
Third Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 14 of 1979

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

[Assented to 1st May, 1979]

ENACTED by the Parliament of Trinidad and Tobago as ^{Enactment}
follows:—

1. This Act may be cited as the Motor Vehicles and ^{short title}
Road Traffic (Amendment) Act, 1979,

Section 2 of
Ch. 16. No. 3
amended

2. Section 2 of the Motor Vehicles and Road Traffic Ordinance (hereinafter referred to as "the Ordinance") is amended by inserting in the appropriate alphabetical order the following:—

" "maxi-taxi" means a public service vehicle with seating accommodation for not less than nine nor more than twelve passengers;".

The Ordinance
amended

3. The Ordinance is amended by inserting immediately after section 7A the following new section:—

Ord. No. 35
of 1957

"Payment
of motor
vehicles
tax

7B. (1) Where motor vehicles tax is required to be paid on a motor vehicle, it shall be paid in the case of an imported motor vehicle by the importer of the vehicle and in the case of a locally assembled motor vehicle, by the assembler of the vehicle.

(2) Where a person who is required by this section to pay motor vehicles tax fails to do so, he is guilty of an offence and liable on conviction to a fine of one thousand dollars and to a further fine of one hundred dollars for each day that the motor vehicles tax remains unpaid after conviction.

Section 11(1) of
the Ordinance
amended

4. Section 11(1) of the Ordinance is amended by adding at the end of paragraph (c) the words "or in the case of an unlicensed vehicle, specified in the register of motor vehicles in respect of that vehicle".

Section 28 of
the Ordinance
amended

5. Section 28 of the Ordinance is amended—

Act No. 19
of 1978

(a) in subsection (1) by inserting immediately after the words "driving permit" occurring in lines three and four and line seven the words "for a motor vehicle of that class";

(b) by repealing and replacing subsection (2) with the following subsections:—

" (2) Notwithstanding subsection (1), for the purpose of learning to drive a motor vehicle of any class, a person (in this section referred to as "a learner") who is not the holder of a driving permit for a vehicle of that

class, may nonetheless drive a vehicle of such a class on a road, so long as he is the holder of a provisional permit issued for that class of motor vehicle by the Licensing Officer.

(2A) A learner who fails to comply with any condition attaching to or any restriction specified in his provisional permit is guilty of an offence and liable on conviction to the penalty prescribed in subsection (1) as if he were not the holder of a provisional permit and upon conviction the provisional permit shall be cancelled.”;

(c) in subsection (3)—

(i) by substituting for the words “learner’s permit” occurring in line one, the words “provisional permit”;

(ii) in paragraph (c) by substituting for the words “approved by the Licensing Officer and named in in the permit” occurring in lines four and five, the words “who is the holder of a driving permit for the class of vehicle that the learner is learning to drive and has been the holder of such a permit for the requisite period as specified in section 29A”;

(d) by inserting the following new subsection:—

“(3A) A provisional permit shall not be issued in respect of a motor vehicle in Class 4, 5, 6 or 7 unless the learner already holds a driving permit in respect of a motor vehicle in the next lower Class and has held such a permit for a period of not less than twelve months.”.

The Ordinance
amended

6. The Ordinance is amended by inserting immediately after section 29, the following new sections:—

“Driving
Instructors

29A. (1) A person who instructs a learner to drive a motor vehicle in Class 2, 3, 4 or 7 shall be the holder of a driving permit for that class of vehicle for a period of not less than three years.

(2) A person who instructs a learner to drive a motor vehicle in Class 5 or 6 shall be the holder of a driving permit for that class of vehicle for a period of not less than five years.

(3) A person who instructs a learner shall have with him at all times while in a vehicle instructing the learner, his driving permit in respect of the class of vehicle in which he is giving instruction.

Offences
of driving
instructor

29B. (1) A person who instructs a learner and who—

(a) is not the holder of a driving permit for the class of motor vehicle in which he is giving instruction; or

(b) is not the holder of a permit referred to in paragraph (a) for the period specified in section 29A; or

(c) is giving instruction to a learner who is driving a motor vehicle on a road and the learner is not the holder of a provisional permit for that class of vehicle,

is guilty of an offence and is liable on conviction to a fine of one thousand dollars.

(2) Upon conviction under this section, the Court may disqualify the offender from driving for a period not exceeding one year.”.

Section 31 of
the Ordinance
amended

7. Section 31 of the Ordinance is amended by adding immediately after subsection (2) the following new subsections:—

Act No. 20
of 1978

“ (3) Where the holder of a driving permit or provisional permit suffers the

loss of use of an eye or limb his permit is revoked and shall be returned to the Licensing Authority within three months of his suffering the disability.

(4) A person referred to in subsection (1) who notwithstanding his disability wishes to drive may claim to be subjected to a test as to his fitness to drive as is contemplated by subsection (1).

(5) A person who passes a test under this section shall be issued a driving permit or provisional permit, as the case may be, subject to such terms and conditions as the Licensing Officer may impose, and a permit so issued may be for a period of one year.

(6) Where a person who is the holder of a driving permit or provisional permit is advised by a registered medical practitioner that he is unfit to drive, by reason of some physical or mental incapacity, his permit is revoked and shall be returned forthwith to the Licensing Authority.

(7) Where the person referred to in subsection (6) wishes to resume driving upon the cesser of his incapacity, he may, having regard to the duration of his incapacity, be required by the Licensing Officer to be subjected to a driving test.

(8) A person who fails to comply with the requirements of this section relating to the return of his driving permit is guilty of an offence and liable on conviction to a fine of one hundred dollars and to a further fine of five dollars for each day the offence continues after conviction thereof."

8. Section 33 of the Ordinance is repealed and replaced as follows:—

Classes of vehicles

33. (1) For the purposes of this Part

Section 33 of the Ordinance repealed and replaced

there shall be the following classes of motor vehicles:—

- Class 1 Motor cycles
- Class 2 Wheel tractors
- Class 3 Light motor vehicles (including private motor cars, taxis with a tare weight not exceeding 5,000 lbs. and light goods vehicles not exceeding a maximum gross weight of 6,500 lbs.)
- Class 4 Heavy motor vehicles (including motor vehicles whose maximum gross weight exceeds 6,500 lbs. but does not exceed 33,600 lbs.)
- Class 5 Extra heavy motor vehicles (including motor vehicles whose maximum gross weight exceeds 33,600 lbs.)
- Class 6 Motor omnibuses.
- Class 7 Motor vehicles not specified in Classes 1 to 6.

(2) In this section "taxi" includes a "maxi-taxi."

Section 37 of the Ordinance repealed and replaced

9. Section 37 of the Ordinance is repealed and replaced as follows:—

"Colour classification of driving permits and provisional permits

37. Driving permits and provisional permits shall be in the prescribed form. Driving permits shall be classified by a colour indication to correspond with the class of vehicle in respect of which they are issued, as follows:—

- Class 1 Brown
- Class 2 White
- Class 3 Red
- Class 4 Yellow
- Class 5 Orange
- Class 6 Blue

Class 7 Pink, and provisional permits shall be colour classified, Green.”.

10. Section 39 of the Ordinance is repealed and replaced as follows:—

Section 39 of the Ordinance repealed and replaced

“Production of driving permit or provisional permit

39. (1) A person who drives or is in charge of a motor vehicle on any road or a learner who is in a motor vehicle on any road receiving instruction shall have on his person or in the motor vehicle for production as required by subsection (2) his driving permit or provisional permit as the case may be.

Act No. 21 of 1978

(2) A Transport Officer in uniform or a police officer in uniform may require any person referred to in subsection (1) to produce his driving permit or provisional permit for examination, in order 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.

(3) A person who fails to comply with the requirements of this section is guilty of an offence and liable on conviction to a fine of five hundred dollars.”.

11. The Ordinance is amended by inserting immediately after section 41 the following new section—

The Ordinance amended

“Expiration of provisional permit

41A. Unless previously suspended, cancelled or revoked by competent authority, a provisional permit shall expire at the end of one year from the date of issue.”.

Acts 8 and 19 of 1978

12. Section 56 of the Ordinance is repealed and replaced as follows—

Section 56 of the Ordinance repealed and replaced

“Power of Court to order disqualification from obtaining a driving permit and to cancel permit

56. (1) The Court before which a person is convicted of any offence in connection with the driving of a motor vehicle may in addition to any other penalty provided for such offence, order that the offender be disqualified for a stated period or permanently from obtaining a driving permit either generally or limited to the driving

of a motor vehicle of any particular class and where the offender holds a driving permit the Court shall require him to produce the permit and upon the making of an order of disqualification shall forfeit the permit and return it to the Licensing Authority.

(2) A person who is disqualified under this Ordinance from holding or obtaining a driving permit may, after the expiration of six months from the date of the disqualification, apply to the Court by which he was disqualified to remove the disqualification and the Court may, as it thinks proper, having regard to the character of the person disqualified and his conduct subsequent to the disqualification, the nature of the offence and any other circumstances of the case either by order remove the disqualification as from the date specified in the order or refuse the application.

(3) Where an application is refused under this section a further application shall not be entertained within six months of the date of the refusal.

(4) Particulars of a conviction or disqualification or of the removal of a disqualification under this Ordinance shall be furnished to the Transport Commissioner.

(5) The costs of any application referred to in this section may be borne in whole or in part by the applicant, as the Court may order.

(6) In this section "driving permit" includes a "provisional permit."

Section 58 of
the Ordinance
repealed and
replaced

13. Section 58 of the Ordinance is repealed and replaced as follows—

"Production
of offender's
Record of
Conviction

58. Where a person who holds a driving permit is convicted of an offence in connection with driving a motor vehicle,

the Court may in order to impose an appropriate penalty, require the Transport Commissioner to produce for its inspection the offender's Record of Conviction and the Transport Commissioner where so required shall furnish the Court with the offender's Record of Conviction or with a certified copy thereof."

14. The Ordinance is amended by repealing sections 63, 64 and 65. The Ordinance amended

15. Section 68 of the Ordinance is amended by substituting for the words "two hundred and forty dollars" occurring in line four the words "one thousand dollars". Section 68 of the Ordinance amended

16. The First Schedule to the Ordinance is amended— First Schedule to the Ordinance amended
 Act No. 15 of 1968 (a) by substituting for items 7 to 15 the following—

- "(7) (a) Driving Permit—
 three-year permit \$40.00
 one-year permit \$15.00
 (b) Duplicate of Driving Permit
 —\$5.00
 (8) Motor Omnibus conductor's licence—\$2.50
 (9) Registration of any motor vehicle or trailer (including certified extract)—\$10.00
 (10) Certified extract of entry in register of motor vehicles other than on registration—\$2.50
 (11) Any duplicate or copy of a licence or permit authorised or required to be issued—\$1.00
 (12) Examination of a driver under section 36—\$10.00
 (13) Certificate of competency under section 36—\$5.00

(14) Annual inspection—
of trailer—\$10.00
of motor vehicle—\$20.00

(i) Provided that a vehicle which has to be retested will pay 50 per cent of the Inspection fee (presently full fee is paid)

(ii) Provided further that for the first inspection of a new car which is to be used as a hiring car in the condition in which it was imported and unaltered, the fee shall be \$10.00

(15) Dealers licence—\$500.00.”;

(b) by deleting items (16) and (17);

G.N. No. 2
of 1963

(c) by amending item (20) by substituting for the words “50 cents” occurring in line three, the words “\$5.00”;

(d) by substituting for item (21) the following—

“(21) duplicate of permit referred to in item (20)—\$1.00.”;

(e) by adding the following new item—

“(22) Provisional permit or duplicate thereof—\$5.00.”.

Transitional

17. (1) Subject to section 31, upon the commencement of this Act—

(a) a person who is the holder of a learner’s permit, may continue to use that permit until it expires or until he becomes entitled to be issued a driver’s permit whichever happens first;

(b) a person who is the holder of a driving permit to drive a private motor car, is permitted to drive a Class 3 motor vehicle, save that in order to drive a taxi he is required to have in addition to the driving permit a taxi driver’s licence and badge;

(c) a person who is the holder of a driving permit to drive a heavy goods vehicle, is permitted to drive a Class 4 motor vehicle.

(2) A person who immediately before the commencement of this Act was the holder of a permit to drive a heavy goods vehicle and who during the currency of that permit used to drive any vehicle which under this Act is a Class 5 vehicle may continue to drive such a vehicle for a period not exceeding six months from the commencement of this Act, and shall upon production to the Transport Commissioner within that period, of satisfactory evidence of the fact of his driving such a vehicle, be issued the appropriate driving permit under this Act.

(3) Where a person referred to in subsection (2) fails to produce satisfactory evidence as required by that subsection, he shall be required to take and pass a driving test in order to be issued a driving permit for a Class 5 motor vehicle.

18. This Act is deemed to have come into operation ^{Commencement} on the 1st day of May, 1979.

Passed in the House of Representatives this 27th day of April, 1979.

J. E. CARTER
Clerk of the House

Passed in the Senate this 1st day of May, 1979.

R. GRIFFITH
Clerk of the Senate