

*Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 39,
No. 132, 6th July, 2000*

Fifth Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 22 of 2000

[L.S.]

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

[Assented to 30th June, 2000]

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) (No. 2) Act, 2000.

Interpretation
Chap. 48:50

2. In this Act the expression “the Act” means the Motor Vehicles and Road Traffic Act.

Section 70 amended

3. Section 70 of the Act is amended—

(a) in subsection (1) by deleting the words “two thousand dollars and to imprisonment for six months and on any subsequent conviction to a fine of four thousand dollars and to imprisonment for twelve months” and substituting the words “eight thousand dollars and to imprisonment for three years and on any subsequent conviction to a fine of fifteen thousand dollars and to imprisonment for five years”; and

(b) in subsection (2) by deleting the words “twelve months” and substituting the words “three years”.

Section 71 repealed
and substituted

4. The Act is amended by deleting section 71 and substituting the following:

“Causing
death by
dangerous
driving

71. (1) Any person who causes the death of another person by driving a motor vehicle dangerously on a road, commits an offence and is liable on conviction on indictment to imprisonment for fifteen years.

(2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of fifteen years from the date of the conviction from holding or obtaining a driving permit, and on a second conviction for a like offence he shall be permanently disqualified from holding or obtaining a driving permit.

(3) Any constable may arrest without warrant the driver of any motor vehicle who commits an offence under this section within his view, if he refuses to give his name and address, or if the constable has reason to believe that the name or address so given is false, or if the motor vehicle does not bear an identification plate.”.

5. The Act is amended by inserting after section 71 Sections 71A and 71B inserted the following sections:

“Dangerous
driving

71A. (1) A person who drives a motor vehicle dangerously on a road commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for five years.

(2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction from holding or obtaining a driving permit, and on a third conviction for a like offence he shall be permanently disqualified from holding or obtaining a driving permit.

(3) Section 71(3) shall apply where an offence is committed under this section.

71B. (1) For the purposes of sections 71 Interpretation and 71A a person is to be regarded as driving dangerously if—

(a) the way in which he drives falls below what would be expected of a competent and careful driver; and

(b) it would be obvious to a competent and careful driver that driving in that way would be dangerous.

(2) A person is also to be regarded as driving dangerously for the purposes of sections 71 and 71A if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous. In determining the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.

(3) In subsections (1) and (2) “dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of those subsections what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he would be expected to be aware but also to any circumstances shown to have been within the knowledge of the driver.”.

Section 73 amended

6. Section 73 of the Act is amended by deleting the words “to reckless or dangerous driving” and substituting the words “dangerous driving or causing death by dangerous driving”.

Section 81 amended

7. Section 81 of the Act is amended by deleting the word “71” and substituting the word “71A”.

Passed in the Senate this 14th day of December,
1999.

N. COX

Clerk of the Senate

Passed in the House of Representatives this 1st day
of May, 2000.

J. SAMPSON-JACENT

Clerk of the House

