

TRINIDAD AND TOBAGO.

No. 60.—1921.



I ASSENT,

*M. V. A. C.*  
Acting Governor.

22<sup>nd</sup> December, 1921.

AN ORDINANCE to amend the Licensing of Vehicles Ordinance, 1914.

[2<sup>nd</sup> January, 1922.]

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

1. This Ordinance may be cited as the Licensing of Vehicles (Amendment) Ordinance, 1921, and shall be read as one with the Licensing of Vehicles Ordinance, 1914, hereinafter called the Principal Ordinance. Short title. Construction. (Ord. 40—1914).

2. Section 2 of the Principal Ordinance is hereby amended as follows:— Interpretation.

(a.) The word "Trailer" shall be inserted after the words "Motor Omnibus" in the definition of "Vehicle."

[Price 4d.]

- (b.) The following shall be inserted after the definition of "Vehicle":—

"Trailer" means a vehicle (whether coming within the definition of Vehicle or not) trailed after or propelled by a motor car.

- (c.) The definition of "Carriage" shall read as follows:—

"Carriage" means any vehicle drawn by a horse or other animal and used or intended to be used for the conveyance of passengers.

- (d.) The definition of "Hackney Carriage" shall read as follows:—

"Hackney carriage" means any carriage used or intended to be used for the conveyance of passengers for hire or reward.

- (e.) The definition of "Motor Car," shall read as follows:—

"Motor Car," except in relation to the amount of duty payable under this Ordinance, includes all vehicles operated or propelled by any form of engine motor or mechanical power.

- (f.) The definition of "Motor Van, Motor Lorry" shall read as follows:—

"Motor Van, Motor Lorry," includes any motor car transporting or intended for the transport of goods or materials; or for hauling or intended for the haulage of any goods and materials or of any other vehicle so engaged.

- (g.) The definition of "Motor Omnibus" shall read as follows:—

"Motor Omnibus" means any motor car conveying or intended for the conveyance of passengers at separate fares, but does not include Tram Cars.

(h.) The definition of "Cart" shall read as follows:

"Cart" includes any cart, dray, van, wagon, truck or car drawn by a horse or other animal and used or intended to be used for the conveyance of any goods, wares, or other burden, article or thing whatsoever; and also any hearse or carriage used for conveying the dead.

(i.) The following shall be inserted after the definition of "Tram Car.":

"Maximum gross weight" in reference to any Motor Van, Motor Lorry or trailer means the combined weight of its chassis, body and load, and in reference to any Motor Omnibus means the combined weight of its chassis, body and number of persons to be carried. Provided that the weight of each person to be carried shall be taken as 126 lbs.

3. There shall be inserted between section 4 and section 5 Agricultural carts. of the Principal Ordinance the following additional section, viz. :—

4a. The owner of any cart licensed as an agricultural cart who for valuable consideration uses his cart or permits it to be used for carrying the produce or goods (not being sugar canes or pen manure) of any other person, shall be liable to a penalty not exceeding ten pounds.

4. In lieu of sub-section (1) of section 5 of the Principal Amendment of section 5 of the Principal Ordinance. Ordinance shall be inserted the following :—

(1.) Every licence granted under this Ordinance shall be in such form and shall be granted by such officer of a Licensing Authority as the Authority may direct, and every such licence shall commence on the day on which the same shall be granted and shall expire on the thirty-first day of December next following the date of its issue.

Licence  
duties.

5. There shall be paid to the Licensing Authority in respect of licences granted under the Principal Ordinance the duties specified in the First Schedule to the Principal Ordinance.

Provided that where a licence is taken out after the thirtieth day of June in any year, the duty payable shall be one-half the sum in such schedule opposite the description of vehicle for which the licence is granted.

Provided further that where the owner of any vehicle which has been duly licensed under the Principal Ordinance desires to take out in respect of such vehicle a licence for which a higher duty is payable he shall be required to pay for such licence only the difference between such higher annual duty and the amount of the duty already paid in respect of such vehicle, and if such licence is taken out after the thirtieth day of June in any year, he shall be required to pay only half such difference.

Change of  
ownership and  
transfer of  
licence.

6. In lieu of section 9 of the Principal Ordinance shall be inserted the following :—

9. Every licence shall be an authority only to the person named therein, but on a change of ownership of any vehicle, it shall be lawful for the Licensing Authority, on a requisition signed by the new owner, to transfer the licence to him for the unexpired period thereof.

The transfer may be made by endorsement on the licence, and for every such transfer there shall be paid to the Authority the sum of one shilling.

Licence plates  
for vehicles.

7.—(1.) The owner of every vehicle shall, immediately upon the grant to him of a licence under the Principal Ordinance, cause to be affixed and shall during the duration of the licence keep affixed to such part of his vehicle as may be prescribed by regulation under the Principal Ordinance a plate (in this Ordinance called a "licence plate") bearing the number and year of his licence.

(2.) The licence plate to be so affixed shall be of a different pattern or colour for each year and shall be provided annually by the Licensing Authority free of cost.

(3.) If the owner of any duly licensed vehicle desires to be furnished with a new licence plate, he shall on surrendering the old plate to the Licensing Authority, (or, if the licence plate be lost, on producing a statutory declaration to that effect), be entitled to be supplied with another licence plate on payment of its cost.

(4.) If any vehicle is kept or used without having a licence plate for the current year affixed thereto, the owner thereof and any person using the same shall each be liable to a penalty not exceeding twenty pounds.

8. Every vehicle kept in any premises shall in all proceedings under the Principal Ordinance or this Ordinance be deemed to be kept for use, until the contrary is proved by the owner of such vehicle. Burden of proof.

9. The requisition for a licence under the Principal Ordinance for a motor car shall, in addition to the particulars required by section 6 of that Ordinance, give the make, model and type of such motor car. Requisition for motor car licence to give make, etc., of car.

10. It shall be lawful for any Licensing Authority or any person authorised by a Licensing Authority before granting a licence to keep a motor car or trailer to require such motor car or trailer to be weighed by and at the expense of the owner in the presence of a person authorised by the Licensing Authority. Power for licensing authority to require motor car to be weighed.

11. Sub-section (2) of section 14 of the Principal Ordinance is hereby repealed and the following shall be inserted in lieu thereof:— Inspection of hackney carriages, horses and harness.

(2.) The inspection shall be made at such time and place as the Inspection Officer appoints, and if the carriage, horse and harness are not produced at the time and place appointed, the

owner thereof shall be liable to a penalty not exceeding five pounds, and the Licensing Authority of the particular district shall have power to suspend for such time as it deems proper the licence of such carriage.

Inspection of motor cars intended for hire.

12. There shall be inserted between sections 16 and 17 of the Principal Ordinance the following additional section namely:—

Ord. 36-1912.

16a. The provisions of sections 13 to 16 (both inclusive) shall apply to motor cars registered under any regulation for the time being in force under the Motor Car Ordinance, 1912, as being intended for use as public conveyances in like manner as those sections apply to hackney carriages, except that for references in the said sections to horses and harness used or intended to be used with a hackney carriage there shall be substituted references to the machinery used or intended to be used for the propulsion of such motor cars.

Amendment of s. 22 of Principal Ordinance.

13. Section 22 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:

Ord. 9-1918.

22. All penalties imposed by this Ordinance shall be recoverable before a magistrate in the manner provided by the Summary Conviction Offences (Procedure) Ordinance, 1918, and proceedings initiated by a licensing authority may be conducted by any person authorized by that authority, either generally or for any particular proceedings.

Extension of time for prosecuting.

14. The time within which the owner of a vehicle may be prosecuted under sub-section (1) of section 4 of the Principal Ordinance for using or keeping or allowing to be used or kept a vehicle without having the prescribed licence, whether before or after the commencement of this Ordinance, is hereby extended to two years from the date on which the offence was committed.

15. The First Schedule to the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

**FIRST SCHEDULE.**

	£	s.	d.
Carriages (other than a Hackney Carriage) per wheel		5	0
Hackney Carriage	1	5	0
Motor Car, not exceeding 1,600 lbs. in weight	2	0	0
do. exceeding 1,600 lbs., but not exceeding 2,600 lbs. in weight	3	10	0
do. exceeding 2,600 lbs., but not exceeding 3,600 lbs. in weight	6	10	0
do. exceeding 3,600 lbs. in weight	10	0	0
Motor Cab, not exceeding 1,600 lbs. in weight	3	5	0
do. exceeding 1,600 lbs., but not exceeding 2,600 lbs. in weight	4	15	0
do. exceeding 2,600 lbs., but not exceeding 3,600 lbs. in weight	7	15	0
do. exceeding 3,600 lbs. in weight	11	5	0
Motor Cycle		1	0
do. with car attached, when not used for industrial purposes		1	10
do. with car attached, when used for industrial purposes		2	10
Motor Van or Lorry or Omnibus, not exceeding 2 tons maximum gross weight	10	0	0
do. for each additional half ton up to 4 tons maximum gross weight	1	5	0
do. exceeding 4 tons but not exceeding 5 tons maximum gross weight	20	0	0
do. for each additional half ton exceeding 5 tons maximum gross weight	10	0	0
Trailers, not exceeding 2 tons maximum gross weight	10	0	0
do. for each additional half ton up to 4 tons maximum gross weight	1	5	0
do. exceeding 4 tons but not exceeding 5 tons maximum gross weight	20	0	0
do. for each additional half ton exceeding 5 tons maximum gross weight	10	0	0
Tram Car	10	0	0
Hand Cart		12	6
Cart drawn by one donkey		15	0
Agricultural Cart		1	5
Cart (other than hand cart or cart drawn by one donkey, or Agricultural Cart)	2	10	0
Bicycle or Tricycle		5	0

16. The Licensing of Vehicles (Amendment) Ordinance, 1915, (35-1915) the Licensing of Vehicles (Amendment) Ordinance, 1918; (5-1918) the Licensing of Vehicles Ordinance, 1919 (26-1919); the Licensing of Vehicles (Amendment) Ordinance, 1921 (32-1921), and the resolution of the Legislative Council of the 19th day of April, 1918, altering certain of the duties in the First Schedule to the Principal Ordinance, are hereby repealed.

17. This Ordinance shall commence on the second day of January, 1922.

Schedule of  
licence duties.

Repeal.

Commence-  
ment.

Passed in Council this sixteenth day of December,  
in the year of Our Lord one thousand nine hundred and  
twenty-one.

*John de Volunga*

*Acting Clerk of the Council.*

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