Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 25, No. 235, 28th August, 1986

Fifth Session Second Parliament Republic of Trinidad and Tobago

REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 17 of 1986

[L.S.]

AN ACT to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50

[*Assented to 26th August, 1986*]

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

1. This Act may be cited as the Motor Vehicles and Road Traffic (Amendment) Act, 1986. Short title

The Motor Vehicles and Road Traffic Act amended Chap. 48:50

2. The Motor Vehicles and Road Traffic Act is amended—

(*a*) by inserting immediately after section 22, the following new section 22A:

"Police and Prison Service vehicles exempted from payment of fees

22A. (1) Notwithstanding anything contained in sections 21 and 22, the Licensing Authority without charging a fee, may, in such form as he may determine, grant permission to the Police or Prison Service for vehicles belonging to those Services and licensed as goods vehicles, to convey their personnel and persons in custody of the Police and Prison authorities.

(2) Notwithstanding the provisions of this Act station wagons or estate cars however registered may be used for the purpose of carrying passengers.

(3) Section 22(1) shall not apply to—

(*a*) Police and Prison Service vehicles;

(*b*) station wagons and estate cars however registered.";

(*b*) by inserting immediately after section 43 the following new section:

"Private motor cars and certain other vehicles to be fitted with seat belts

43A. (1) Every:

(*a*) private motor car,

(*b*) public service vehicle, and

(*c*) goods vehicle,

not exceeding a maximum tare weight of 3,000 kilograms, subject to such exemptions as may be prescribed, brought into, or assembled in Trinidad and Tobago shall, before such motor vehicle is registered, be fitted with a seat belt for the driver and for every

passenger who may occupy a front seat of such vehicle and such seat belt shall form an integral and not an optional part of the vehicle.

(2) The seat belt referred to in subsection (1), shall be so designed as to provide restraint for both upper and lower parts of the trunk of the wearer and shall be of the type prescribed—

(*a*) by reference to design, construction or other quality;

(*b*) by reference to different classes of vehicles, different descriptions of persons and different circumstances, save that in a motor vehicle authorised to carry two passengers in the front the seat belt affixed to the middle front seat need not provide restraint for the upper part of the trunk of the wearer.

(3) The Licensing Authority shall, before the registration of any motor vehicle referred to in subsection (1), satisfy himself that the provisions of that subsection and of any regulation made in pursuance of subsection (2) have been complied with and may refuse to register any motor vehicle which in his opinion fails to satisfy all or any of those requirements.

Certain motor vehicles to be equipped with seat belts

43B. (1) Every person who is the registered owner of any motor vehicle referred to in subsection (1) of

section 43A shall have such motor vehicle fitted with seat belts of the type referred to in subsection (2) of section 43A.

(2) The registered owner of a motor vehicle referred to in subsection (1) who contravenes the provisions of that subsection is guilty of an offence and liable on summary conviction for a first offence to a fine of one thousand dollars and on any subsequent conviction to a fine of two thousand dollars.

Wearing of seat belts compulsory

43C. (1) The driver and every passenger sixteen years of age or more occupying a front seat in any motor vehicle referred to in subsection (1) of section 43A shall wear a seat belt while the motor vehicle is in motion.

(2) Any person who contravenes the provisions of subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

(3) A person shall not be convicted under this section if he proves that at the material time he held a valid certificate signed by a legally qualified medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt.

(4) The Minister may make regulations exempting persons from the provisions of subsection (1).

Liability of driver when a child is in front seat

43D. (1) The driver of a motor vehicle referred to in subsection (1) of section 43A shall not without

reasonable excuse drive such motor vehicle while there is in the front seat of the motor vehicle a child of more than two years and less than sixteen years of age who is not wearing a seat belt.

(2) The driver of a motor vehicle who contravenes the provisions of subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

(3) The driver of a motor vehicle shall not be guilty of an offence under this section if he proves that the child not wearing a seat belt held a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for the child to wear a seat belt.";

(*c*) by inserting therein immediately after section 56, the following new section:

"Exemption in case of valid driving permit held elsewhere

56A. (1) Notwithstanding section 42(1) the holder of a valid driving permit issued in any country referred to in subsection (2) shall, whilst such permit remains valid, be exempted for a period of three months from the date of his arrival in Trinidad and Tobago from any requirement to hold a driving permit issued under this Act to drive in Trinidad and Tobago; but he shall only be entitled to drive in Trinidad and Tobago a motor vehicle of the class for which he is authorised to drive by the permit of which he is the holder.

(2) The Minister may by Notice published in the *Gazette* specify the countries to which subsection (1) applies.

(3) The holder of a valid driving permit referred to in subsection (1) who drives or is in charge of a motor vehicle on any road shall have such driving permit on his person or in the motor vehicle together with any travel document on which is certified his date of arrival in Trinidad and Tobago for production as required by subsection (4).

(4) A Transport Officer in uniform or a police officer may require the person referred to in subsection (3) to produce his driving permit together with the travel document on which is certified his date of arrival in Trinidad and Tobago for examination in order to ascertain the validity of the permit and his entitlement to drive in Trinidad and Tobago.

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

(6) In this section "valid driving permit" includes a valid driving licence or a valid certificate of competence to drive a motor vehicle issued in any country specified by the Minister under subsection (2).";

(*d*) in section 62(2), by substituting for the word "Board" occurring in line one, the word "Minister";

(*e*) in section 64(1)(*b*), by substituting for the word "Board" occurring in line four, the word "Minister";

(*f*) in section 64(10), by substituting for the word "Board" occurring in line three, the word "Minister";

(*g*) in section 65(1), by substituting for the word "Board" occurring in line one, the word "Minister";

(*h*) in section 67(4) by deleting the words "or by the Transport Board" and the words "or the Board" occurring in lines three and four respectively;

(*i*) by deleting in section 101 the words "102 to 106" and substituting therefor the words "43A, 43C and 102 to 106";

(*j*) by deleting item (4)(*a*) of the heading to the First Schedule and substituting therefor the words "Station Wagons or Estate Cars however registered and Private Motor Cars"; and

(*k*) by adding at the end of the First Schedule the following—

"NOTE—For the purposes of this Schedule an estate car or station wagon is not a goods vehicle.".

Commencement

3. Sections 43A, 43B, 43C and 43D of the Motor Vehicles and Road Traffic Act, as enacted by section 2(*b*) of this Act, shall come into operation on such day or days as the President by Proclamation may appoint.

Passed in the Senate this 15th day of July, 1986.

M. CARRINGTON
Acting Clerk of the Senate

Passed in the House of Representatives this 8th day of August, 1986.

J. E. CARTER
Clerk of the House

GOVERNMENT PRINTERY, TRINIDAD, TRINIDAD AND TOBAGO—1986