
Second Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 25 of 1997

[L.S.]

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

[Assented to 16th September 1997]

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, 1997.

Interpretation
Chap. 48:50

2. In this Act, "the Act" means the Motor Vehicles and Road Traffic Act.

Section 2 amended

3. Section 2 of the Act is amended—

(a) by inserting after the definition of "agricultural trailer" the following new definitions:

" "approved form" means the form approved under section 4A of the Act;

"certificate" means the certificate approved under section 4A of the Act;"

(b) in the definition of Assistant Transport Commissioner by—

(i) deleting the words "Automotive Officer" and substituting the words "Automotive Licensing Officer"; and

(ii) inserting before the word "registration" the word " , licensing.";

(c) in the definition of "Borough of Arima", by deleting the words "section 7 of the Arima Corporation Ordinance" and substituting the words "the First Schedule to the Municipal Corporations Act";

(d) by deleting the definition of "Borough of San Fernando"; and

(e) by deleting the definition of "City of Port-of-Spain" and substituting the following definitions:

" "City of Port-of-Spain" means the City of Port-of-Spain as defined in the First Schedule to the Municipal Corporations Act, 1990;

"City of San Fernando" means the City of San Fernando as defined in the First Schedule to the

Act No. 21 of 1990

Municipal Corporations Act,
1990;”;

(f) by inserting after the definition of “Motor Vehicles Inspector” the following new definition:

“ “Municipal Corporation” means a municipal or regional corporation established under the Municipal Corporations Act, 1990;”.

4. Section 4 of the Act is amended by deleting subsections (2), (3) and (4) and substituting the following subsections: Section 4 amended

“ (2) Notwithstanding anything to the contrary in this Act, any reference to an Assistant Transport Commissioner, Automotive Licensing Officer, Motor Vehicles Inspector, Motor Vehicles Officer and Motor Vehicles Supervisor is a reference to a Transport Officer and the functions or powers specified in relation to such Officer shall be performed by a Transport Officer.

(3) Transport Officers shall be under the direction of the Transport Commissioner who may assign such officers as may be necessary to such localities and to perform such duties as he directs for the purposes of the Act.”.

5. The Act is amended by inserting after section 4 the following new section: Section 4A inserted

“Minister to
approve
forms,
certificates
and
procedures
for
registration
of vehicles

4A. The Minister shall approve in writing, forms, certificates and procedures required by the Licensing Authority for the registration of all motor vehicles and trailers.”.

6. The Act is amended by repealing section 8.

Repeal of section 8

7. Section 10 of the Act is amended by inserting after the word “necessary” the following words: Section 10 amended

“for the Transport Officer to satisfy himself of the vehicle’s roadworthiness and the driver’s general compliance with the Act”.

Section 11 amended

8. Section 11 of the Act is amended by—

(a) repealing subsections (1) and (2) and substituting the following subsection:

“ (1) The Licensing Authority shall cause registers of motor vehicles to be kept in the manner he directs.”; and

(b) renumbering subsection (3) as subsection (2).

Section 12 amended

9. Section 12 of the Act is amended—

(a) in subsection (1) by deleting the words “and has affixed thereto in the prescribed manner the prescribed identification mark” and substituting the words “according to the procedures required by the Licensing Authority”;

(b) in subsection (3) by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”;

(c) in subsection (4) by deleting the words “in the prescribed form”;

(d) in subsection (5) by deleting the words “provided by this section” and substituting the words “required by the Licensing Authority”;

(e) in subsection (7) by deleting the words “An Automotive Licensing Officer” and substituting the words “A Transport Officer”.

Section 13 amended

10. Section 13 of the Act is amended—

(a) by repealing subsection (1) and substituting the following new subsection:

“ (1) Before registering any motor vehicle the Transport Officer shall verify all the particulars in the approved form and may inspect any

- motor vehicle in accordance with the direction of the Transport Commissioner for the purpose of ensuring that it conforms with the requirements of the Act and the purpose for which it is sought to be registered.”;
- (b) in subsection (2) by deleting the words “Automotive Licensing Officer shall ascertain in the manner prescribed” and substituting the words “Transport Officer shall ascertain”;
- (c) by deleting subsection (3) and substituting the following new subsection:

“ (3) If any owner of a motor vehicle or trailer is aggrieved at the outcome of any inspection required under subsection (1) he may appeal to the Licensing Authority who may review the outcome of that inspection and direct that the requirements of the Transport Officer are either unreasonable or that such requirements shall be enforced.”.

11. Section 15 of the Act is repealed and replaced as Section 15 amended follows:

“Cancellation
of
registration

15. (1) The registration of a motor vehicle shall remain valid so long as the vehicle is kept in use and shall only be cancelled where the Licensing Authority is satisfied that—

- (a) the vehicle has been destroyed;
- (b) the vehicle has been rendered permanently unserviceable;
- (c) the vehicle has been permanently removed from Trinidad and Tobago;

(d) section 23(1) has been contravened; or

(e) a transaction in respect of the vehicle was effected under a misrepresentation of the information required for the purposes of the transaction.

(2) The owner of a motor vehicle which has been destroyed, rendered permanently unserviceable or has been permanently removed from Trinidad and Tobago shall notify the Licensing Authority, in writing, within one month of such event and an owner who fails to notify the Authority commits an offence.

(3) Prosecution of an offence under subsection (2), may be instituted at any time within two years of the commission of the offence.

(4) Where the Licensing Authority cancels a registration under subsection (1), the Authority shall notify the owner in writing.

(5) Where the owner of a motor vehicle is aggrieved by the decision of the Licensing Authority to cancel his registration, he may appeal to the Board.”.

Section 16 amended **12.** Section 16 of the Act is amended in subsection (2), by deleting the words “or any City or Borough Council” and substituting the words “or any municipal corporation”.

Section 19 amended **13.** Section 19 of the Act is amended—

(a) in subsection (1), by deleting from paragraph (b) the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and

(b) in subsection (3) by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”.

14. The Act is amended by inserting after section 25 ^{Act amended} the following sections:

“Licensing
Authority may
designate
premises

26. (1) For the purpose of the inspection of motor vehicles or trailers for roadworthiness, the Licensing Authority may designate premises not being under the control of the Authority where such vehicles may be examined by persons not in the employ of the Authority and further the Authority may authorise such persons to issue the approved certificate.

(2) A designation may be subject to such conditions as may be determined by the Licensing Authority.

(3) A current list of designated premises shall be published in the *Gazette* and at least one daily circulating newspaper.

Cancellation
or refusal of
registration

27. (1) Where a Transport Officer certifies in writing that the motor vehicle or trailer is so constructed or is in such a condition as to constitute a health, safety or environmental hazard to any person travelling in the vehicle or to other members of the public or is injurious to the roads or contravenes the Act, the Licensing Authority may cancel a motor vehicle registration or trailer registration or refuse to renew such registration.

(2) An owner of a motor vehicle or trailer in respect of which the registration is cancelled or for which the issue or renewal of the registration is refused may appeal to the Transport Board.

Amendment of
Register and
Certificate of
Registration

28. On transfer of ownership of a motor vehicle or trailer, the Transport Officer shall, on payment of the prescribed fee, duly amend the register and the certificate of registration.”.

Section 34 amended

15. Section 34 of the Act is amended—

- (a) by deleting the words “An Automotive Licensing Officer” and substituting the words “A Transport Officer”;
- (b) by deleting the word “prescribed” occurring in line three and substituting the word “approved”; and
- (c) by deleting the words “which may from time to time be prescribed” and substituting the words “for the purposes of the Act”.

Section 35 amended

16. Section 35 of the Act is amended by deleting the word “prescribed” and substituting the word “approved”.

Section 36 amended

17. Section 36 of the Act is amended by—

- (a) deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and
- (b) deleting the word “prescribed” and substituting the word “approved”.

Section 37 amended

18. Section 37 of the Act is amended—

- (a) in subsection (1) by deleting the words “An Automotive Licensing Officer” and substituting the words “A Transport Officer”;
- (b) in subsection (2) by deleting the words “The Automotive Licensing Officer” and substituting the words “The Transport Officer”; and

- (c) in subsection (3) by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”.

19. Section 38 of the Act is amended by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”. Section 38 amended

20. Section 40 of the Act is amended—

Section 40 amended

- (a) in subsection (1), by deleting the words “in the prescribed” and substituting the word “approved”; and
- (b) in subsection (2), by deleting the words “Automotive Licensing Officer” wherever they occur and substituting the words “Transport Officer”.

21. Section 41 of the Act is amended—

Section 41 amended

- (a) in subsection (1), by deleting the words “as may be prescribed” and substituting the words “as the Licensing Authority determines”;
- (b) in subsection (2), by deleting the words “as may be prescribed” and substituting the words “as the Licensing Authority determines”; and
- (c) in subsection (4), by deleting the words “in the prescribed manner”.

22. Section 42 of the Act is amended—

Section 42 amended

- (a) in subsection (1), by deleting the words “a driving permit” wherever it occurs and substituting the words “a valid driving permit”;
- (b) in subsection (2), by—
- (i) deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and

(ii) deleting the words “a driving permit” and substituting the words “a valid driving permit”;

(c) in subsection (4), by—

(i) deleting the words “Automotive Licensing Officer” wherever they occur and substituting the words “Transport Officer”; and

(ii) by deleting the words “a driving permit” occurring in paragraph (c) and substituting the words “valid driving permit”.

Section 43A amended **23.** Section 43A of the Act is amended by inserting the following new subsection:

“ (4) The Minister may make regulations for the purposes of subsection (2).”.

Section 44 amended **24.** Section 44 of the Act is amended in subsection (1) by deleting the words “an Automotive Licensing Officer” and substituting the words “a Transport Officer”.

Section 45 amended **25.** Section 45 of the Act is amended in subsections (1) and (2), by deleting the words “a driving permit” wherever they occur and substituting the words “a valid driving permit”.

Section 46 amended **26.** Section 46 of the Act is amended in subsection (1)(a), by deleting the words “a driving permit” and substituting the words “a valid driving permit”.

Section 47 amended **27.** Section 47 of the Act is amended—

(a) in subsection (1) by deleting the words “An Automotive Licensing Officer” and substituting the words “A Transport Officer”;

- (b) in subsection (3) by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and
- (c) in subsection (4), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”.

28. Section 48 of the Act is amended—

Section 48 amended

- (a) in subsection (1), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”;
- (b) in subsection (6), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and
- (c) in subsection (8), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”.

29. Section 49 of the Act is amended—

Section 49 amended

- (a) by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and
- (b) by deleting the words “such form as may from time to time be prescribed” and substituting the words “the approved form”.

30. Section 50 of the Act is amended by deleting the figures “15240” and substituting the figures “15000”. Section 50 amended

31. Section 54 of the Act is amended by deleting the word “prescribed” and substituting the word “approved”. Section 54 amended

32. Section 55 of the Act is amended in subsection (2), by deleting the words “in the prescribed manner”. Section 55 amended

33. Section 56 of the Act is amended in subsection (2), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”. Section 56 amended

Section 61 amended

34. Section 61 of the Act is amended—

(a) in subsection (1), by deleting the words “Automotive Licensing Officer” and substituting the words “Transport Officer”; and

(b) in subsection (3), by deleting the words “an Automotive Licensing Officer” and substituting the words “a Transport Officer”.

Section 62 amended

35. Section 62 of the Act is amended in subsection (7), by deleting from the definition of “built-up area” the words “Borough of San Fernando” and substituting the words “City of San Fernando”.

Section 97 amended

36. Section 97 of the Act is amended—

(a) in subsection (1) by—

(i) deleting the word “licensed” occurring in line two and substituting the word “registered”; and

(ii) deleting the word “licence” occurring in line six and substituting the word “registration”; and

(b) in subsection (3) by deleting the words “granting a licence” and substituting the word “registration”.

Section 99 amended

37. Section 99 of the Act is amended by deleting the words “appointed by the President by Notice in the *Gazette* to act as a Motor Vehicles Inspector for the purpose of this Act” and substituting the words “appointed by the Public Service Commission, in the exercise of its power under the Constitution, as a Transport Officer”.

38. Section 100 of the Act is amended—

Section 100 amended

(a) by deleting the words “the President” and substituting the words “The Minister”; and

(b) by deleting the full stop at the end of paragraph (p) and substituting a semi-colon and adding the following new paragraphs:

“(q) health, safety or environmental matters with respect to the registration of motor vehicles or trailers including the prescribed vehicle emissions, use of unleaded fuels, and vehicle specifications for motor vehicles or classes of motor vehicles for the purpose of registration;

(r) passenger transport.”.

39. The Act is amended by repealing section 101.

Section 101 repealed

40. Section 102 of the Act is amended in subsection (1), Section 102 amended by deleting the words “section 101” and substituting the words “section 100”.

41. Section 103 of the Act is amended by deleting Section 103 amended from subsection (1), the words “section 101” and substituting the words “section 100”.

42. Section 104 of the Act is amended by deleting Section 104 amended from subsection (1), the words “section 101” and substituting the words “section 100”.

43. Section 105 of the Act is amended by deleting Section 105 amended from subsection (1), the words “Regulations under section 101 may make provision” and substituting the words “The Minister may make regulations”.

Section 106 amended

44. Section 106 of the Act is amended by—

- (a) deleting the words “section 101” and substituting the words “sections 100, 102, 103 and 104”; and
- (b) deleting the words “seven hundred and fifty dollars” and substituting the words “fifteen hundred dollars”.

Validation

45. All acts and things purported to be done, between October 01, 1996 and the commencement of this Act, in exercise of the powers conferred on the Licensing Authority by virtue of this Act, are hereby deemed to have been lawfully and validly done as although this Act was already in force during that period.

Passed in the Senate this 13th day of May, 1997.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 8th day of August, 1997.

J. SAMPSON
Clerk of the House

House of Representatives amendment agreed to by the Senate this 12th day of August, 1997.

N. COX
Clerk of the Senate