles Insurance (Third-party Risks) Ordinance, 1933 have been complied with.

Visitors' temporary licence.

(2) A private motor car or motor cycle being used under the authority of a temporary licence shall be subject to such conditions as may from time to time be prescribed, and shall bear the identification marks of the country where it was last registered together with such other distinguishing mark as may be prescribed.

(3) No private motor car or motor cycle used under the authority of a temporary licence shall be used for hire or trade purposes.

PART IV.

DRIVING PERMITS.

28.—(1) Save as in this section provided no person shall drive a motor vehicle on a road unless he is the holder of a driving permit, and no person shall employ any person to drive a motor vehicle on a road unless the person so employed is the holder of a driving permit, and if any person acts in contravention of this provision, he shall be guilty of an offence.

Driving without a permit an offence.

(2) For the purpose of learning to drive, a person not having a driving permit may—

(a) use a motor cycle upon such road and during such times as may be authorised in writing by a Licensing Officer.

- (b) drive any motor vehicle other than a Taxi carrying passengers or motor omnibus upon such road and during such times as may be authorised in writing by a Licensing Officer, if accompanied for the purpose of instruction by a person holding a driving permit and sitting next to the driver. In such case both the learner and the person accompanying him shall be jointly and severally liable for any offence under this Ordinance committed during the course of such instruction.

Issue of
driving
permits.

29. Driving permits shall be issued by a Licensing Officer to applicants in accordance with the provisions of this Part of this Ordinance.

Driving tests.

30.—(1) A Licensing Officer in his discretion may require an applicant for a driving permit to produce a certificate of having passed a driving test signed by such association as may be approved of by the Licensing Authority.

(2) Driving tests may be conducted by such Examiners as the Licensing Authority shall from time to time approve or appoint for the purpose.

(3) The nature of the driving test shall be at the discretion of the Licensing Officer or of such Examiner as aforesaid but shall include a test of the applicant's knowledge of the rules of the road, road signals and road signs.

(4) If the applicant requires permission to drive a particular class of vehicle only or if the applicant is being tested under the provisions of the proviso to the next succeeding section, then the Examiner shall issue a certificate on which any appropriate restrictions are clearly set forth, after satisfying himself by means of such tests as he may deem suitable that the applicant is qualified to drive a vehicle of such particular class or of such particular construction. In such cases, the Licensing Officer shall clearly set forth the restrictions on the permit itself.

31. The Licensing Officer shall not issue a driving permit ^{Physical fitness.} to any person unless he shall have personally satisfied himself that the vision, hearing and bodily and mental fitness of the applicant are such as to warrant the issue of a driving permit and that the applicant is of good character.

Provided that if a permit is refused under this section, other than on grounds as to character the applicant may claim to be subjected to a test as to his fitness or ability to drive a motor vehicle, or a motor vehicle of a particular class or description, or a motor vehicle of a particular form of construction, and if he passes such test and is not otherwise disqualified the permit shall not be refused by reason of the provisions of this section.

32. Applications for driving permits shall be made to the ^{Applications for driving permits.} Licensing Officer on such form as may from time to time be prescribed, and shall be signed by the applicant.

33.—(1) A driving permit shall not be valid for driving a ^{Classes of vehicles.} motor omnibus unless expressly stated therein but otherwise may be expressed to be valid for all classes of vehicles (other than a motor omnibus) or to be valid only for the class or classes of vehicles specified therein but may by endorsement of the permit by a Licensing Officer be extended to any other class of vehicle.

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

- (a) motor cycles.
- (b) motor omnibuses.
- (c) goods vehicles.
- (d) motor vehicles other than those in classes (a) (b) and (c).

34. No driving permit shall be issued or endorsed as ^{Restrictions on driving permits for omnibuses.} valid for a public service vehicle or goods vehicle to an applicant who is under the age of twenty-one years nor for a motor omnibus unless the applicant has driven a motor vehicle, other than a motor cycle, regularly in the Colony during the preceding twelve months.

Age.

35. Save as provided in the last preceding section, any person not being under the age of seventeen years and not being otherwise disqualified shall be qualified to obtain a driving permit.

Driving test fees.

36. Every person undergoing a driving test under section 30 of this Ordinance shall pay in respect of such test and certificate of competency such fee as may from time to time be prescribed. The fee for examination shall be paid irrespective of what the result of the test may be. If the examiner be a Government Officer, the fee for examination shall be credited to the public revenue, and if the examiner be not a Government Officer, the fee shall be appropriated to the examiner. The fee for the certificate of competency shall be appropriated to the association.

Form of driving permit.

37. Driving permits shall be in such form as may be decided by the Licensing Authority and the signature or thumb mark of the holder shall be affixed to the permit and in the case of permits to drive public service vehicles shall have attached thereto a photograph of the holder, such photograph being supplied in duplicate by the applicant when applying for the permit.

Fees.

38. On the issue of a driving permit there shall be payable such fee as may from time to time be prescribed.

Production of driving permit.

39. Any person driving a motor vehicle on a road shall, on being so required by any constable, produce his driving permit for examination, so as to enable such constable to ascertain the name and address of the holder of the permit, the date of issue, and the Licensing Officer by whom it was issued, and if he fails so to do, he shall be liable to a fine not exceeding twenty-four dollars.

Provided that, if within forty-eight hours after the production of his permit was so required, the holder produces the permit in person at such police station as may be specified by him at the time its production was required, he shall not be convicted under this section.

Register of driving permits.

40. The Licensing Authority shall keep a register of all driving permits issued showing the name and address of the holder, the date of issue, the class of vehicle authorised and a record of any convictions ordered by a competent court to be endorsed on such permits.

41. Driving permits shall, unless previously suspended, cancelled or revoked by competent authority expire upon the 31st day of December next following the date of issue, but may be renewed subject to the provisions of section 31 of this Ordinance. Period of driving permit.

42. If a driving permit is lost, defaced, mutilated or rendered illegible the Licensing Authority shall issue a new permit on payment of the prescribed fee without further driving test. Provided that there shall be subscribed thereon any endorsements made in the register in respect of such driving permit. Re-issue of lost or defaced driving permit.

43. On the expiration of a driving permit by effluxion of time and on application by the holder thereof for the issue of a new driving permit the same shall be issued to an applicant entitled thereto without subscribing thereon any endorsements other than those made within the last three years prior to the expiration of the driving permit. Re-issue of new driving permit on expiration of old one.

PART V.

DRIVING AND OTHER OFFENCES AND GENERAL CONDITIONS RELATING TO THE USE OF ROADS.

44.—(1) No person shall drive a motor vehicle of such class or description as is specified in the Second Schedule to this Ordinance or on a road and at a speed greater than the speed so specified as the maximum speed in relation to a vehicle of that class or description and on a road so specified and if any person acts in contravention of this section he shall be guilty of an offence. Speed.

(2) A person charged under this section with the offence of driving a motor vehicle of such class or description on such a road at a speed greater than the maximum speed allowed in the case of a vehicle of that class or description, shall not be liable to be convicted of the offence solely on the evidence of one witness to the effect that in the opinion of the witness the person charged was driving the vehicle at such greater speed.

(3) Any person who aids, abets, counsels, or procures any person who is employed by him to drive a motor vehicle on a road, whether as registered owner or as the temporary possessor of the use of a motor vehicle under a hiring agreement, to commit an offence under this section shall be guilty of an offence.

(4) The Director of Works and Transport may, by order under his hand, prohibit the driving of motor vehicles generally or of particular classes of motor vehicles over any bridge at a speed greater than that specified by him in such order. Any such order shall be published in the *Royal Gazette*, and the limit of speed to be observed shall be indicated on notice boards to be fixed at such bridge.

(5) The Governor in Executive Council may by regulation vary, amend or revoke any of the provisions of the Second Schedule to this Ordinance. Provided that a regulation under this sub-section shall be of no effect unless and until it has been approved by a resolution passed by the Legislative Council.

Driving
when under
influence of
liquor.

45.—(1) Any person who when driving or attempting to drive, or when in charge of a motor vehicle on a road is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the vehicle, shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred and forty dollars or to imprisonment with or without hard labour for a term not exceeding six months or to both such fine and imprisonment, and in the case of a second or subsequent conviction either to a fine not exceeding four hundred and eighty dollars or to such imprisonment as aforesaid, for a term not exceeding twelve months or to both such fine and imprisonment.

(2) A person convicted of an offence under this section shall, unless the Court for special reasons thinks fit to order otherwise, and without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction for holding or obtaining a driving permit.

(3) Any constable may arrest without warrant any person committing an offence under this section.

46.—(1) Any person who drives a motor vehicle on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be on the road, shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred and forty dollars or to imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment and in the case of a second or subsequent conviction either to a fine not exceeding four hundred and eighty dollars or to such imprisonment as aforesaid or to both such fine and imprisonment. ^{Reckless driving.}

(2) The Court shall order particulars of any conviction obtained under this or the preceding section to be endorsed on any driving permit held by the person convicted.

(3) On a second or subsequent conviction under this section the convicting Court shall exercise the power conferred by this Ordinance of ordering that the offender shall be disqualified for holding or obtaining a driving permit unless the Court, having regard to the lapse of time since the date of the previous or last previous conviction or for any other reason, thinks fit to order otherwise, but this provision shall not be construed as affecting the right of the Court to exercise the power aforesaid on a first conviction.

(4) Any constable may arrest without warrant the driver of any motor vehicle who commits an offence under this section within his view, if he refuses to give his name and address, or if the constable has reason to believe that the name or address so given is false, or if the motor vehicle does not bear an identification plate.

47.—(1) If any person drives a motor vehicle on a road without due care and attention or without reasonable consideration for other persons using the road he shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred and twenty dollars. ^{Careless driving.}

(2) A first or second conviction for an offence under this section shall not render the offender liable to be disqualified for holding or obtaining a driving permit.

Warning to
be given of
intended
prosecution.

48. Where a person is prosecuted for an offence under any of the preceding sections relating respectively to the maximum speed at which motor vehicles may be driven, to reckless or dangerous driving, and to careless driving he shall not be convicted unless either :—

- (a) he was warned at the time the offence was committed that the question of prosecuting him for an offence under some one or other of the sections aforesaid would be taken into consideration ; or
- (b) within 14 days of the commission of the offence a summons for the offence was served on him ; or
- (c) within the said 14 days a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed was served on or sent by registered post to him or to the person registered as the owner of the vehicle at the time of the commission of the offence ;

Provided that—

- (i) Failure to comply with this requirement shall not be a bar to the conviction of the accused in any case where the Court is satisfied that—
 - (1) neither the name and address of the accused nor the name and address of the registered owner of the vehicle could with reasonable diligence have been ascertained in time for a summons to be served or for a notice to be served or sent as aforesaid ; or
 - (2) the accused by his own conduct contributed to the failure ; and
- (ii) the requirement of this section shall in every case be deemed to have been complied with unless and until the contrary is proved.

49.—(1) If any person uses a motor vehicle without the consent of the owner or other lawful authority, he shall be guilty of an offence under this Ordinance :

Taking
motor vehicle
without
consent of
owner.

Provided that a person shall not be convicted under this section if he proves either—

- (a) that he had good reason to believe, and did in fact believe, that the owner of the motor vehicle would, had he been present, have consented to the motor vehicle being used in the manner in which it was used ; or
- (b) that he had reasonable cause to believe and did in fact believe, that he had lawful authority to use the motor vehicle.

(2) If any person is convicted under this section, the Magistrate may, if he thinks fit, either in addition to or without inflicting any punishment, order that the person convicted do pay to the owner of the motor vehicle either or both of the following sums, namely—

- (a) such sum as, in the opinion of the Magistrate, would have been charged if the motor vehicle had been hired by the person convicted ;
- (b) such sum as, in the opinion of the Magistrate, represents fair compensation for any damage done to and for the use of the motor vehicle.

(3) If on the trial of any indictment for stealing a motor vehicle the jury are of opinion that the defendant was not guilty of stealing the motor vehicle but was guilty of an offence under this section, the jury may find him guilty of an offence under this section and thereupon he shall be liable to be punished accordingly.

(4) Any constable may arrest without a warrant any person suspected by him of having committed an offence under this section.

50. Any person who, without the knowledge or permission of the owner, gets on to or attempts to manipulate any of the levers, the starter, brakes, or machinery of a motor vehicle, or in any way interferes with or damages a motor vehicle while the vehicle is on a road or parking place shall be guilty of an offence.

Interfering
with motor
vehicle.

Provided that a person shall not be convicted under this section when such motor vehicle is obstructing his own or another motor vehicle.

Restrictions
on persons
being towed
on bicycles.

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

(2) If any person is carried on such a bicycle in contravention of the provisions of the foregoing sub-section, each of the persons carried shall be liable in the case of a first conviction to a fine not exceeding twenty-four dollars and in the case of a second or subsequent conviction to a fine not exceeding forty-eight dollars.

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

Restriction
on cyclists
riding abreast
or holding
on to other
moving
vehicles.

52.—(1) It shall not be lawful for more than two persons to ride abreast on a road either upon motor cycles or bicycles not propelled by mechanical power provided that a person shall not be convicted under this section in respect of the overtaking of two persons so riding and in the absence of other traffic on the road at the point of overtaking.

(2) It shall not be lawful for any person while riding a motor cycle or a bicycle not propelled by mechanical power on a road

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

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

(3) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting astride the motor cycle and on a proper seat securely fixed to the motor cycle behind the driver's seat.

(4) If any person contravenes the provisions of this section he shall be liable in the case of a first conviction to a fine not exceeding ten dollars and in the case of a second or subsequent conviction to a fine not exceeding twenty-four dollars.

53. A person riding, driving or in charge of any vehicle of any description shall, if an accident occurs to any traffic owing to the presence of such vehicle on the road, stop and, if required, give his name and address and also the name and address of the owner of such vehicle and if any person knowingly acts in contravention of this section, he shall be guilty of an offence under this Ordinance.

Duty to stop
in case of
accident.

PART VI.

LEGAL PROCEEDINGS, SUSPENSION, CANCELLATION AND ENDORSEMENT OF DRIVING PERMITS.

54. Upon the trial of a person who is indicted for manslaughter in connection with the driving of a motor vehicle by him, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under section 46 of this Ordinance, to find him guilty of that offence, whether or not the requirements of section 48 of this Ordinance have been satisfied as respects that offence.

Power to
convict for
reckless or
dangerous
driving on
trial for
manslaughter

55. Where a person is charged summarily before a Magistrate with an offence under section 45 or section 46 of this Ordinance and the Magistrate is of the opinion that the offence is not proved, then, at any time during the hearing or immediately thereafter, the Magistrate may, without prejudice to any other powers possessed by him, direct or allow a charge for an offence under section 47 of this Ordinance to be preferred forthwith against the defendant and may thereupon proceed with that charge so however that the defendant or his solicitor or counsel shall be informed of the new charge and be given an opportunity whether by way of cross-examining any witness whose evidence has already been given against the defendant or otherwise, of answering the new charge and the Magistrate shall, if he considers that the defendant is prejudiced in his defence by reason of the new charge being preferred, adjourn the hearing.

Power to
proceed on
charge for
careless
driving on
hearing of
charges
under s. 45
or s. 46.

Powers of
Court in
regard to
driving
permits.

56. Any Court before which a person is convicted of any offence in connection with the driving of a motor vehicle

(a) may, if the person convicted holds a driving permit, suspend the permit for such time as the Court thinks fit, or cancel the permit and declare the person convicted disqualified for obtaining another permit for a stated period, and, unless otherwise provided, shall endorse upon the permit particulars of any order of the Court made under this section, and also, whether such order is made or not, particulars of the conviction.

(b) may, if the person convicted does not hold a driving permit, declare him disqualified for obtaining a permit for a stated period.

Provided that, if the Court thinks fit, any disqualification imposed under this section may be limited to the driving of a motor vehicle of the same class or description as the vehicle in relation to which the offence was committed.

Right of
appeal.

57. A person who by virtue of an order of a Court under the preceding section is disqualified for holding or obtaining a driving permit may appeal against the order in the same manner as against a conviction, and the Court may, if it thinks fit, pending the appeal, suspend the operation of the order.

Production
of driving
permit for
endorsement.

58. Every person who is convicted before any Court of an offence in connection with the driving of a motor vehicle, shall, if he holds a driving permit, produce such permit within such time as the Court may direct for the purpose of endorsement thereon of particulars of such conviction, and if he is not then the holder of a driving permit, but subsequently within six months of such conviction obtains a permit, shall within five days after so obtaining the permit produce it to the Court for the purpose of endorsement.

Custody of
permit while
suspended or
cancelled.

59. A Court which suspends or cancels a driving permit, or declares a person disqualified for obtaining a driving permit shall forthwith send to the Licensing Authority every suspended or cancelled driving permit. At the expiration of the period of suspension, the Licensing Authority shall return the permit to the owner on demand.

Provided that where the disqualification to which a person has become subject is limited to the driving of a motor vehicle of a particular class or description the Licensing Authority shall forthwith after the receipt of the driving permit indicate on the permit in the usual manner the class or description of vehicle which the holder of the permit is not thereby authorised to drive, and the permit shall then be returned to the holder. At the expiration of the period of disqualification, the holder shall again forward the permit to the Licensing Authority, who shall thereupon indicate on the permit that the restriction imposed during the period of disqualification has been removed.

60. A driving permit suspended by a Court shall, during the period of suspension, be of no effect, and a person whose permit is suspended, or who is declared by the Court to be disqualified for obtaining a permit, shall during the period of such suspension or disqualification, be disqualified for obtaining a driving permit. Suspended permit to be of no effect.

61.—(1) If and when any person is charged with manslaughter arising out of the use of any motor vehicle or with contravening the provisions of sections 45 or 46 of this Ordinance it shall be lawful for the Licensing Authority to order the suspension of the driving permit of the person so charged pending the determination of the charge. Temporary suspension of permit pending determination of charges.

(2) Any such permit so suspended shall on demand by any constable be surrendered to such constable who shall forthwith forward the same to the Clerk of the Court before which the person so charged is to appear.

62. If any person who under the provisions of this Part of this Ordinance is disqualified for holding or obtaining a driving permit applies for or obtains a permit while he is so disqualified; or if any person while he is so disqualified drives a motor vehicle or, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, a motor vehicle of that class or description on a road, or if any person who has been refused a permit applies for or obtains a permit without disclosing such refusal, he shall be guilty of an offence, and shall on conviction be liable to a fine not Fraudulent application for driving permit.

exceeding two hundred and forty dollars or imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment.

Particulars of endorsement to be copied on new permit.

63. On the issue of a new driving permit to any person, the particulars endorsed on any previous permit held by him shall be copied on to the new permit, unless he has previously become entitled under the provisions of section 65 of this Ordinance to have a permit issued to him free from endorsement.

Non-disclosure of endorsement.

64. If any person whose driving permit has been ordered to be endorsed, and who has not previously become entitled under the provisions of section 65 of this Ordinance to have a permit issued to him free from endorsement applies for or obtains a permit without giving particulars of the order, he shall be guilty of an offence, and any permit so obtained shall be of no effect.

Issue of new permit free from endorsement.

65. Where a person in respect of whom an order has been made under this Part of this Ordinance requiring the endorsement of any driving permit held by him, has during a continuous period of three years or upwards since the order was made had no such order made against him, he shall be entitled, on application and subject to payment of the prescribed fee and to the surrender of any subsisting permit, at any time, to have issued to him a new permit free from endorsement.

Provided that, in reckoning the said period of three years, any period during which the person was by virtue of the order disqualified for holding or obtaining a permit shall be excluded.

PART VII.

GENERAL.

Fees and duties.

66.—(1) The fees and duties specified in the First Schedule to this Ordinance shall be payable to the Licensing Authority in respect of the several matters to which they are applicable.

(2) All fees and duties received by the Licensing Authority shall be paid to the Treasurer on account of the general revenue of the Colony.

(3) Such percentage or proportion of the annual licence duties in respect of motor vehicles collected under this Ordinance by the Licensing Authority which are paid

by the owners of motor vehicles who are resident within any City or Municipality shall be paid to the Council of such City or Municipality by the Treasurer as may be directed by the Governor in Executive Council.

(4) The Governor in Executive Council may by regulation amend, vary, suspend or revoke the provisions of the First Schedule to this Ordinance. Provided that a regulation made under this sub-section shall be of no effect unless and until approved by a resolution passed by the Legislative Council.

67. Whoever fraudulently imitates, alters, mutilates, destroys, or uses, or fraudulently lends or allows to be used by any other person any identification mark, motor vehicle licence, certificate of registration, or driving permit issued or deemed to have been issued under this Ordinance shall be guilty of an offence, and on conviction by a Magistrate shall be liable to a fine not exceeding two hundred and forty dollars or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and imprisonment. Fraudulent imitation, etc., of documents.

68.—(1) Any person who by any act or omission contravenes or fails to comply with the provisions of this Ordinance shall, unless otherwise specifically provided, be liable on summary conviction before a Magistrate to a fine not exceeding two hundred and forty dollars or to imprisonment with or without hard labour for any term not exceeding six months. Offences and general penalty.

(2) Any person who by any act or omission contravenes or fails to comply with the provisions of any regulations made under this Ordinance shall be liable on summary conviction before a Magistrate to a fine not exceeding forty-eight dollars or to imprisonment with or without hard labour for any term not exceeding twenty-one days.

69. Nothing in this Ordinance shall affect any liability of the driver or owner of a motor vehicle by virtue of any Ordinance or at common law. Liability at Common Law.

70. If the driver or conductor of any motor vehicle who commits an offence under this Ordinance or any regulations made thereunder, refuses to give his name and address or gives a false name or address he shall be guilty Refusing to give name or address or giving false name or address.

of an offence under this Ordinance ; and it shall be the duty of the owner of the motor vehicle if required to give any information which it is within his power to give and which may lead to the identification and apprehension of the driver or conductor and if the owner fails to do so he shall be guilty of an offence under this Ordinance.

Giving false
information.

71. If any person in or in connection with an application for a motor vehicle licence or the registration of a motor vehicle, or a driving permit or the endorsement of such a permit, or any change or correction in a motor vehicle licence or the registration of a motor vehicle or in giving any information lawfully demanded or required under this Ordinance or any regulation made thereunder makes any statement which to his knowledge is false, or in any material respect misleading, he shall be guilty of an offence, and on summary conviction by a Magistrate shall be liable to a fine not exceeding two hundred and forty dollars, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment.

Duplicate
licences,
permits and
certificates.

72. Any authority or person having power to issue any certificate or licence under this Ordinance shall, on proof to his satisfaction that such certificate or licence has been lost or destroyed, and on payment of the prescribed fee, issue a duplicate of the certificate or licence to the person entitled thereto.

Liability of
driver and
owner for
offences.

73.—(1) If any motor vehicle is used which does not comply with or contravenes any provision of this Ordinance or of any regulation, or of any order lawfully made under this Ordinance or any regulation ; or

(2) If any motor vehicle is used in such a state or condition or in such a manner as to contravene any such provision ; or

(3) If anything is done or omitted in connection with a motor vehicle in contravention of any such provision ; then, unless otherwise expressly provided by this Ordinance :

(a) The driver of the motor vehicle at the time of the offence shall be guilty of an offence unless the offence was not due to any act, omission, neglect, or default on his part ; and

- (b) The owner of the motor vehicle shall also be guilty of an offence, if present at the time of the offence, or, if absent, unless the offence was committed without his consent and was not due to any act or omission on his part, and he had taken all reasonable precautions to prevent an offence.

74.—(1) The driver or other person in charge of a motor vehicle or trailer licensed according to its maximum gross weight may on demand by any person authorised in writing by a Licensing Authority, or by a constable, be required to satisfy such person or constable that the load which is being carried on such motor vehicle or trailer, does not contravene the provisions of the licence or this Ordinance or any regulations made thereunder and may be required by such person or constable to drive him with such vehicle or trailer to the nearest weighbridge for the purpose of weighing such load.

Power to require motor vehicles licensed according to M. G. W. to be weighed.

(2) Any person who fails or omits to comply with a request to proceed to the nearest weighbridge as aforesaid shall be liable to a penalty not exceeding forty-eight dollars.

75.—(1) If by reason of an offence against this Ordinance any injury is caused to any road, or bridge, the authority responsible for the repair of the road or bridge may cause such injury to be made good, and may, either before or after the injury is made good, recover the estimated or actual cost thereof from the owner of the motor vehicle causing the injury.

Recovery of damage to road or bridge.

(2) A certificate under the hand of the Director of Works and Transport, or any person authorised by him in that behalf, of the amount of the cost of making good such injury, shall, without proof of signature, be *prima facie* evidence of the amount payable by the owner of the vehicle.

76. If in any proceedings under this Ordinance any question arises whether a motor vehicle does or does not comply with any provision of this Ordinance or any regulation made thereunder the certificate of any person appointed by the Governor by notice in the *Royal Gazette*

Certificate as to damage to be admissible in evidence.

to act as an Inspector for the purposes of this Ordinance that he has examined the vehicle and as to the result of his examination shall be admissible in evidence and shall be sufficient *prima facie* evidence of any fact or opinion stated therein relating to the matter in question, and the Court shall not permit the officer to be called for cross-examination on the certificate unless contrary evidence is given which appears to the Court to be credible, or unless for any reason the Court considers cross-examination to be necessary in the interests of justice.

Regulations.

77. The Governor in Executive Council may make regulations in respect of all or any of the following matters, that is to say—

- (a) Anything which by this Ordinance may or is to be prescribed.
- (b) The forms to be used under this Ordinance.
- (c) The construction, fittings, dimensions and design of any motor vehicle.
- (d) The character and nature of horns or other instruments capable of giving audible and sufficient warning of motor and other vehicles and regulating their use.
- (e) The number, position and kind of lights and reflectors to be carried on motor and other vehicles and the times during which they are to be exhibited.
- (f) The duties and powers of Inspectors in regard to the inspection of motor and other vehicles.
- (g) The inspection of motor and other vehicles and the times, places and manner of such inspection.
- (h) The form of identification marks to be fixed on motor vehicles and trailers in respect of registration and licensing and the sizes and colour of the letters of and the manner of displaying such marks.
- (i) The classification of roads and the prohibition or restriction of the use of any classified roads by vehicles of any specified class or description.

- (j) The precedence of vehicles and pedestrians respectively at and in the vicinity of crossings and the erection of traffic signals and other notices.
- (k) The driving of any vehicle on any specified road otherwise than in a specified direction.
- (l) The appointment of parking places and regulating the use of such parking places including the imposition of charges in respect thereof.
- (m) The badges and uniforms to be worn by drivers and conductors of public service vehicles and the conduct of drivers, conductors and passengers.
- (n) Passenger fares and tolls in respect of public service vehicles.
- (o) The maximum hours of employment of persons as drivers of goods vehicles.
- (p) As regards motor omnibuses—
 - (i) restricting the use of motor omnibuses using specified routes.
 - (ii) regulating and restricting the number of motor omnibuses using specified routes.
 - (iii) The time tables to be observed by drivers of motor omnibuses.
 - (iv) the issue of permits by the Licensing Authority and conditions of issue of such permits and conditions to be observed by the holders of such permits in respect of specified routes.
 - (v) the taking up and setting down of passengers.
 - (vi) the carriage of goods or luggage.
 - (vii) the maximum hours of employment of drivers and conductors.
 - (viii) the issue, cancellation and suspension of licences of conductors.
 - (ix) Returns to be rendered by the owners of motor omnibuses shewing the number and nature of journeys completed, the mileage covered, the times taken, the passengers carried and the operating costs.

- (g) Generally, for the better carrying out of the provisions of this Ordinance and in particular for the safety, control and regulation of traffic and the use of vehicles or any class of vehicles on any road and the conditions under which they may be used.

Special
regulations
may be made
by Consta-
bulary.

78.—(1) The Inspector-General or the senior officer of Constabulary stationed in any district may by notice published in the *Royal Gazette* make orders as to the line to be kept by persons driving or riding any vehicle or animal on any road and as to the manner in which vehicles of any description shall be drawn up while waiting on any road and as to the route to be observed by all vehicles, horses, and persons, and for preventing obstructions on any road, in any case where such road is liable to be thronged or obstructed; and also may give directions to constables for the purpose of regulating traffic in the neighbourhood of Courts of law, public offices, churches, theatres, and other places of public resort; and any person who, after being made acquainted with any orders made or directions given under this section, shall contravene or fail to comply with such orders or directions shall be guilty of an offence under this section.

(2) It shall be lawful for any constable to apprehend without warrant, any person who commits an offence under this section within his view, if such person refuses to give his name and address or gives a name or address which the constable has reasonable grounds for believing to be false.

Repeal.

79. The Ordinances specified in the first and second columns of the Third Schedule to this Ordinance are hereby repealed to the extent specified in the third column of the said Schedule. Provided that any rules, regulations, orders or directions made under any of such Ordinances hereby repealed and in force at the commencement of this Ordinance shall be deemed to have been made under this Ordinance and shall remain in force until other provision is made in that behalf.

1ST SCHEDULE.—FEES AND DUTIES.

(s. 19 and
s. 66.)

(1) Motor cycle	....	....	....	....	....	\$4.80
with side car attached when not used for commercial purposes	....	....	....	....	....	7.20
with side car attached, when used for commercial purposes....						12.00
(2) Private motor car—						
not exceeding 1,600 lbs. tare	....	....	....	....	....	15.00
exceeding 1,600 do. and not exceeding 2,100 lbs. tare						21.00
do. 2,100 do. do. 2,600 do.						27.00
do. 2,600 do. do. 3,100 do.						33.00
do. 3,100 do. do. 3,600 do.						39.00
Over 3,600 do.						58.00
(3) Hiring car or Taxi—						
not exceeding 1,600 lbs. tare	....	....	....	....	....	29.00
exceeding 1,600 do. and not exceeding 2,100 lbs. tare						36.00
do. 2,100 do. do. 2,600 do.						43.00
do. 2,600 do. do. 3,100 do.						50.00
do. 3,100 do. do. 3,600 do.						58.00
Over 3,600 do.						77.00
(4) Motor Omnibus—						
not exceeding 4,480 lbs M.G.W.	....	....	....	....	....	60.00
exceeding 4,480 do. and not exceeding 5,600 lbs. M.G.W.						66.00
do. 5,600 do. do. 6,720 do.						73.00
do. 6,720 do. do. 7,840 do.						81.00
do. 7,840 do. do. 8,960 do.						91.00
do. 8,960 do. do. 10,080 do.						104.00
do. 10,080 do. do. 11,200 do.						120.00
(5) Goods Vehicle or Trailer—						
not exceeding 2,240 lbs. M.G.W.	....	....	....	....	....	36.00
exceeding 2,240 do. and not exceeding 3,360 lbs. M.G.W.						42.00
do. 3,360 do. do. 4,480 do.						48.00
do. 4,480 do. do. 5,600 do.						54.00
do. 5,600 do. do. 6,720 do.						61.00
do. 6,720 do. do. 7,840 do.						70.00
do. 7,840 do. do. 8,960 do.						83.00
do. 8,960 do. do. 10,080 do.						100.00
do. 10,080 do. do. 11,200 do.						120.00
(6) Driving Permit	....	....	....	....	....	1.20
(7) Motor Omnibus Conductor's licence	....	....	....	....	....	1.20
(8) Registration of any motor vehicle or trailer (including certified extract)	....	....	....	....	....	4.80
(9) Certified extract of entry in motor vehicles register other than on registration	....	....	....	....	....	.24
(10) Any duplicate or copy of a licence or permit authorized or required to be issued	....	....	....	....	....	.24
(11) Examination of a driver under s. 36	....	....	....	....	....	1.20
(12) Certificate of competency under s. 36	....	....	....	....	....	1.20
(13) Annual Inspection of a motor vehicle	....	....	....	....	....	4.80
(14) Dealers' Licence	....	....	....	....	....	15.00
(15) Amendment of any register or licence on change of ownership	....	....	....	....	....	.24
(16) Any other amendment of any register or licence	....	....	....	....	....	.24

NOTE.—(1) Licences and permits are annual and expire on the 31st December following date of issue.

(2) Proportionate licence duties are payable as in section 19

(s. 44.)

2ND SCHEDULE.—SPEED LIMITS.

				Maximum Speed. Miles per hour.
1. Within the areas and on the roads specified in paragraph 2 hereof—				
(a)	Motor Omnibus and Goods Vehicles	....	....	20
(b)	Other motor vehicles except tractors	....	....	25
(c)	Tractor, with or without trailer	....	....	15
2.—				
(a)	The City of Port-of-Spain.			
(b)	The Borough of San Fernando.			
(c)	The Borough of Arima.			
(d)	Princes Town, Tunapuna, Couva, Sangre Grande, Scarborough, St. Joseph—as respectively defined in the 1st Schedule to the Liquor Licences Ordinance, 1933.			
(e)	The Long Circular Road and that portion of the Saddle Road in the County of St. George situated between its junction with the Circular Road and its junction with the Long Circular Road.			
(f)	The Western Main Road.			
(g)	That portion of the Eastern Main Road which passes through Tunapuna, situate between the Western terminus of the Tunapuna Railway Station Road and the El Dorado Road.			
(h)	The Tucker Valley Road, from Tucker Bay to Maqueripe Bay.			
(i)	That portion of the Eastern Main Road which passes through Guaico, Cunapo and Sangre Grande Villages, situated between 27½ miles (junction with the Guaico Railway Station Road) and 30¼ miles (Sangre Grande Bridge).			
(j)	That portion of the Southern Main Road which passes through Exchange, Alexander, and St. Andrews Villages in the Couva district, situated between 27.09 miles (junction with the Couva Main Road) and 28.26 miles (junction with the Couva River Bay Road).			
(k)	That portion of the Southern Main Road which passes through California Village, situated between the 29 and 29.61 miles.			
(l)	That portion of the Paria Main Road between Toco and Grande Riviere.			
3. On all roads in the Colony other than those specified in paragraph 2 of this Schedule :				
				Maximum Speed. Miles per hour.
(a)	Motor Omnibuses	....	....	25
(b)	Goods Vehicles, the licensed M.G.W. of which exceeds 2 tons	....	....	25
(c)	Goods Vehicles, the licensed M.G.W. of which does not exceed 2 tons	....	....	30
(d)	Goods Vehicles conveying loads of Petrol or Gasolene	....	....	20
(e)	Tractor, with or without trailer	....	....	20

3RD SCHEDULE.—REPEAL.

<i>Ordinance.</i>	<i>Short title.</i>	<i>Extent of Repeal.</i>
Cap. 274	....The Traffic Regulation Ordinance	The whole.
29 of 1931	....The Licensing of Vehicles Ordinance, 1931	The whole in so far as the provisions relate to motor vehicles.
30 of 1931	....The Motor Vehicles Ordinance, 1931	The whole.
37 of 1932	....The Licensing of Vehicles (Amendment) Ordinance, 1932.	The whole.

Passed in Council this fourteenth day of December, in the year of Our Lord one thousand nine hundred and thirty-four.

J. O'CONNOR,
Clerk of the Council.