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Third Session Second Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 3 of 1984**

[L.S.]

AN ACT to amend the Motor Vehicles and Road Traffic  
(Enforcement and Administration) Act, 1978.

*[Assented to 11th April, 1984]*

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

1. This Act may be cited as the Motor Vehicles Short title  
and Road Traffic (Enforcement and Administration)  
(Amendment) Act, 1984.

Act No. 18 of  
1978 amended

## 2. The Motor Vehicles and Road Traffic (Enforcement and Administration) Act is amended as follows—

(a) in section 2 by—

Chap. 4:20 (i) substituting for the words “Summary Courts Ordinance” occurring in the fifth line of this section and wherever they occur in the Act the words “Summary Courts Act”;

(ii) repealing the definition of the word “constable” and replacing it as follows—

“‘constable’ includes—

Chap. 15:01 (i) a Police Officer as defined in the Police Service Act;

Chap. 48:50 (ii) a Transport Officer as defined in the Motor Vehicles and Road Traffic Act;

(iii) estate constables in the employment of the Corporations listed in the Second Schedule.”

(iii) inserting immediately after the definition of the word “proceedings” a definition of the words “registered owner” as follows—

Chap. 48:50 “registered owner” means a person in whose name a vehicle is registered under the Motor Vehicles and Road Traffic Act.

(b) in section 3 by—

(i) inserting immediately after the word “notice” occurring in the seventh line of subsection (1) the word “or”;

(ii) renumbering subsection (2) to

read (2)(a) and by introducing a new paragraph (b) of this subsection as follows—

“(b) A notice issued under paragraph (a) shall charge the person liable or presumed to be liable with the commission of the offence, and notify him that a complaint will be made against him in respect thereof and shall require him either to pay the fixed penalty within the time specified in the notice, or to appear at the court specified in the notice on the day and at the hour stated therein to answer the complaint.”;

- (iii) inserting immediately after the last word occurring in subsection (3) the words “and the constable shall forthwith send by registered mail a copy of the notice to the registered owner of the vehicle.”;
- (iv) inserting immediately after subsection (4) a new subsection (5) as follows—

“(5) A notice is deemed from the expiration of the time specified therein for the payment of the fixed penalty to be a summons that is duly issued and properly served under the Summary Courts Act on the person liable or presumed

to be liable for the offence and that compels him to appear in court to answer the complaints.”

(c) in section 5 by—

(i) renumbering subsection 5(1) to read 5(1)(a) and by introducing new subparagraphs (b) and (c) immediately after paragraph 5(1)(a) as follows—

“(b) The fixed penalty may be paid to the Clerk—

(i) at the office of the Clerk;

(ii) at the Licensing Office;

(iii) at the District Revenue Office,

of the district in which the offence is alleged to have been committed;

(c) Payment of the fixed penalty shall be accompanied by the notice completed by the driver or registered owner in the manner prescribed.”;

(ii) by repealing and replacing subsection (2) as follows—

(2) The time within which the fixed penalty is payable shall be fourteen days from the date of the notice, and where payment reaches

(a) the Clerk

(b) the Licensing or District Revenue Office of the district in which the offence is alleged to have been committed after that

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time, it shall not be receivable and shall be returned to the sender.

- (iii) inserting a new subsection (3) as follows—

“ (3) The fixed penalty may be paid by transmitting the same by registered post properly addressed to the Clerk at his office and the date of the registration shall be deemed to be the date on which the payment reaches the Clerk.”;

- (iv) by renumbering subsection (3) to read subsection (4);  
(v) by amending the marginal note to read “Payment of fixed penalties.”;

- (d) in section 7 by repealing and replacing it in the following manner—

“Prosecution precluded

7. (1) Where payment of the fixed penalty is made at the Licensing Office or District Revenue Office, returns of the payments shall be sent to the Clerk by the Transport Commissioner or District Revenue Officer at the end of each week.

(2) The Transport Commissioner or District Revenue Officer shall cause payments to be recorded on the returns within two weeks from the date on which the payment was made.

(3) The returns shall contain—

- (a) the name of the alleged offender;  
(b) the offence for which he was charged;  
(c) the amount of the fixed penalty paid;  
(d) the date on which the fixed penalty was paid.

(4) Proceedings in respect of an offence deemed to be instituted by the notice shall not be listed for hearing in Court unless a period of two months has elapsed from the last day on which the fixed penalty is payable, and the Clerk has no record that the fixed penalty was paid.

(5) A fixed penalty paid under this Act shall be dealt with in the same manner as payment of a fine imposed for an offence under the Summary Courts Ordinance.”;

(e) in section 11(1) by repealing and replacing it as follows—

“Amendment  
of Schedule

11. (1) The President may from time to time by Order—

- (a) add any offence to the First Schedule and prescribe in respect of that offence a penalty not exceeding four hundred dollars;
- (b) remove any offence from the First Schedule;
- (c) add to or remove from the Second Schedule the name of any Corporation;
- (d) alter the fixed penalty for any offence so however that the penalty as altered does not exceed four hundred dollars”.

(f) in the Schedule to the Act by adding immediately before the word Schedule appearing at the Heading, the word “First”;

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(g) by introducing immediately after the First  
Schedule a Second Schedule as follows—

“SECOND SCHEDULE

Airports Authority  
Public Transport Service Corporation.”.

Passed in the Senate this 20th day of December,  
1983.

R. L. GRIFFITH  
*Clerk of the Senate*

Passed in the House of Representatives this 17th  
day of February, 1984.

J. E. CARTER  
*Clerk of the House*