
Fourth Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 48 of 1979

[L.S.]

AN ACT to provide for the implementation of a new system of passenger service and for matters connected therewith.

[Assented to 27th December, 1979]

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows—
Short title	1. This Act may be cited as the Maxi-taxi Act, 1979.
Interpretation	2. In this Act—
Ch. 16. No. 3.	<p>“Administering Authority” or “Authority” means the Licensing Authority appointed in accordance with the provisions of section 4 of the Motor Vehicles and Road Traffic Ordinance for the registration, licensing and control of motor vehicles;</p> <p>“Advisory Committee” means the Committee appointed by the Minister under section 4;</p> <p>“maxi-taxi” means a public service motor vehicle with seating accommodation for not less than nine nor more than twelve passengers;</p> <p>“Minister” means the member of the Cabinet to whom responsibility for Transport and Communications is assigned;</p> <p>“permit” means a permit issued under subsection (1) of section 7;</p> <p>“system” means the maxi-taxi system.</p>
Administering Authority to implement and regulate system	<p>3. (1) The Administering Authority shall be charged with the responsibility for implementing and regulating the system.</p> <p>(2) In the exercise of its functions under subsection (1), the Authority shall collaborate with—</p> <ul style="list-style-type: none"> (a) the Advisory Committee; (b) the Police Department—Traffic Division; (c) the Transport Board; (d) the Highways Division; (e) the Public Transport Service Corporation; and (f) the Ministry for Legal Affairs.
Minister to appoint Committee	4. (1) The Minister shall appointed an Advisory Committee for the purpose of assisting the Authority in the exercise of its functions under this Act.

(2) The Committee shall consist of not more than seven persons who by their qualifications or experience, or both, are competent to assist the Authority in carrying out its functions.

(3) The Committee shall be paid such remuneration and allowances as may be determined by the President.

5. (1) The Authority shall determine the type of vehicle suitable for use as a maxi-taxi and in so doing shall take into account—

- (a) its safety as a public service vehicle;
- (b) the convenience and comfort of the passengers;
- (c) the availability of the vehicle as well as its spare parts in Trinidad and Tobago;
- (d) the facilities available for assembling the vehicle locally; and
- (e) such specifications of the vehicle as may be prescribed.

(2) The Authority shall by Notice published in the *Gazette* and in a daily newspaper circulated in Trinidad and Tobago publish the type of vehicle selected for use as a maxi-taxi.

6. (1) Subject to subsection (2) a person who is desirous of owning and operating a maxi-taxi may apply to the Authority for a permit so to do.

(2) An applicant for a permit shall be the holder of a valid taxi driver's licence and badge.

(3) An application shall be in the prescribed form and shall be accompanied by a certificate of good character.

7. (1) The Authority shall issue to an applicant a permit to own and operate a maxi-taxi where it is satisfied that he has complied with all the requirements of this Act and the regulations governing applications for such permits.

(2) A permit shall be subject to such conditions as may be prescribed and breach of any such condition may result in its revocation.

Repossessor
not in breach
of Act by not
being holder
of a permit

8. (1) Where, in exercise of powers contained in any hire-purchase agreement or mortgage bill of sale or other similar form of agreement or instrument, a maxi-taxi is repossessed, the reposessor shall not be in breach of any of the provisions of this Act by reason only of the fact that he is not the holder of a permit to own and operate a maxi-taxi.

(2) Subsection (1) shall not be construed as authorising the reposessor to use a maxi-taxi which has been repossessed as such a taxi unless—

- (a) he obtains the prior approval, in writing, of the Administering Authority to operate the vehicle on its usual route or a new route; or
- (b) he obtains the prior approval, in writing, of the Administering Authority to transfer the permit to operate the maxi-taxi to a person approved by the Authority.

(3) A reposessor who contravenes the provisions of subsection (2) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars and in the case of a continuing offence to a further fine of fifty dollars for each day during which the offence continues after conviction therefor.

Offence to
use maxi-taxi
for other
commercial
purposes

9. (1) A person to whom a permit is issued or a person by whom a maxi-taxi has been repossessed shall not, without the prior approval in writing of the Authority, use the maxi-taxi for commercial purposes, other than the transportation of passengers.

(2) A person who contravenes the provisions of subsection (1) is guilty of an offence and liable on summary conviction—

- (a) to a fine of five thousand dollars, where the contravention takes place within four years of the vehicle's first being registered as a maxi-taxi; or

(b) to a fine of one thousand dollars, where the contravention takes place after the expiration of the period referred to in paragraph (a).

(3) In addition to the penalty imposed by paragraph (a) of subsection (2) a person who is found guilty under that paragraph shall—

(a) have his permit revoked; and

(b) be liable for the repayment of an amount equivalent to the customs duty and the motor vehicles tax which would have been ordinarily payable.

(4) All sums payable under subsection (3) shall be recoverable summarily as a civil debt.

10. A person who continues to operate a maxi-taxi after his permit so to do has been revoked is guilty of an offence and liable on summary conviction to a fine of one thousand dollars and in the case of a continuing offence to a further fine of fifty dollars in respect of each day during which the offence continues after conviction therefor.

11. (1) No vehicle, other than a maxi-taxi may be painted or decorated in such a manner and in such a combination of colours as are likely to cause the vehicle to be mistaken for a maxi-taxi.

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to a further fine of twenty-five dollars for each day during which the offence continues after conviction therefor.

12. (1) The Authority may with the approval of the Minister make such regulations as it considers necessary for the operation of this Act and in particular may make regulations—

(a) prescribing all that is required by this Act to be prescribed;

(b) governing the criteria by which a permit to operate a maxi-taxi shall be issued;

- (c) specifying route areas;
- (d) governing the operation of maxi-taxis on route areas;
- (e) governing the allocation of maxi-taxis to specific route areas;
- (f) restricting the number of maxi-taxis to be allocated to a successful applicant;
- (g) pertaining to the colour in which a maxi-taxi may be painted.

(2) Regulations made under subsection (1) shall be subject to negative resolution of Parliament.

(3) Regulations made under subsection (1) may provide for a penalty of five hundred dollars for any breach thereof.

Passed in the House of Representatives this 24th day of December, 1979.

R. L. GRIFFITH
Acting Clerk of the House

Passed in the Senate this 14th day of December, 1979.

E. WILLIAMS
Acting Clerk of the Senate