

**MOTOR VEHICLES AND ROAD TRAFFIC
(ENFORCEMENT AND ADMINISTRATION) ACT**

CHAPTER 48:52

Act

18 of 1978

Amended by

179/1979

222/1979

3 of 1984

67/1984

77/1984

177/1987

20 of 2000

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
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CHAPTER 48:52

**MOTOR VEHICLES AND ROAD TRAFFIC
(ENFORCEMENT AND ADMINISTRATION) ACT**

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 48:52

MOTOR VEHICLES AND ROAD TRAFFIC
(ENFORCEMENT AND ADMINISTRATION) ACT

18 of 1978. **An Act to provide for the punishment of motor vehicle and road traffic offenders without the necessity for a Court appearance, and matters incidental thereto.**

Commencement. [1ST MAY 1979]
50/1979.

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

Interpretation. **2.** In this Act—
[3 of 1984
20 of 2000]. “Clerk” and “Court” have the meanings respectively assigned to those expressions by section 2 of the Summary Courts Act;
Ch. 4:20. “constable” includes—

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

Ch. 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; and

(iv) a traffic warden;

“driver”, “road” and “vehicle”, have the meanings respectively assigned to those expressions by section 2 of the Motor Vehicles and Road Traffic Act;

“fixed penalty” means the penalty prescribed under section 6;

“notice” means a notice issued under section 3 and includes duplicate of such notice;

First Schedule. “offence” means an offence listed in the First Schedule, being an offence created by or under the written law specified therein;

“owner” has the meaning assigned to that expression by section 2 of the Motor Vehicles and Road Traffic Act;

“proceedings” means proceedings by complaint before a Magistrate;

“The Licensing Authority” has the meaning assigned to it by section 2 of the Motor Vehicles and Road Traffic Act;

“traffic” has the meaning assigned to it by section 2 of the Motor Vehicles and Road Traffic Act;

“traffic warden” has the meaning assigned to it by section 2 of the Motor Vehicles and Road Traffic Act.

3. (1) Where a constable has reason to believe that an offence has been or is being committed, it shall be lawful for him to give to the driver a notice charging him with the commission of such offence, and requiring 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 said offence charged.

Constable may give or affix notice. [3 of 1984, 20 of 2000].

(2) (a) Subject to this section, where a constable finds a vehicle on any occasion and has reason to believe that an offence is being or has been committed in respect of that vehicle, the constable may affix a notice to any part of the vehicle where the notice may easily be seen; and a notice so affixed shall for the purposes of this Act be deemed to have been given to the person liable for the offence, and notwithstanding any law to the contrary, the owner of such vehicle shall, for the purposes of the proceedings instituted by the notice, be presumed to be the person liable for the offence.

(b) A notice issued under paragraph (a) shall charge the person liable or presumed to be liable with the commission of the offence, 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 offence charged.

(3) Where a constable intends to proceed under subsection (1) or (2), the notice shall be given or affixed on the

occasion when he had reason to believe that the offence was committed and the constable shall forthwith send by registered mail a copy of the notice to the owner of the vehicle.

(4) The constable shall send to the Clerk, in the district in which the offence is alleged to have been committed, a duplicate of the notice.

Ch. 4:20. (5) The notice given or affixed or sent under this section deemed to be a complaint within the meaning of section 33 of the Summary Courts Act.

(6) Notwithstanding any written law to the contrary, the notice referred to in subsection (5) is, from the expiration of the time thereon specified for the payment of the fixed penalty, deemed to be a summons issued in accordance with section 42 and served in accordance with section 43, respectively, of the Summary Courts Act.

(7) Notwithstanding any provisions of this Act or any written law to the contrary, a person who pays a fixed penalty before the expiration of the time specified for the payment thereof, may in the prescribed form, appeal to the Magistrate in the district in which he paid the fixed penalty in respect of the offence for which he was charged.

(8) Where in an action referred to in subsection (7) the Court decides in favour of the appellant, the amount representing the fixed penalty paid by the appellant shall be refunded to him.

Particulars to be specified in notice

4. A notice given or affixed under section 3 shall be signed by the constable and shall specify—

- (a) the date, time and place of the giving or affixing of the notice;
- (b) the section of the written law creating the offence alleged, and such particulars of the offence as are required for proceedings under the Summary Courts Act;
- (c) the time within which the fixed penalty may be paid in accordance with section 5(2);

- (d) the amount of the fixed penalty;
- (e) the Clerk to whom, and the address at or to which the fixed penalty may be paid or remitted;
- (f) the address of the Court at which the person is required to appear in the event of his failure to pay the fixed penalty within the specified time, and the date and time of such appearance.

5. (1) Where a notice has been given under section 3, the driver or the owner of the vehicle, as the case may be, may, subject to subsection (2), pay the fixed penalty in accordance with the notice.

Payment of fixed penalties. [20 of 2000].

(2) Payment of the fixed penalty shall be made to the Clerk having jurisdiction in the district in which the offence is alleged to have been committed.

(3) The time within which the fixed penalty is payable shall be fourteen days from the date of the notice, and where payment reaches the Clerk after that time, it shall not be receivable and shall be returned to the payer.

(4) Payment of the fixed penalty shall be accompanied by the notice completed by the driver or the owner as the case may be, in the manner prescribed.

(5) Where the fixed penalty is duly paid in accordance with the notice, no person shall then be liable to be convicted of the offence in respect of which the notice was given.

(6) 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 Act.

Ch. 4:20.

6. The fixed penalty for an offence shall be the amount specified in the third column of the First Schedule for that offence.

Amount of fixed penalty payable. First Schedule.

7. Proceedings in respect of an offence deemed to be instituted by a notice under this Act shall not be listed for hearing in Court unless—

Non-listing of proceedings. [20 of 2000].

- (a) a period of two months has elapsed from the last

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day on which the penalty is payable and the Clerk has no record that the fixed penalty was paid in accordance with section 5(3); and

- (b) in respect of a notice issued under section 3(2)(a), the Clerk has been furnished by the constable, or the Licensing Authority with such information on the owner of the vehicle as would have been furnished to the Clerk had the notice been issued under section 3(1).

Certificate of payment or non-payment of fixed penalty.

8. In any proceedings, a certificate that payment of a fixed penalty was or was not made to the Clerk by a date specified in the certificate shall, if the certificate purports to be signed by the Clerk, be sufficient evidence of the facts stated, unless the contrary is proved.

Consequence of failure to pay or to appear.

9. Where the fixed penalty is not paid within the time specified in the notice, proceedings in respect of the offence specified in the notice shall proceed in the manner prescribed by the Summary Courts Act.

Ch. 4:20.

Unauthorised removal of or interference with notice.

10. A notice affixed to a vehicle under section 3(2) shall not be removed or interfered with except by or under the authority of the driver of the vehicle or the person liable for the offence in question; and any person contravening this section is liable on summary conviction to a fine of one thousand dollars.

Amendment of First and Second Schedules. [3 of 1984 20 of 2000].

- 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.

(2) In subsection 1(a), “offence” means an offence against any written law relating to the use of vehicles on roads and punishable on summary conviction.

(3) In relation to the system of awarding penalty points referred to in section 86A(2) of the Motor Vehicles and Road Traffic Act, the President may alter the number of penalty points for any offence so however that the penalty points for any offence do not exceed thirty points. Ch. 48:50.

12. The President may by Regulations make provision as to any matter incidental to the operation of this Act, and in particular— Regulations.

- (a) for prescribing the form of notice; and
- (b) for prescribing the duties of Clerks and the information to be supplied to them.

13. Regulations and Orders made under this Act shall be subject to negative resolution of Parliament. Regulations and orders subject to negative resolution.

(Sections 6 and 11).
 [20 of 2000].

FIRST SCHEDULE

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
1.	Defaced or defected identification plate	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 7	60.00	3
2.	Using vehicle for a purpose other than that for which it is registered	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 8	150.00	20
3.	No identification plate fixed to the front or back of vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 9	150.00	20
4.	No identification lights on vehicles at night	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 10	60.00	3
5.	Number of passengers to be carried not printed on right front door of taxi	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 17(a)	60.00	3
6.	Vehicle with defective brakes	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(f)(v)	150.00	20
7.	No Tare and M.G.W. painted on vehicles	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(h)	200.00	30

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
8.	Vehicle with defective fittings	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(i)	\$ 90.00	5
9.	Vehicle without Silencers or fitted with cut-outs	Motor Vehicles and Road Traffic Regulations Ch.48:50, Regulation 28(j)	60.00	3
10.	Unauthorised lights to front or rear of vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(k)	150.00	20
11.	Unauthorised letters and figures on vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(l)	150.00	20
12.	Vehicle without two head lamps	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(m)(i)	200.00	30
13.	Vehicle without park lights	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(m)(ii)	200.00	30
14.	Vehicle without tail lights	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(m)(iii)	200.00	30

LAWS OF TRINIDAD AND TOBAGO

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<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
15.	Vehicle with unauthorised spot or swivel lights	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 28(m)(iv)	200.00	30
16.	No “left hand drive” notice affixed to appropriate vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 31(2)	60.00	3
17.	Reversing on roads for an unreasonable distance	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 1	150.00	20
18.	Reversing at the junction of roads or around corner in the City of Port-of-Spain or San Fernando	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 1	200.00	30
19.	Quitting vehicle before applying brakes and switching off engine	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 3	200.00	30
20.	Failing to keep vehicle to left on road	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(1)	150.00	20

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
21.	Improper overtaking on the left side of road	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(3)	200.00	30
22.	Obstructing overtaking traffic	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(4)	200.00	30
23.	Improper overtaking on the right cutting in	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(5)	200.00	30
24.	Overtaking traffic at a place dangerous to do so	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(6)	200.00	30
25.	Parking within nine metres of a corner	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(10)	60.00	3
26.	Drawing up alongside another vehicle; backing motor vehicle to kerb or roadside	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(11)	60.00	3

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<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
27.	Parking within three metres of a fire hydrant	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 5(12)	\$ 60.00	3
28.	Parking within three metres of the frontage of a fire station	Motor Vehicles and Road Traffic Regulations Ch. 48:50, Regulation 38, Rule 5(13)	200.00	30
29.	Negligently or wilfully interrupting the free passage or causing an unnecessary obstruction	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 6	120.00	10
30.	Failing to draw up as close as possible to the side of the road	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 11	60.00	3
31.	Vehicle without horn	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 12(1)	60.00	3
32.	Permitting excess sparks, smoke or visible vapour to come from vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 13	200.00	30

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
33.	Vehicle carrying excessive projection	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 15	150.00	20
34.	Overcrowded vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 16	150.00	20
35.	Carrying persons in a dangerous manner	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 17	150.00	20
36.	Leaving broken-down vehicle on road unattended	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 18	200.00	30
37.	Failing to draw up vehicle for passage of fire engine	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 19	200.00	30
38.	Towing other than a motor vehicle without written permission of the Licensing Authority	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 20	120.00	10

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<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
39.	Length of tow rope exceeding five metres	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 38, Rule 21	\$ 90.00	5
40.	Vehicle without reflecting mirror	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 40	150.00	20
41.	Vehicle carrying unsecured load	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 42	150.00	20
42.	Use of noisy vehicle	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 43	60.00	3
43.	Use of vehicles with defective tyres	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 44(1)	200.00	30
44.	Use of vehicle with no windshield wiper or defective wiper	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 46	60.00	3
45.	Playing a musical or noisy instrument in a vehicle without permission of the Licensing Authority	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 49	200.00	30

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
46.	Driving vehicle on footpath or pavement	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 57	200.00	30
47.	Public Service vehicle without spare tyre	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 76(j)	150.00	20
48.	Public Service vehicle— importuning of passenger	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 78	150.00	20
49.	Taxi Driver unsuitably attired	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 79	150.00	20
50.	Placing advertisement on side window of taxi	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 80	60.00	3
51.	Taxi unattended at head of taxi stand	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 81(2)	120.00	10
52.	Statement of fares undisplayed in taxi	Motor Vehicles and Road Traffic Regulations, Chap. 48:50, Regulation 83(1)	60.00	3

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
53.	Failing to occupy vacant space in taxi stand	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 94(2)	150.00	20
54.	Parking in a public stand appointed for taxi	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 95	150.00	20
55.	Failing to display taxi driver's badge	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 111(4)	90.00	5
56.	Failing to preserve taxi driver's badge against loss, destruction or defacement	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 115	60.00	3
57.	Failing to produce taxi driver's badge and licence on demand	Motor Vehicles and Road Traffic Regulations, Ch. 48:50, Regulation 115	90.00	5
58.	Using a motor vehicle or trailer for a purpose not authorised by the registration	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 21(1)(b)	90.00	5
59.	Public service vehicle carrying excess passengers	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 21(1)(c)	150.00	20

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
60.	Goods vehicle carrying excess weight	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 21(1)(c)	150.00	20
61.	Use of motor vehicle under dealer's licence by a person other than the dealer	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 39	200.00	30
62.	Riding Motor Cycle without safety helmet	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 43 (1)	90.00	5
63.	Exceeding the specified speed limit	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 62(1)	200.00	30
64.	Breach of Traffic Order made by the Transport Board	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 65(1)	60.00	3
65.	Failing to comply with directive of a police constable	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 66(a)	200.00	30
66.	Failing to comply with a traffic sign (excluding an electric automatic signal) or notice authorised by the Licensing Authority or Commissioner of Police respectively	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 66(b)	200.00	30

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
67.	Failing to comply with an electric automatic signal (traffic light)	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 66(b)	200.00	30
68.	Contravention of Traffic Order made by the Commissioner of Police	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 68(7)	150.00	20
69.	Breach of Knox Street parking restriction	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 69(1)(a)	200.00	30
70.	Breach of parking restriction made by the Minister	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 69(1)(b)	150.00	20
71.	Motor Cyclist holding on to another moving vehicle	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 77(2)(a)	150.00	20
72.	Motor Cyclist riding with no hands on the handle bar	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 77(2)(b)	150.00	20
73.	Throwing or distributing advertisements or handbills from a vehicle	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 78(1)	60.00	3
74.	Standing for hire at a place not appointed for the purpose	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 91(3)	150.00	20

<i>No.</i>	<i>Offence</i>	<i>Enactment</i>	<i>Fixed Penalty</i>	<i>Penalty Points to be Awarded</i>
			\$	
75.	Unauthorised parking on grounds of public building	Motor Vehicles and Road Traffic Act, Ch. 48:50, section 107(1)	150.00	20
76.	Use of Priority Bus Route by unauthorised vehicle	Motor Vehicles and Road Traffic Act, Experimental Traffic (Priority Bus Route) Regulations, Ch. 48:50, Regulation 3	200.00	30
77.	Unauthorised driving or parking within Queen's Park Savannah	Queen's Park Act, Ch. 41:04, Regulation 1A	200.00	30
78.	Operation of maxi-taxis outside specified route	Maxi-taxi Act, Ch. 48:53, Regulation 7(1)	200.00	30
79.	Vehicle painted in such a manner as to be mistaken for a maxi-taxi	Maxi-taxi Act, Ch. 48:53, section 12(1)	200.00	30

Section 2.
[3 of 1984
177/1987].

SECOND SCHEDULE

Airports Authority.

Public Transport Service Corporation.

The Chaguaramas Development Authority.

The National Hospital Management Company Limited.

SUBSIDIARY LEGISLATION

**MOTOR VEHICLES AND ROAD TRAFFIC
(FIXED PENALTY) REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Definition.
3. Form of notice.
4. Affixing of notice.
5. Copies of notice to be transmitted.
6. Destruction of completed notice books.
7. Payment of fixed penalty.
8. Receipt to be issued.
9. Where fixed penalty is not paid.
10. Attendance in the Magistrate's Court.
11. Assignment of estate constables.

SCHEDULE.

[Subsidiary]

45/1979.
[66/1984
76/1984].

**MOTOR VEHICLES AND ROAD TRAFFIC
(FIXED PENALTY) REGULATIONS**

made under section 12

Citation. **1.** These Regulations may be cited as the Motor Vehicles and Road Traffic (Fixed Penalty) Regulations.

Definition. **2.** In these Regulations, “the Act” means the Motor Vehicles and Road Traffic (Enforcement and Administration) Act.

Form of notice. Schedule. **3.** A notice under the Act shall be in the form set out in Part I of the Schedule and shall be completed by the constable in quadruplicate at the time of the affixing of the notice.

Affixing of notice. [76/1984]. Schedule. **4.** (1) Where a constable affixes a notice on a motor vehicle he shall also place on its windshield a sticker in the form set out in Part II of the Schedule and such sticker shall bear the serial number of the notice, the date of the commission of the alleged offence and the amount of the fixed penalty.

(2) Where a person is in doubt as to whether or not a notice had been affixed to his motor vehicle, he may seek to ascertain the true position by consulting the police station or the Licensing Office or the District Revenue Office nearest to the area in which the offence is alleged to have been committed, or any other police station in the vicinity of the said area.

Copies of notice to be transmitted. [76/1984]. **5.** Where a notice is given or affixed under the Act the constable shall—

(a) as soon as practicable thereafter but in any case not later than the date prescribed in the notice for the payment of the fixed penalty, submit a copy thereof to the Clerk as required by section 3(4) of the Act; and

(b) immediately after his return to the station or office to which he is attached, submit a copy of the notice to the officer in charge of that station or office, to be kept there for the purpose of record,

and the remaining copy shall be retained in the notice book from which the notice was issued.

6. Except where the notice book issued to him for the purposes of these Regulations contains a notice that relates to proceedings that have not yet been determined, a police officer of the rank of at least Inspector or the Transport Commissioner may, after the expiration of two years from the date of the issue, destroy the notice book.

Destruction of completed notice books. [76/1984].

7. (1) (a) Payment of a fixed penalty may be made personally or through an agent, and shall be accompanied by the notice.

Payment of fixed penalty. [76/1984].

(b) Where the alleged offender is not in possession of the notice and paragraph (a) cannot be fully complied with, the person liable to pay the fixed penalty shall appear personally to make the payment.

(2) The Clerk shall as soon as practicable after receipt of payment return to the sender the amount remitted in every case where—

- (a) the notice does not accompany the payment of the fixed penalty as required by section 7(2) of the Act and the Clerk is unable to identify the notice;
- (b) payment is remitted otherwise than by certified cheque, bankers draft, postal order or money order; or
- (c) the amount paid or remitted is less than the amount of the fixed penalty.

(3) Where the sum remitted is in excess of the fixed penalty the Clerk shall, as soon as practicable after receipt of the remittance, return to the sender the amount paid in excess of the fixed penalty.

(4) In this regulation “Clerk” includes the Transport Commissioner and the District Revenue Officer.

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*Motor Vehicles and Road Traffic
(Enforcement and Administration)*

[Subsidiary]

Motor Vehicles and Road Traffic (Fixed Penalty) Regulations

Receipt to
be issued.

8. Subject to these Regulations, the Clerk, Transport Commissioner or District Revenue Officer shall as soon as practicable after payment of the fixed penalty has been received, cause to be issued to the payer a receipt in respect of the payment.

Where fixed
penalty is
not paid.
[76/1984].

9. Where payment of the fixed penalty is not made during the period specified for payment, the Clerk shall so inform—

(a) in respect of offences committed in Trinidad, the First Division Police Officer in Trinidad designated for the purpose by the Commissioner of Police or the Transport Commissioner as may be necessary; and

(b) in respect of offences committed in Tobago, the First Division Police Officer in Tobago designated for the purpose by the Commissioner of Police, or the Transport Commissioner as may be necessary.

Attendance in
the Magistrate's
Court.
[76/1984].
Schedule.

10. The person liable to pay the fixed penalty is in default of payment summoned to attend the Magistrate's Court, on the date and at the time specified in Part I of the Schedule, as a defendant in the matter in respect of which the notice was issued.

Assignment
of estate
constables.
[76/1984].

11. For the purposes of these Regulations an estate constable shall be assigned to a police station in such a division as the Commissioner of Police may determine.

SCHEDULE

Regulation 3.
[76/1984].

PART I

REPUBLIC OF TRINIDAD AND TOBAGO

(Note: It is an offence for anyone other than the person liable for the undermentioned offence to remove or interfere with this notice without authority).

**THE MOTOR VEHICLES AND ROAD TRAFFIC (ENFORCEMENT
AND ADMINISTRATION) ACT**

NOTICE OF OPPORTUNITY TO PAY FIXED PENALTY

Take Notice that I
(Number, Rank and Name of Constable)

have reason to believe that you
(Name of alleged offender)

of the holder of driving permit
(Address of alleged offender)

number have committed an offence the
(Driving Permit Number)

particulars of which are written overleaf in respect of Motor Vehicle
Number
(Registration Number)

The fixed penalty for the offence is
(Penalty in words and figures)

If this amount is paid to the Clerk of the Peace within fourteen (14) days from the date of the notice, no proceedings will be taken and any liability to conviction for the offence will be discharged.

In paying the fixed penalty the following conditions shall be observed:

- (1) The fixed penalty shall be accompanied by this Notice.
- (2) Where payment of the fixed penalty is not made in conformity with the Regulations, the payment shall be returned to the alleged offender and, thereafter, proceedings against him shall begin.
- (3) Payment of the fixed penalty shall be made or remitted to the Clerk of the Peace at—
 - (a) The Office of the Clerk of the Peace

.....

28 **Chap. 48:52** *Motor Vehicles and Road Traffic*
(Enforcement and Administration)

[Subsidiary] *Motor Vehicles and Road Traffic (Fixed Penalty) Regulations*

(b) The Licensing Office

.....

(c) The District Revenue Office

.....

Should you fail to pay the fixed penalty you are hereby summoned to attend the Magistrate’s Court on the day of 20..... at 9.00 o’clock in the forenoon at the undermentioned address as the defendant in the matter in respect of which this notice was issued:

.....
(State name and address of Court)

This notice was given/affixed at
(State location)

on 20..... at a.m./p.m.
(State date) *(State time)*

PARTICULARS OF OFFENCE

At a.m./p.m. on the day of 20..... at you
(Description of offence)

contrary to
(State provision contravened)

.....
Signature of Constable

PART II

**MOTOR VEHICLES AND ROAD TRAFFIC
(FIXED PENALTY) REGULATIONS**

Registration Number of Vehicle

Serial Number of Notice

Date and Name of Offence

Amount of Penalty

A notice was affixed to this vehicle by

No. Rank Name

of Police Station or Licensing Office.

.....
Signature of Constable
