

- (a) the age or physical or mental condition of persons driving the vehicle;
- (b) the condition of the vehicle;
- (c) the number of persons that the vehicle carries;
- (d) the weight or physical characteristics of the goods that the vehicle carries;
- (e) the times at which or the areas within which the vehicle is used;
- (f) the horse-power or value of the vehicle;
- (g) the carrying on the vehicle of any particular apparatus;
- (h) the carrying on the vehicle of any particular means of identification other than any means of identification required to be carried by this Act; or
- (i) persons named in the policy who may or may not drive a vehicle,

1983-30.

1984-41.
S.I. 1985
No. 95.

is void as respects the liabilities required to be covered by a policy under section 38(1).

(2) Nothing in this section requires an insurer to pay any amount in respect of the liability of any person otherwise than in or towards the discharge of that liability, and any amount paid by an insurer in or towards the discharge of any liability of a person covered by the policy by virtue only of this section is recoverable by the insurer from that person.

49. Any contract for the conveyance of a passenger in a motor vehicle in which passengers are carried for hire or reward is void in so far as it purports to negative or to restrict the liability of any person in respect of any claim that may be made against that person in respect of the death of, or bodily injury to, the passenger being carried in or upon, or while entering or getting on to or alighting from, the motor vehicle, or purports to impose any conditions with respect to the enforcement of any such liability.

Avoidance
of con-
tracts so
far as re-
strictive in
respect of
death or
injury to
passengers.

Duty of persons against whom claims are made to give information as to insurance.

50. (1) A person against whom a claim is made in respect of any liability and who is required to be covered by a policy under section 38(1) shall, on demand by or on behalf of a person making a claim, state whether or not he was insured in respect of that liability by any policy having effect for the purposes of this Act or would have been so insured if the insurer had not avoided or cancelled the policy, and, if he was or would have been so insured, should give such particulars with respect to that policy as were specified in the certificate of insurance issued in respect thereof.

1983-30.

(1A) An insurer who has issued a policy of insurance to a person who is required to be insured under a policy of insurance by virtue of section 37(1), shall on demand by or on behalf of a person making a claim, supply a copy of the policy or of the certificate of insurance issued to the insured.

1983-30.

(2) Any person who, without reasonable excuse, fails to comply with this section or wilfully makes any false statement in reply to a demand made under subsection (1) or (1A) is guilty of an offence.

Duty to surrender certificate of cancellation of policy.

51. (1) Where a certificate of insurance has been issued under section 38(7) in favour of the person by whom a policy has been effected and the policy is cancelled by mutual consent or by virtue of any provision in the policy, the person to whom the certificate was issued shall, within 7 days from the taking effect of the cancellation, surrender the certificate to the insurer, or, if it has been lost or destroyed, make and deliver to the insurer an affidavit sworn before a Justice of the Peace to that effect, and if he fails so to do he is guilty of an offence.

(2) Where a certificate of insurance is not surrendered in accordance with subsection (1), the insurer shall immediately give notification of that fact to the Supervisor of Insurance, the Commissioner of Police and the Licensing Authority.

(3) An insurer who without reasonable excuse fails or refuses to comply with subsection (2) or section 51A(2) is guilty of an offence.

51A. (1) Without affecting or limiting the operation of section 51(2) all insurers shall send written notification of

Special
duties of
insurer.

(a) all policies or certificates that have not been renewed or that have been cancelled; and

1983-30.

(b) all vehicles that have been accepted as total losses.

to the Supervisor of Insurance, the Commissioner of Police and the Licensing Authority.

(2) Notification

(a) for the purposes of paragraph (a) of subsection (1) shall be given within 15 days after the end of the month in which the expiry or cancellation occurred; and

1998-34.

(b) for the purposes of paragraph (b) of subsection (1) shall be given within 15 days of the acceptance of a total loss.

51B. No vehicle that has been accepted by an insurer as a total loss may be licensed by the Licensing Authority unless a certificate of road worthiness is issued in respect of that vehicle by a person approved by the Chief Technical Officer.

Certificate
of road
worthiness.

52. The provisions of sections 43, 47, 48, 50 and 51 apply in relation to securities having effect for the purposes of this Act as they apply in relation to policies of insurance, and in relation to securities, references in those provisions to being insured, to a certificate of insurance, to an insurer, and to persons insured shall be construed respectively as references to the having in force of the security, to the certificate of security, to the giver of the security, and to the persons whose liability is covered by the security.

Application
of sections
43, 47, 48,
50 and 51 to
securities.

53. (1) Where medical or surgical treatment or examination is immediately required as a result of bodily injury, including fatal injury to any person caused by, or arising out of, the use of a motor vehicle on a public road, and the treatment or examination so required, in this section referred to as emergency treatment, is effected by a medical practitioner, the person who was using the vehicle at the time of the event out of which the bodily injury arose shall, on a claim being made

Payments
and
insurance in
relation to
emergency
treatment of
injuries.

in accordance with section 55, pay to the practitioner, or, where emergency treatment is effected by more than one medical practitioner, to the medical practitioner by whom it is first effected,

- (a) such amount in respect of each person in whose case the emergency treatment is effected by him; and
- (b) such amount in respect of any distance in excess of 2 kilometers which he must cover in order to proceed from the place whence he is summoned to the place where the emergency treatment is carried out by him and to return to the first-mentioned place,

as the Minister may, by order, prescribe.

(2) Where emergency treatment is first effected in a hospital, the provisions of subsection (1) with respect to the payment of a fee, so far as applicable, have effect with the substitution of references to the hospital for references to a medical practitioner.

(3) Liability incurred under this section by a person using a vehicle, shall, where the event out of which the liability was incurred was caused by the wrongful act of another person, be treated for the purposes of any claim to recover damages by reason of that wrongful act as damage sustained by the person using the vehicle.

(4) In section 38(1), reference to liability in respect of death or bodily injury shall be deemed to include a reference to liability to make a payment under this section in respect of emergency treatment required as a result of bodily injury; but subsection (2) of that section is not to be construed as having effect as respects liability to make a payment under this section.

54. (1) Subject to subsection (2), where a payment, other than a payment under section 53 is made, whether or not with an admission of liability by an insurer or by the owner of a vehicle,

Payment for
hospital
casualties.

- (a) in respect of the death of, or bodily injury to, any person arising out of the use of a motor vehicle on a road; and
- (b) the person who has so died or been bodily injured has to the knowledge of the insurer or owner, as the case may be,

received treatment at a hospital, whether as an in-patient or as an out-patient, in respect of the injury so arising, the insurer or owner shall pay the expenses reasonably incurred by the hospital in affording the treatment, after deducting from the expenses any moneys actually received in payment of a specific charge for the treatment, not being moneys received under any contributory scheme.

(2) The amount to be paid shall not exceed \$1 000 for each person treated as an in-patient, or \$100 for each person treated as an out-patient.

(3) For the purposes of this section "expenses reasonably incurred" means

- (a) in relation to a person who receives treatment at a hospital as an in-patient, an amount for each day he is maintained in the hospital representing the average daily cost, for each in-patient, of the maintenance of the hospital and the staff thereof and the maintenance and treatment of the in-patients therein; and
- (b) in relation to a person who receives treatment at a hospital as an out-patient, reasonable expenses actually incurred.

55. (1) The Commissioner shall, if requested by a person who alleges that he is entitled to claim a payment under section 53, furnish to that person any information at his disposal as to the identification marks of any motor vehicle which that person alleges to be a vehicle out of the use of which the bodily injury arose, and as to the identity and address of the person who was using the vehicle at the time of the event out of which it arose.

Claims for payment for emergency treatment.

(2) A claim for a payment under section 53 may be made at the time when the emergency treatment is effected, by oral request to the person who was using the vehicle, and if not so made, must be made by request in writing served on that person within 7 days from the day on which the emergency treatment was effected.

(3) A request in writing must be signed by the claimant, or, in the case of a hospital, by an executive officer thereof, and must contain the name and address of the claimant, the circumstances

in which the emergency treatment was effected, and that it was first effected by the claimant, or, in the case of a hospital, in the hospital.

(4) A request in writing may be served by delivering it to the person who was using the vehicle, or by sending it in a prepaid registered letter addressed to him at his usual or last known address.

(5) An amount payable under section 53 is recoverable in civil proceedings as a debt due from the person who was using the vehicle to the medical practitioner, or to the Crown where the amount is payable to the hospital.

(6) A payment made under section 53 to a practitioner or hospital operates as a discharge, to the extent of the amount paid, of any liability of the person who was using the vehicle, or of any other person, to pay any amount in respect of the expenses or remuneration of the practitioner or hospital of or for effecting the emergency treatment.

(7) A payment under section 53 is not a payment by an insurer or owner for the purposes of section 38.

Deposits.

56. No part of any amount deposited by any person with the Accountant-General under this Act is, so long as any liabilities, being such liabilities as are required to be covered by a policy of insurance under this Act, which have been incurred by him, have not been discharged or otherwise provided for, applicable in discharge of any other liabilities incurred by him.

Forgery
etc., of
certificates.

57. (1) Any person who, with intent to deceive,

(a) forges, alters, uses or lends to or allows to be used by any other person a certificate of insurance or certificate of security under this Act; or

(b) makes or has in his possession any document so closely resembling such a certificate as to be calculated to deceive,

is guilty of an offence.

- (2) A person guilty of an offence under subsection (1) is liable
- (a) on conviction on indictment to imprisonment for 2 years; or
- (b) on summary conviction to a fine of \$1 000 or to imprisonment for 6 months, or both.

(3) Any person who for the purpose of obtaining the issue of a certificate of insurance or of a certificate of security under this Act makes any false statement or withholds any material information is liable to a fine of \$500 or to imprisonment for 6 months, or both.

(4) Any person who issues a certificate of insurance or certificate of security which is to his knowledge false in any material particular is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for 6 months, or both.

(5) Where any member of the Police Force has reasonable cause to believe that any certificate of insurance or certificate of security produced to him in pursuance of this Act by the driver of a motor vehicle is a document in relation to which an offence under this section has been committed, he may seize the document, and, where any document is so seized, the person from whom it was seized shall, unless the document has been previously returned to him or he has previously been charged with an offence under this section, be summoned before a magistrate's court to account for his possession of the document, and the court shall make such order respecting the disposal of the document, and award such costs, as it considers proper.

58. The driver of any motor vehicle who commits an offence under this Act or the regulations and fails to give his name and address, or gives a false name or address, is guilty of an offence under this Act.

Refusal to give name and address or giving false name or address.

59. (1) Any person who contravenes this Act or any regulations made under this Act is guilty of an offence and, unless a penalty is otherwise specifically provided, is liable on summary conviction to a fine of \$500 or to imprisonment for a period of 3 months or to both.

Offences and general penalty.
1990-35

(2) Where a person is required under this Act or the regulations to do or to abstain from doing any act or thing and fails to comply with the requirement, a magistrate may, on convicting that person,

in addition to any other penalty which he imposes, order the person to comply with the requirements and annex to the order such condition as to time or mode of action or otherwise as he considers necessary to enforce compliance therewith.

(3) Any person who fails to comply with an order of a magistrate made under this section may, in the discretion of the court, be ordered to pay a sum of \$10 for every day during which he fails to comply with the order, or to be imprisoned until he complies with the order.

(4) A person is not, for the purposes of subsection (3), liable to the payment of any sum amounting in the aggregate to more than \$500 or to imprisonment for any periods amounting in the aggregate to more than 3 months in addition to any other fine or term of imprisonment to which he may otherwise be liable.

Offences
triable
summarily.

60. Save as otherwise expressly provided, all offences under this Part are triable summarily.

Adminis-
tration.
Cap. 310.
1983-30.

60A. (1) The Supervisor of Insurance within the meaning of the *Insurance Act* is responsible for the administration of this Part and may in the exercise of his functions request information from an insurer.

(2) In this Part, unless the context otherwise requires, "Minister" means Minister responsible for Finance.

PART V

Driving Licence

Driving
without a
licence.

61. (1) Subject to section 63, no person shall drive a motor vehicle of any class or description on a road unless he is the holder of a driving licence authorising him to drive a motor vehicle of that class or description.

(2) No person shall employ or permit any person to drive a motor vehicle of any class or description on a road unless the person he employs or permits to drive such motor vehicle is the holder of a valid driving licence authorising him to drive a motor

vehicle of that class or description.

(3) Any person who contravenes this section is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

62. A person shall not drive on a road a motor vehicle of any class or description if he is under such age as the Minister by order prescribes and different ages may be prescribed in respect of different vehicles or different classes of vehicles. Minimum age for driving.

63. (1) A person who is not the holder of a driving licence may, for the purpose of learning to drive, drive a motor vehicle of a particular class on a road if he holds a learner's permit. Learner's permit.

(2) A learner's permit is obtainable, subject to this Act, on application therefor to the Licensing Authority and on payment of such fee as the Minister of Finance by order prescribes.

(3) Where the Licensing Authority grants a learner's permit to any person, there may be set out in the permit such conditions and restrictions as are considered necessary for the safety of the public.

(4) Without prejudice to the generality of subsection (3), the Licensing Authority may, in a learner's permit, set out the times during which the holder of the permit may not drive on roads specified in the permit.

(5) The holder of a learner's permit shall not drive a motor vehicle of any class or description unless

(a) he is under the supervision of a driver who

- (i) has been the holder of a driving licence for a vehicle of that class or description for a period of not less than 3 years; 1990-35.
- (ii) is in possession of a valid certificate of competence issued by the Licensing Authority under section 79A; and 1990-35.

1990-35.

(iii) is present with him in the vehicle while he is driving such vehicle; and

(b) there is clearly displayed in a conspicuous position on the front and on the rear of the vehicle, as directed by the Licensing Authority, the letter "L" in red on a white background in accordance with the specifications set out in the *Fifth Schedule*.

Fifth
Schedule.

(6) Notwithstanding anything contained in this section, the holder of a learner's permit shall not drive, and shall not be permitted to drive, a vehicle while it is being used to draw a trailer or convey passengers.

(7) Subsection (5)(a) does not apply to the holder of a learner's permit who

(a) is undergoing a driving test; or

(b) is driving a vehicle constructed or adapted to carry only 1 person.

(8) A person who is learning to drive and contravenes any of the conditions set out in a learner's permit is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, and in addition thereto the court may cancel the learner's permit.

(9) A learner's permit is valid for such period as may be prescribed, and is, upon payment of such fee as the Minister of Finance by order prescribes, renewable for a period not exceeding the period for which it was first granted.

(10) The Licensing Authority may refuse to renew a learner's permit if the person to whom it has been issued fails to submit himself for a test within 9 months from the day the permit was first issued.

Unauthor-
ised use of
learner
licence
plates.
1992-2.

63A. A person

(a) who is not the holder of a learner's permit; and

(b) who drives a motor vehicle on which there is clearly displayed in a conspicuous position on the front and the rear of the

motor vehicle the letter "L" in red on a white background is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months or to both.

64. Where a person who is learning to drive is charged with an offence under this Act, the driver who is present with him in the vehicle by reason of section 63(5) is also chargeable with the same offence and both are equally punishable.

Liability of instructor and person learning to drive to be co-extensive.

65. (1) The Licensing Authority may require an applicant for a driving licence to produce a certificate, signed by a person

Driving test.

approved by the Licensing Authority, that the applicant has passed a driving test showing that he is competent to drive.

(2) Driving tests may be conducted by such examiners as the Licensing Authority authorises for the purpose.

(3) The nature of a driving test is at the discretion of the Licensing Authority or the examiner appointed by him.

(4) For the purpose of this section, motor vehicles are divided into the classes specified in section 68(2).

(5) Subject to subsection (1), the test that a person is required to pass before a driving licence is granted to him authorising him to drive a motor vehicle of a class or description, is a test carried out on a vehicle of that class or description, and the person conducting the test must satisfy himself that the person taking the test

(a) is conversant with the contents of the Highway Code referred to in section 119 or with the rules of the road;

(b) is competent to drive without danger to, and with due consideration for, other users of the road; and

(c) is able to comply with any other requirements specified for the purpose in the regulations.

(6) Where an applicant requires a driving licence to drive a vehicle of a particular class or construction, the examiner shall, after satisfying himself by means of such tests as he considers suitable that the applicant is qualified to drive a vehicle of that particular class or construction, issue to the applicant a certificate of competence on which there is clearly set out all the restrictions subject to which that certificate is issued.

(7) The Licensing Authority shall clearly set out in a driving licence the restrictions referred to in subsection (6).

66. (1) Subject to subsection (2), the Licensing Authority shall not issue a driving licence or a learner's permit to any person unless it is satisfied that his vision, hearing and physical and mental fitness are adequate for him to hold a driving licence; and in no case shall the Licensing Authority issue a licence to a person who has been convicted of an offence involving the use of a motor vehicle in the conveyance of stolen goods.

Physical fitness and character of applicant for driving licence or learner's permit.

(2) Notwithstanding subsection (1), the Licensing Authority may issue a driving licence or a learner's permit to any person to drive a particular motor vehicle on being satisfied that that motor vehicle is so equipped that the motor vehicle can be efficiently controlled by that person.

(3) Where the Licensing Authority refuses to issue a driving licence or learner's permit to an applicant, the applicant may appeal against the decision of the Licensing Authority to a magistrate for District "A", whose decision is final.

(4) For the purposes of obtaining a driving licence, an applicant may be required to produce a medical certificate, signed by a medical practitioner, that the applicant is fit to be in charge of a motor vehicle, and the Licensing Authority may order the applicant to undergo such test as the Licensing Authority determines, to ascertain the fitness or ability of the applicant to drive the motor vehicle.

Applica-
tion for
driving
licence.

67. (1) An application for a driving licence or a learner's permit must be made to the Licensing Authority in such form as the Minister approves.

(2) Any person who, in, or in connection with, an application for a driving licence or a learner's permit, makes a statement that to his knowledge is false is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

Validity of
driving
licence and
classifica-
tion of
motor
vehicle.

68. (1) A driving licence is not valid for the driving of any motor vehicle other than a motor vehicle of the class specified in that driving licence; but a driving licence may, by endorsement thereon by the Licensing Authority, be extended to any other class of vehicle.

(2) For the purposes of this section motor vehicles are classified as follows

- (a) private motor cars;
- (b) motor cycles;
- (c) public service vehicles;

- (d) light and heavy goods vehicles;
- (e) land tractors and motor tractors; and
- (f) other class of vehicles determined by order made by the Minister.

69. (1) Subject to section 62, a driving licence shall not be issued or endorsed as valid to an applicant who is under the age of 18 years, for the purpose of driving

Restrictions on grant of driving licence for certain vehicles.

- (a) a public service vehicle;
- (b) a motor tractor;
- (c) a heavy goods vehicle; or
- (d) a motor omnibus.

(2) Subject to this section and to section 62, any person who is 16 years of age or older, and not disqualified by virtue of this Act, may obtain a driving licence to drive a light goods vehicle, land tractor or a heavy motor cycle.

(3) Notwithstanding anything contained in this section, no driving licence shall be issued to a person who has been convicted of an offence or a number of offences the effect of which, in the opinion of the Licensing Authority, makes it undesirable that he be issued with a driving licence.

(4) A person who has been refused a driving licence by virtue of subsection (3) may apply to a magistrate for District "A" to have the matter reviewed by him.

70. A person who drives or causes or permits another person to drive, a motor vehicle on a road while he is under the minimum age prescribed for the driving of a motor vehicle of the class he is driving is guilty of an offence, and is liable on summary conviction, in the case of a first offence, to a fine of \$200 or to imprisonment for a term of 3 months, or both; or, in the case of a second or subsequent conviction, to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

Driving when under prescribed age.

THE LAWS OF BARBADOS

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Driving
test fee.

71. (1) Every person who presents himself for a driving test shall pay, in respect of such test and certificate of competence, such fee as the Minister of Finance by order prescribes.

(2) The fee payable pursuant to this section is payable irrespective of the result of the test.

Form of
driving
licence.

72. (1) A driving licence

- (a) must be in such form as the Licensing Authority determines;
- (b) must be signed by the holder thereof; and
- (c) is not valid unless it is so signed.

(2) Every applicant for a driving licence must, at the time of his making application therefor, supply three recent photographs of himself, 1 of which must be affixed to the driving licence.

Driving
licence
fee.

73. There is payable, on the issue of a driving licence, such fee as the Minister responsible for Finance by order prescribes.

Production
of driving
licence.

74. (1) The driver of a motor vehicle on a road shall, on being required by a member of the Police Force, produce his driving licence for examination so as to enable that member of the Police Force to ascertain the name and address of the holder of the driving licence.

(2) Any person who fails to comply with subsection (1) is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 6 months, or both.

(3) Notwithstanding subsection (2), a person is not to be convicted under this section if he produces his driving licence within 48 hours at a police station specified by him at the time its production was required.

Register
of driving
licences.

75. (1) The Licensing Authority shall keep a record of all driving licences issued, and the record must contain

- (a) the name and address of the holder;
- (b) the date of its issue;
- (c) the class of vehicle to be driven by the holder; and

(d) a record of all convictions of the holder in respect of traffic offences.

(2) The contents of the record referred to in subsection (1) are in all proceedings *prima facie* evidence of all the facts contained therein.

76. (1) Subject to subsection (2), a driving licence is, unless previously suspended, cancelled or revoked, valid for 1 year from the date of issue, and is renewable for a further period of 1 year, or at the request of the holder, a period of 3 years in the month in which the holder was born on payment of such fee as the Minister of Finance, by order, prescribes.

Duration and renewal of driving licence.
1985-17.

(2) Notwithstanding subsection (1), where the month in which the holder of a driving licence was born falls

(a) prior to 1st September, 1985; or

(b) after the expiry date specified in the licence,

the holder shall renew the licence on the expiry date specified in the licence; and the expiry date of the renewed licence shall fall in the month in which the holder of the licence was born.

(3) Where a driving licence is renewable under this section

(a) before the expiry date specified in the licence, in calculating the fee payable on the renewal of the licence, account shall be taken of the payment already made in respect of the unexpired period of the licence;

(b) after the expiry date specified in the licence, and the holder of the licence applies for renewal on the expiry date in pursuance of subsection (2), the holder shall be required to pay a licence fee calculated on the period commencing from the expiry date and ending on the last day of the month in which the holder was born; or

(c) on a date prior to that on which the licence is presented for renewal, then subject to subsection (8), the licence shall be renewed and the holder given an expiry date falling in the month in which he was born; but the holder shall be required to pay a licence fee calculated on the period commencing from the expiry date specified in the licence when presented for renewal and ending on the expiry date given on renewal.

THE LAWS OF BARBADOS

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(4) Subject to subsection (5), the Licensing Authority may, before granting the renewal of a driving licence, require an applicant of any age to produce a medical certificate as to his physical fitness.

(5) Where the holder of a driving licence is 70 years of age or over, the licence of that holder shall not be renewed unless he produces to the Licensing Authority a medical certificate signed by a medical practitioner as to his physical fitness.

(6) Notwithstanding subsection 5, the Licensing Authority may order a person to whom subsection (5) refers to undergo a test given by the Authority in order to ascertain the ability of the applicant to drive the motor vehicle in respect of which a licence is being sought.

(7) Notwithstanding subsection (1), a driving licence shall not be

(a) granted to an applicant of 70 years of age or over; or

(b) renewed in respect of a holder of 70 years of age or over for a period of more than 1 year at any given time.

(8) Where a driving licence has not been renewed for a period of 3 years, the Licensing Authority may request the applicant to undergo a driving test in accordance with section 65.

Re-issue
of lost or
defaced
driving
licence.

77. (1) Where a driving licence is lost, defaced, mutilated, or rendered illegible, the Licensing Authority may, on application being made to it, issue a new driving licence, on payment of such fee as the Minister of Finance, by order, prescribes, without requiring the applicant to undergo a further driving test.

(2) The Licensing Authority shall record on a new driving licence any endorsements made in the register of driving licences in respect of the driving licence.

Restrictions on
issue of
new driving
licence
after expiration of
former
licence.

78. (1) On the expiration of a driving licence by effluxion of time and on application by the holder thereof for the issue of a new driving licence, the Licensing Authority shall, subject to sections 66(2), 76 and 77, issue a new driving licence to the applicant without subscribing thereon any endorsements other than those made within the last 3 years prior to the expiration of the driving licence.

(2) The Licensing Authority may suspend or refuse to renew a driving licence or a learner's permit where the holder thereof or an applicant therefor has, within the last 3 years prior to such suspension or refusal, been convicted of

- (a) causing death by dangerous driving;
- (b) any offence under section 84 or 85;
- (c) repeated offences under any one or more of the other sections of this Act; or
- (d) repeated offences caused by breaches of the regulations,

upon the recommendation of the court and upon certification from the court of such conviction or payment of a fine.

79. (1) Where a person has been convicted under this Act or the regulations of an offence set out in Column 2 of the Sixth Schedule, the Licensing Authority shall record in respect of that person the number of demerit points set out opposite that offence in Column 3 of that Schedule.

Demerit
points.

Sixth
Schedule.

(2) Where a person appeals against a conviction for an offence referred to in subsection (1),

- (a) no demerit points shall be recorded in respect of that conviction unless the conviction is confirmed on appeal; and
- (b) if demerit points have been recorded in respect of such conviction before an appeal is entered, the points and any suspension imposed in consequence thereof shall be removed until the appeal is heard or otherwise disposed of.

(3) Where a person is convicted of 2 or more offences arising out of the same circumstances, the demerit points to be recorded are those relating to the offence in respect of which the greatest number of demerit points is imposed, but where equal demerit points are imposed for a number of offences, demerit points for 2 convictions only are to be recorded.

(4) Where a period of 3 years has elapsed after the entry of demerit points on the record of a person, the Licensing Authority shall cause those points to be expunged from the record if no further demerit points have been recorded against him during that period.

(5) Where, under subsections (8) to (11) or by an order of the court, a driving licence has been suspended for a period of 3 months or more and the period of suspension has expired, the Licensing Authority shall cause all demerit points to be expunged from the record of the holder of the driving licence.

(6) Where a total number of more than 10 but less than 14 demerit points has accumulated in the record of any person, the Licensing Authority shall cause a notice to be sent to that person informing him of the number of demerit points accumulated.

(7) Where a total number of 14 or more but less than 18 demerit points has accumulated in the record of a person, the Licensing Authority may require that person, to appear before him for an interview and furnish such information, evidence or material as is required to show cause why his driving licence should not be suspended.

(8) Where a person fails to comply with subsection (7), the Licensing Authority may, after serving on that person 10 days' notice by registered mail of his failure to comply with that subsection suspend the driving licence of that person until the subsection has been complied with.

(9) The Licensing Authority may suspend the driving licence of any person for such period as it thinks reasonable if he is of the opinion that that person has failed to show cause why his driving licence should not be suspended.

(10) If within a period of 1 year a total number of 14 or more demerit points have accumulated in the record of any person, the Licensing Authority shall suspend the driving licence of that person for a period of 6 months.

(11) Where, in a period exceeding 1 year, a total number of 18 or more demerit points have accumulated in the record of a person, the Licensing Authority shall suspend the driving licence of that person for a period of 3 months.

(12) Where a driving licence is suspended under this section or section 78, the period of suspension shall be concurrent with the unexpired portion of any other suspension.

(13) A person whose driving licence has been suspended by the Licensing Authority under this section may, within 10 days of the decision of the Licensing Authority, appeal to the High Court against that decision, and the decision of that court is final.

(14) A person who drives a motor vehicle while his driving licence is suspended under this section is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both, and, in addition, his driving licence shall be suspended for a further period of 6 months.

PART VA¹

Driving Instructions

Driving
Instructor
require-
ments.
1990-35.

79A. (1) Subject to section 79C, no person shall give instructions in the driving of a motor vehicle for money or money's worth, unless he is the holder of a certificate of competence issued by the Licensing Authority under subsection (2).

(2) The Licensing Authority may on application to the Authority for a certificate of competence referred to under subsection (1) issue the certificate to the applicant on payment of such fee as the Minister of Finance prescribes, certifying that the applicant has satisfied the Authority of his competence to perform the duties of driving instructor.

(3) Any person who applies for a certificate under subsection (2) shall be required by the Licensing Authority to undergo an instructor's test conducted by such examiners as the Licensing Authority authorises for the purpose.

(4) The nature of an instructor's test referred to under subsection (3) is at the discretion of the Licensing Authority or the examiner appointed by the Authority for the purpose but shall include

- (a) a written examination on road safety, and the technique of driving a motor vehicle correctly; and
- (b) a practical test of ability and fitness to drive and instruct.

¹

This Part will come into operation by proclamation.

(5) Where any instructions in the driving of a motor vehicle are given in contravention of this section, the person by whom they are given and, if that person is employed by another to give the instructions, that other person, are both guilty of an offence and are liable on summary conviction to a fine of \$1 000 each or to imprisonment for a term of 12 months.

79B. (1) The Licensing Authority shall prepare a code to be known as the "Instructor's Code" containing such directions as appear to the Licensing Authority to be proper for the guidance of driving instructors.

Instructor's
Code.
1990-35.

(2) The test referred to in section 79A(4) shall include questions on the "Instructor's Code" and the Highway Code.

79C. All persons who are driving instructors at the commencement of sections 79A to 79C of this Act shall, within a period of 90 days of the commencement, comply with the requirements specified in section 79A.

Transitional.
1990-35.

PART VI

International Circulation of Motor Vehicles

80. (1) The Cabinet may, by order, for the purpose of giving effect to any convention for facilitating the International Circulation of vehicles

International
circulation
of motor
vehicles.

- (a) provide for the granting and authentication of certificates or other documents relating to vehicles, or the drivers thereof, that may be required for purposes of travel abroad by persons resident in Barbados;
- (b) make such modifications to this Act and the regulations as may be necessary for the purpose of giving effect to paragraph (a); and
- (c) make special provision in relation to vehicles brought temporarily into Barbados by persons resident outside Barbados and persons so resident who are temporarily in Barbados.

- (2) An order under this section may**
 - (a) provide specially for any matter that appears to the Cabinet to be related to matters regulated by a convention referred to in subsection (1);**
 - (b) provide for the extension of any privilege conferred thereby to persons resident outside Barbados who are temporarily in Barbados but not entitled to the privilege by virtue of such convention;**

- (c) provide for the extension of any privilege referred to in paragraph (b) in relation to vehicles brought temporarily into Barbados by persons referred to in that paragraph, if the persons or vehicles satisfy the conditions specified in the order; or
- (d) provide for the payment, in respect of any certificate or other document referred to in subsection (1)(a), and in respect of such other matters for the purposes of this Part 1985-17. of such fees as appear to the Cabinet to be appropriate, having regard to any services performed in connection therewith in pursuance of the order.

PART VII

Driving and other Offences and General Conditions relating to the use of Roads

81. (1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly or at a speed or in a manner dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road and the amount of traffic that is actually on the road at the time or might reasonably be expected to be on the road at the time, is guilty of an offence and is liable on conviction on indictment to imprisonment for a term of 10 years.

Causing death by reckless or dangerous driving.

(2) Where, upon the trial of a person for an offence under this section, the jury is not satisfied that his driving was the cause of the death but is satisfied that he is guilty of driving as described in section 82(1), it may find him guilty of an offence under that section whether or not section 86 has been complied with in respect of that offence.

82. (1) Any person who drives a motor vehicle on a road recklessly, or at a speed, or in a manner dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road and the amount of traffic that is actually on the road at the time or might reasonably be expected to be on the road at the time, is guilty of an offence and is liable on summary conviction

Reckless or dangerous driving.

- (a) in the case of a first conviction, to a fine of \$1 000 or to imprisonment for a term of 12 months, or both; or
- (b) in the case of a second subsequent conviction, to a fine of \$2 500 or to imprisonment for a term not exceeding 2 years, or both.

(2) The court shall order particulars of any conviction under this section or section 85 to be endorsed on any driving licence held by the person convicted.

(3) A person convicted of an offence under subsection (1) shall, unless the court orders otherwise, having regard to the lapse of time since the date of the previous or last previous conviction, or for any special reason, be disqualified, for such period as the court orders from the date of the conviction, from holding or obtaining a driving licence.

(4) A member of the Police Force may arrest, without a warrant, the driver of any motor vehicle who, within the view of that member of the Police Force, commits an offence under this section if

- (a) the driver refuses to give his name and address when requested so to do;
- (b) the member of the Police Force has reason to believe that the name or address given is false; or
- (c) the motor vehicle does not bear a registration number plate.

Driving
without
due care
and atten-
tion.

83. (1) A person who drives a motor vehicle on a road without due care and attention or without reasonable consideration for other persons using the road is guilty of an offence, and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 6 months, or both.

(2) A person convicted of an offence under subsection (1) may be disqualified from holding or obtaining a driving licence for a period of 12 months.

Maximum
speed.

84. (1) A person who drives a motor vehicle of a class or description specified in the regulations at a speed greater than the speed specified in the regulations or in an order made

under subsection (4) as being the maximum speed for a vehicle of that class or description on the road on which it is being driven is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

(2) A person charged with an offence under this section is not to be convicted on the evidence of only 1 witness to the effect that in the opinion of that witness the person charged was driving the vehicle at a speed in contravention of subsection (1).

(3) Any person, whether as registered owner or as the temporary possessor under a hiring agreement, who aids, abets, counsels or procures a person who is employed by him to drive a motor vehicle on a road to commit an offence under this section is guilty of an offence and is liable on summary conviction to a fine of \$1 000, or to imprisonment for a term of 12 months, or both.

(4) The Minister may, by order, make temporary adjustments of an experimental nature in respect of the maximum speed for any class or description of vehicle on any road.

(5) Before the Minister makes an order under subsection (1), he must,

(a) by notice published in the *Official Gazette* on at least 3 occasions over a period of 1 month, inform the public of his intention to make the order; and

(b) specify the new maximum speed in the notice and the days on which and the times during which it will be in operation.

(6) An order made under this section is subject to negative resolution and remains in operation for such period as may be specified in the order, or, if no period is specified in the order, until such time as the order is revoked.

Driving, attempting to drive or being in charge of motor vehicle while under influence of drink or drug.

85. (1) Any person who drives, attempts to drive, or is in charge of a motor vehicle on a road while under the influence of drink or a drug to such an extent as to be incapable of having proper control of the vehicle is guilty of an offence and is liable on summary conviction

- (a) to a fine of \$1 000 or to imprisonment for a term of 12 months, or both, in the case of a first conviction; and
- (b) to a fine of \$2 500 or to imprisonment for a term of 2 years, or both, in the case of a second or subsequent conviction.

(2) A person convicted of an offence under this section shall, unless the court for any special reason thinks fit to order otherwise, be disqualified from the date of the conviction for a period of not less than 1 year and not more than 5 years from holding or obtaining a driving licence.

(3) Where there is an appeal against a conviction under this section, a period of disqualification runs from the date of the conviction if the appeal is dismissed or allowed; but, if the appeal is discontinued, a period of disqualification runs from the date of the discontinuance of the appeal.

(4) For the purposes of this section, a person is unfit to drive if his ability to drive properly is for the time being impaired.

(5) Any member of the Police Force may arrest without a warrant any person whom he suspects on reasonable grounds of committing an offence under this section.

Restrictions on prosecution under certain sections.

86. (1) Subject to subsection (2), a person is not to be convicted of an offence under section 83 or 84 unless

- (a) he was warned at the time the offence was committed that the question of prosecuting him for an offence under the relevant section would be taken into consideration;
- (b) within 14 days of the commission of the offence a summons for the offence was served on him; or
- (c) within 14 days of the commission of the offence a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged

to have been committed was served on him or on the person in whose name the vehicle was registered as being the owner thereof at the time of the commission of the offence.

(2) Failure to comply with subsection (1) is not a bar to the conviction of the accused in any case where the court is satisfied that

- (a) the name and address of the accused or the name and address of the registered owner of the vehicle could not with reasonable diligence have been ascertained in time for a summons to have been served on or sent to the accused or owner of the vehicle; or
- (b) the accused by his own conduct contributed to the failure to comply with those subsections.

87. (1) A person who takes and drives away a motor vehicle without the consent of its owner or other lawful authority, or, knowing a motor vehicle to have been so taken, drives it or allows himself to be carried in or on it without consent of its owner or other lawful authority, is guilty of an offence and is liable

Use of
motor ve-
hicle with-
out consent
of owner.

- (a) on conviction on indictment, to a fine of \$2 500 or to imprisonment for a term not exceeding 12 months, or both; or
- (b) on summary conviction, to a fine of \$1 000 or to imprisonment for a term not exceeding 6 months, or both.

(2) It is a defence to a charge brought under subsection (1) if the accused establishes that he reasonably believed that

- (a) he had lawful authority to drive away the motor vehicle; or
- (b) the owner would, in the circumstances of the case, have given his consent if such consent had been requested.

(3) Where, on a trial on indictment for larceny of a motor vehicle, the jury is of the opinion that the accused is not guilty of larceny of the motor vehicle but is guilty of an offence under this section, it may find him guilty of that offence, and thereupon he is liable to be punished accordingly.

(4) A member of the Police Force may arrest without a warrant any person reasonably suspected by him of having committed, or of attempting to commit, an offence under this section.

(5) Where a person is convicted under this section, the court may, in addition to any punishment it imposes, or without imposing any punishment, order the person convicted to pay to the owner of the motor vehicle

(a) such amount as in the opinion of the court would have been charged if the motor vehicle had been hired by the person convicted; or

(b) such amount as in the opinion of the court represents fair compensation for any damage done to the motor vehicle, or both.

Unlawful
interference with
motor
vehicle.

88. Any person who, without the permission of the owner, gets on or into a motor vehicle or attempts to manipulate any of the levers, the starter, brakes, controls or machinery of a motor vehicle, or in any way interferes with or damages a motor vehicle while that vehicle is on a road or parking place, is guilty of an offence, and is liable on summary conviction to a fine not exceeding \$100 or to imprisonment for a term not exceeding 1 month, or both, but a person is not to be convicted under this subsection where that motor vehicle is obstructing his vehicle or that of any other person.

Leaving
vehicle in
dangerous
position.

89. (1) No person in charge of a vehicle shall cause or permit that vehicle or any trailer drawn thereby to remain stationary on any road in such a position, in such condition or in such circumstances, as to be likely to cause danger or obstruction to other traffic using the road.

(2) A person in charge of a motor vehicle or trailer referred to in subsection (1) shall take requisite steps to indicate its presence and position on the road, by lighting or otherwise, and take immediate steps to have it removed as near as possible to the left hand side of the road.

(3) Any member of the Police Force, the Chief Technical Officer or any person authorised by the Chief Technical Officer may require the owner, driver or other person in charge of

any vehicle or trailer referred to in this section to remove that vehicle or cause it to be removed; and a requirement to remove a vehicle includes a requirement that the vehicle shall not be removed to any road or to any particular position on a road.

(4) The Chief Technical Officer or the Commissioner may remove a motor vehicle or trailer if the owner, driver or other person in charge of it fails to remove it after being required to do so under subsection (3) or cannot be found after reasonable steps have been made unsuccessfully to ascertain his whereabouts and the removal of the motor vehicle or trailer is necessary.

(5) The owner of the vehicle or trailer that has been removed pursuant to subsection (4) shall pay any cost incurred by the Chief Technical Officer or the Commissioner in removing that vehicle or trailer.

(6) Any person removing a vehicle under this section may do so by towing or driving the vehicle or in such other manner as he considers necessary, and may take such measures in relation to the vehicle as are necessary to enable him to remove such vehicle.

(7) Where under this section a member of the Police Force or a person authorised by the Chief Technical Officer removes or makes arrangements for the removal of a vehicle from a road, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

(8) Any person in charge of a vehicle who contravenes subsection (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$200 or to imprisonment for a term of 3 months, or both; and, in addition, the expenses incurred in removing a vehicle are recoverable as a debt due to the Crown in civil proceedings before a magistrate for District "A" notwithstanding that the amount sought to be recovered exceeds the normal monetary limit on the jurisdiction of the magistrates' courts.

(9) Nothing in subsection (2) affects the operation of subsection (1).

Duty of person in charge of vehicle involved in accident on a road.

90. (1) A person riding, driving or in charge of any vehicle of any description shall, if an accident occurs by reason of the presence of such vehicle on a road,

- (a) immediately stop;
- (b) give to any person interested in the accident
 - (i) his name and address,
 - (ii) the name and address of the owner of the vehicle,
 - (iii) the registration number of the vehicle,
 - (iv) the name of the insurance company with which the vehicle is insured, and
 - (v) the names of all persons in the vehicle at the time of the accident; and
- (c) report the accident at a police station as soon as reasonably practicable, but before the expiration of a period of 24 hours after its occurrence.

(2) Paragraph (c) does not apply if a report is made, at the time and place of the accident, to a member of the Police Force.

(3) Any person who contravenes or fails to comply with this section is guilty of an offence and is liable on summary conviction to a fine of \$250 or to imprisonment for a term of 3 months, or both.

Power of Police to test or cause motor vehicles to be tested after accident.

91. (1) Where an accident occurs owing to the presence of a motor vehicle on a road, a member of the Police Force may inspect and test the motor vehicle or cause it to be inspected and tested by an inspector or examiner, and may for this purpose, require that the motor vehicle shall not be driven or taken away from the scene of the accident until it has been so inspected and tested.

(2) Any person who

- (a) obstructs an inspector, examiner or a member of the Police Force in the performance of his duty under this section;
- (b) contravenes or fails to comply with this section; or

(c) fails to comply with a requirement by a member of the Police Force made under subsection (1),

is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 3 months, or both.

PART VIII

Legal Proceedings, Suspension, Cancellation, Endorsement of Driving Licence

92. (1) Where, upon the trial of a person for an offence under section 81, the jury find the accused not guilty of the offence charged but fail to agree on the alternative verdict provided for in subsection (2) of that section, a charge for an offence under section 82 shall not be preferred against the accused without the consent of the Director of Public Prosecutions.

Procedure on failure of jury to agree on alternative verdict.

(2) Where, pursuant to subsection (1), a person is charged with an offence under section 82, he may be convicted of that offence notwithstanding that section 86 has not been complied with in respect of that offence.

93. (1) Where, upon the trial of a person for an offence under section 82, the court is of the opinion that the offence is not proved, then, without prejudice to any other power the court possesses, it may at any time during the hearing or immediately thereafter

Power to proceed on charge of careless driving on hearing of reckless or dangerous driving.

(a) grant permission for a charge for an offence under section 86 be preferred; or

(b) allow such charge to be preferred forthwith against the accused, and, subject to subsection (2), may thereupon proceed with the charge.

(2) In any case referred to in subsection (1) the accused or his attorney-at-law shall be informed of the new charge and shall be given an opportunity, whether by way of cross-examination of any witness whose evidence has already been given against the accused, or otherwise, of answering the new charge, and the court may adjourn the hearing if it considers that the accused is

prejudiced in his defence by reason of the new charge being so preferred.

(3) Where

(a) a charge to which section 86 relates has been brought against an accused and that section has been complied with; or

(b) a charge has been brought against an accused under section 82, in which case section 86 does not apply,

the accused may be convicted on a charge preferred pursuant to subsection (1), notwithstanding that that subsection has not been satisfied in respect of the charge so preferred.

Power of court before which a person is convicted in connection with the driving of a motor vehicle.

94. (1) Any court before which a person is convicted of any offence in connection with the driving of a motor vehicle may,

(a) if the person convicted holds a driving licence,

(i) suspend the licence for such time as the court thinks fit,

(ii) cancel the licence and disqualify the person convicted from obtaining another licence for a stated period, or

(iii) endorse upon the licence particulars of any order the court makes under this section, together with the particulars of the conviction; or

(b) if the person convicted does not hold a driving licence, declare him disqualified from obtaining a licence for such period as the court thinks fit.

(2) Any disqualification imposed pursuant to subsection (1) may, at the discretion of the court, be limited to the driving of a motor vehicle of the same class or description as the vehicle in relation to which the offence was committed.

Production of driving licence for endorsement.

95. (1) Any person who is convicted of an offence in connection with the driving of a motor vehicle shall, if he holds a driving licence, produce it within such time as the court directs for the purpose of endorsement thereon of the particulars of the conviction.

(2) Any person who contravenes or fails to comply with this section is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 3 months, or both.

96. (1) Where a court orders the suspension or cancellation of a driving licence or disqualifies a person from obtaining a driving licence, the owner of that suspended or cancelled driving licence shall surrender it to the court within 7 days of the order.

Custody of driving licence while suspended or cancelled.

(2) At the expiration of the period of suspension of a driving licence, the court shall return the licence to the holder on demand.

(3) Where the disqualification to which a person has become subject is limited to the driving of a motor vehicle of a particular class or description, the court must upon receiving the driving licence, indicate thereon the class or description of vehicle that the holder of the driving licence is disqualified from driving, and thereupon return the licence to the holder.

97. A driving licence suspended by a court, or, as the case may be, under section 78 or 79 by the Licensing Authority, is of no effect during the period of suspension, and a person who has been disqualified by the court from obtaining a driving licence is not competent to hold a driving licence during the period of disqualification.

Effect of suspension of driving licence, or disqualification by order of court.

98. (1) Where a person is charged with an offence under section 81, 82 or 85, the court may order the suspension of the driving licence or the learner's permit of that person, pending the determination of the charge.

Power of court to suspend driving licence pending determination of certain charges.

(2) A driving licence or learner's permit suspended under subsection (1) shall, upon being suspended, be surrendered by the holder thereof to the court before which he is charged.

(3) Any person who contravenes subsection (2) is guilty of an offence and is liable on summary conviction to a fine of \$500, or to imprisonment for a term of 3 months, or both.

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Liability of person disqualified from holding or obtaining driving licence.

99. (1) Any person disqualified under this Part from obtaining a driving licence who

- (a) applies for or obtains a driving licence while he is disqualified;
- (b) drives a motor vehicle on a road while he is disqualified; or
- (c) if the disqualification is limited to the driving of a motor vehicle of a particular class or description, drives on a road a motor vehicle of that class or description,

is guilty of an offence and is liable on summary conviction to a fine of \$1 000, or to imprisonment for a term of 12 months, or both.

(2) Subsection (1) applies in the case of a suspension of a driving licence as it does in the case of a disqualification.

Non-disclosure of refusal of driving licence.

100. Any person who has been refused a driving licence and subsequently applies for or obtains a driving licence without disclosing the fact that he has been previously refused a licence is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

Non-disclosure of endorsement.

101. Where

- (a) a driving licence has been ordered to be endorsed; and
- (b) the holder of a driving licence is not yet entitled to a driving licence free from endorsement pursuant to section 103,

then, if such holder applies for or obtains a driving licence without stating in the application particulars of the endorsement, he is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 6 months, or both, and in addition thereto any licence so obtained is of no effect.

Particulars of endorsement to be copied on new driving licence.

102. Subject to section 103, any particulars endorsed on a driving licence previously held by a person must be copied on any new driving licence issued to him.

103. (1) A person in respect of whom an order has been made under this Part requiring the endorsement of any driving licence held by him, who during a continuous period of 3 years or upwards since the order was made has had no other such order made against him, is entitled on application, subject to payment of such fee as the Minister responsible for Finance, by order, prescribes, and the surrender of his current licence, to have issued to him a new driving licence free from endorsement.

Issue of new licence free from endorsement.

(2) For the purposes of subsection (1), in reckoning the period of 3 years since the making of an order requiring an endorsement, any period during which the person was by virtue of the order disqualified from holding or obtaining a driving licence is to be excluded.

(3) Subject to this section, a person who by an order of a court made pursuant to this Act is disqualified from holding or obtaining a licence may make application to the court that made the order for removal of the disqualification; and on any such application being made, the court may, after having regard to

- (a) the character of the person disqualified;
- (b) his conduct subsequent to the order;
- (c) the nature of the offence; and
- (d) any other circumstances of the case,

order the removal of the disqualification as from the date specified in the order, or refuse the application.

(4) No application may be made under subsection (3) for an order for the removal of a disqualification before the expiration of

- (a) 6 months from the date of the disqualification, if the disqualification was ordered for a period less than one year;
- (b) one-half of the period of the disqualification from the date of the disqualification if the disqualification was made for a period less than 6 years but not less than one year; and
- (c) 3 years, in any other case;

1985-17. and in determining the expiration of the period after which a person may apply under this subsection for removal of a disqualification, no account is to be taken of any time during which the disqualification was suspended or the person was not disqualified.

(5) Where an application made pursuant to subsection (3) is refused, a further application must not be entertained unless it is made after the expiration of a period of 3 months after the date of the refusal.

(6) The court must order particulars of any order it makes for the removal of a disqualification to be endorsed on the driving licence, if any, previously held by the applicant for the order; and it may also order the applicant to pay the whole or part of the costs of the application.

Permits for
operation of
public
service
vehicles.

104. (1) Notwithstanding anything contained in this Act, the Licensing Authority may issue a permit authorising the use of a motor vehicle as a public service vehicle, and may at any time review its decision to issue or refuse a permit, or it may revoke any permit it has issued.

1992-2.

(1A) Wherever the Licensing Authority revokes a permit pursuant to subsection (1) the Licensing Authority may remove the registration number plates from the public service vehicle.

(2) A person aggrieved by the decision of the Licensing Authority to revoke a permit under subsection (1) may apply to a magistrate for District A to have the decision considered by him, and a decision by the magistrate is final.

(3) The Minister of Finance may, by order, prescribe fees to be paid in respect of permits issued under this section, and the order may contain different fees for different uses of vehicles.

Special
permits.
1998-34.

104A. (1) The Licensing Authority may, in respect of a public service vehicle referred to in subsection (1) of section 104, issue a special permit subject to such restrictions and conditions as the

Authority may specify therein authorising the operation of that vehicle on a route other than a route named in the permit issued under section 104 for the following purposes:

- (a) for carrying school children and such number of teachers as may be specified in the special permit to and from school;
- (b) for carrying persons to and from cinemas, theatres and other places of public entertainment and recreation; or
- (c) for carrying passengers to and from any place if, in the opinion of the Licensing Authority, there are exceptional circumstances that render the issue of a special permit desirable.

(2) The owner of any vehicle in respect of which a special permit is issued under this section shall pay to the Licensing Authority such fee as the Minister of Finance by order prescribes.

(3) The Licensing Authority may at any time revoke, vary or amend a special permit issued under this section, and shall revoke that permit if the person to whom it is issued fails to comply with any of the restrictions or conditions set out in the permit.

(4) A person aggrieved by the decision of the Licensing Authority to revoke a permit issued under subsection (1) may apply to a magistrate for District 'A' to have the decision considered by him; and the decision of the magistrate is final.

(5) Any person who uses a vehicle, or causes or permits a vehicle to be used, in contravention of any of the restrictions or conditions specified in a special permit issued under this section is guilty of an offence and, in addition to having the special permit revoked, is liable on summary conviction to a fine of \$5 000, or to imprisonment for a term of 12 months, or both, unless the court is satisfied that the accused did not know that he was acting in contravention of the restrictions or conditions specified in the permit.

Recovery of
fees payable
for public
service
vehicles.

105. All fees payable in respect of a public service vehicle in pursuance of section 104(3) are debts due to the Crown and are recoverable in civil proceedings before a magistrate for District A, notwithstanding that the amount sought to be recovered exceeds the normal monetary limit on the jurisdiction of the magistrates' courts.

Special
offences in
respect of
public
service
vehicles.

106. A person who, for the purpose of transporting passengers, drives or conducts a minibus in respect of which there is not in existence

a valid permit issued under regulations, or uses or permits a vehicle to be used as a public service vehicle on a road in contravention of this Act or the regulations made pursuant to this Act, is guilty of an offence and is liable 1990-35.

- (a) in the case of a first conviction to a fine of \$500 or to imprisonment for a term of 3 months; and
- (b) in the case of a second or subsequent conviction, to a fine of \$1 500 or to imprisonment for a term of 2 years.

PART IX

General

107. (1) The Minister may by notice published in the *Official Gazette* designate stands and parking places for use exclusively for public service vehicles, hackney carriages, maxi-taxis and taxis plying or standing for hire, and inform the Commissioner accordingly in writing.

Appointment and regulation of stands for public service vehicles, etc. by Minister 1984-4.
1984-4.

(2) The driver of a public service vehicle, hackney carriage, maxi-taxi or taxi that causes that public service vehicle, hackney carriage, maxi-taxi or taxi to stand or ply for hire on a road or place not designated under subsection (1) for the use of a vehicle of that kind is guilty of an offence and is liable on summary conviction to a fine of \$250 or to imprisonment for a term of 3 months, or both.

108.¹ Any person who fraudulently

- (a) imitates, alters, mutilates; or
- (b) uses, allows to be used by or lends to any other person,

Fraudulent imitation, destruction etc., of number plates etc. 1990-35.

any registration number plate, motor vehicle, road licence or driving licence issued or purported to have been issued under this Act, is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or to both.

109. Any person who commits an offence under this Act or the regulations for which no penalty is specifically provided is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

Penalty for offence not specifically provided for.

¹

This Section will come into operation by proclamation.

Failure to
give
certain
informa-
tion

110. (1) A driver or conductor of a motor vehicle who commits an offence under this Act or under any regulations made pursuant to this Act and who

1990-35.

- (a) refuses to give his name and address on being required to do so by a member of the Police Force; or
- (b) gives a false name and address,

is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 12 months, or to both.

1990-35.

(2) Where an offence against the Act or regulations has been committed in respect of a motor vehicle, it shall be the duty of the owner of that motor vehicle to give, if required to do so by a member of the Police Force, any information that is within his power to give that may lead to the identification and apprehension of the driver or conductor of that vehicle at the time when the offence was committed.

1990-35.

(3) An owner of a vehicle who fails to comply with subsection (2) is guilty of an offence and is liable to a fine of \$500 or to imprisonment for a term of 6 months on summary conviction or to both.

General
power of
arrest.

111. (1) Subject to subsection (2), a member of the Police Force may arrest without a warrant any person who within his view commits an offence under this Act or any regulations, orders or rules made pursuant to this Act.

(2) The power of arrest conferred by subsection (1) may be exercised only in the following cases:

- (a) in the case of a driver or conductor, where such driver or conductor, on being requested to give his name and address or to produce his licence for examination, refuses to do so; and
- (b) in any other case, where a person upon request refuses to give his name and address; or
- (c) there are reasonable grounds for suspecting that a person referred to in paragraph (a) or (b) has given a false name or address.

112. Any person who makes any statement which to his knowledge is false in connection with False statement.

- (a) an application for a road licence;
- (b) an application for a driving licence;
- (c) the endorsement of a driving licence;
- (d) any change or correction in a road licence;
- (e) the registration of a motor vehicle; or
- (f) the giving of any information lawfully demanded or required under this Act, the regulations, or an order made under this Act,

is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for a term of 12 months, or both.

113. (1) Subject to section 70(1), any authority or person having power under this Act to issue a certificate, licence or other document may, on receipt of such fee as the Minister of Finance by order prescribes, issue a duplicate certificate, licence or other document on proof to the satisfaction of that authority or person that the original certificate, licence or other document has been lost, destroyed, defaced, mutilated or rendered illegible.

Duplicate of certificate, licence, etc.

(2) Where a duplicate of a certificate, licence or other document has been issued and the original thereof is subsequently found while that duplicate is still in force, the person to whom the original was issued shall, if it is not in his possession, take all reasonable steps to obtain possession of it, and upon obtaining possession of it deliver it to the authority or person who issued it.

(3) Any person who,

- (a) knowingly retains in his possession both an original and a duplicate certificate, licence or other document; or
- (b) has in his possession and refuses to deliver to the owner any certificate, licence or other document,

is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 3 months, or both.

114. Where an act committed by means of a motor vehicle is in contravention of this Act or any statutory instrument made pursuant to this Act, the driver of the motor vehicle at the time the act was committed and the owner of such vehicle are both guilty of an offence unless

Vehicles used in contravention of Act or regulations.

- (a) in the case of the driver, the act was not due to his neglect or default; and
- (b) in the case of the owner, the act was committed without his consent and
 - (i) was not due to any act on his part, and
 - (ii) he had taken all reasonable precautions to prevent the commission thereof.

Power of
entry.

115. Any person authorised in writing by the Commissioner or the Licensing Authority may at any reasonable time enter any premises for the purpose of

- (a) ascertaining whether any vehicle is being kept on such premises for use in contravention of this Act or the regulations; and
- (b) inspecting any vehicle on such premises.

Motor
vehicle
deemed to
be kept for
use.

116. Every motor vehicle and trailer shall, in all proceedings under this Act, be deemed to be kept by the owner thereof for use until the contrary is proved.

Power to
enquire
whether
motor
vehicle
licensed
according to
maximum
gross weight
to be
weighed.

117. (1) Any member of the Police Force, the Licensing Authority or any person authorised in writing by the Licensing Authority may require the driver of a motor vehicle or trailer licensed according to its maximum gross weight to satisfy him that the maximum gross weight of the motor vehicle or trailer does not exceed that endorsed on the road licence issued in respect of that motor vehicle or trailer, or permitted under this Act or the regulations or any order; and may require such person to drive him with the motor vehicle or trailer to the nearest weigh-bridge for the purpose of determining the maximum gross weight of the motor vehicle or trailer.

(2) Any person who, upon being required pursuant to subsection (1) to proceed to the nearest weigh-bridge, fails to do so is guilty of an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of 6 months, or both.

(3) Notwithstanding anything contained in this section, no driver or other person in charge of a motor vehicle or trailer shall be required to unload such motor vehicle or trailer or cause it to be unloaded for the purpose of weighing that motor vehicle or trailer unladen.

Making
good
damage to
road or
bridge.

118. (1) Where by reason of any offence against this Act any damage is caused to a road, the authority responsible for the repair of such road may cause that damage to be made good, and may, before or after the damage is made good, recover the estimated or actual cost, as the case may be, of the damage from

the owner of the vehicle by means of which the offence was committed.

(2) A certificate signed by a person authorised in that behalf by the authority responsible for the repair of the damage to the road is, without proof of the signature of that person, *prima facie* evidence of the cost of making good damage referred to in subsection (1) and of the amount payable to the authority by the owner of the motor vehicle or trailer by means of which the damage was committed.

(3) Any amount payable by virtue of this section and remaining unpaid after the expiration of 3 months after a demand has been made for payment thereof is recoverable as a debt due to the authority in civil proceedings before a magistrate, notwithstanding that the amount sought to be recovered exceeds the normal monetary limit on the jurisdiction of the magistrates' courts.

119. (1) The Commissioner shall, within a reasonable time after 1st June, 1981, prepare a highway code, in this section referred to as "the code", containing such directions as appear to him to be proper for the guidance of persons using the road.

Issue of
Highway
Code by
Commis-
sioner.

(2) A code prepared pursuant to subsection (1) is subject to affirmative resolution.

(3) The Commissioner shall cause the Code to be printed and issued to the public at such price as the Cabinet, by order published in the *Official Gazette*, determines.

(4) Failure on the part of any person to observe the Code prepared pursuant to this section does not by itself render that person liable to prosecution, but may in any proceedings, whether civil or criminal, be relied upon by any party to the proceedings as tending to establish or negative the culpability or liability that is in question in those proceedings.

120. Sections 84 and 89 do not apply to a motor vehicle while it is being used

Non-
application
of certain
sections to
vehicle
when used
for certain
purposes.

(a) by a member of the Fire Service for the purpose of proceeding to a fire in answer to a fire alarm;

(b) by a member of the Police Force in the execution of his duty;
or

(c) as an ambulance,

and the urgency of the situation requires a non-compliance with those sections.

Enforce-
ment and
administra-
tion of
traffic
laws.
1992-2.
1994-8.

121. (1) This section applies to any offence that has been created by any enactment and made punishable on summary conviction, being an offence committed in respect of a vehicle by reason of that vehicle

- (a) having been left or parked on a road at night without lights or reflectors;
- (b) having been left obstructing the free passage of traffic on a road, or left waiting or parked on a road;
- (c) being loaded or unloaded on a road;
- (d) having been left in a parking place, there having been a failure to pay a charge made in respect of such vehicle at such parking place;
- (e) having been used in contravention of a traffic sign, road signal or light signal;
- (f) having been loaded with industrial materials or domestic waste and spilling its load on a highway;
- (g) having been driven on a road at a speed greater than the maximum speed specified for a vehicle of that class;
- (h) carrying more passengers than it is licensed to carry;
- (i) being a public service vehicle, travelling on a route other than a specified route;
- (j) having its number plates obscured;
- (k) not having a registration card affixed to the vehicle;
- (l) being driven with unauthorised lights;
- (m) being driven without functioning obligatory lamps;
- (n) using a limited trade licence for the purpose other than a specified purpose;

1994-8

1992-2.
1994-8.
1992-2.

- (o) having been drawn up alongside any other motor vehicle or reversed to the kerb stone of any footpath or the side of any road contrary to regulation 31(9)(b) of the regulations;
- (p) having been left upon any footpath;
- (q) being a motor omnibus, minibus or route-taxi and stopping at a place other than a stopping place,

but does not operate in respect of any area or place unless the Minister by order published in the *Official Gazette*, so declares.

(2) The Minister may, by an order made pursuant to subsection (1), exclude the application of this section in respect of any offence.

(3) A member of the Police Force or a Traffic Warden may serve on a person who commits an offence under this section, notice in such form as the Minister approves offering him an opportunity of discharging any liability that would arise out of a conviction for that offence by payment of a fixed penalty under this section; and the person is, upon payment of the fixed penalty before the expiration of a period of 21 days from the date of the notice or such longer period as is specified therein, or before the date on which proceedings are begun, whichever is the later, exempt from any prosecution for such offence.

(4) Where a person is given notice under subsection (3), no proceedings shall be taken against him in respect of the offence to which the notice relates, by any member of the Police Force or by any Traffic Warden until after expiration of a period of 21 days from the date of the notice or such longer period specified in such notice.

(5) In subsection (4), "proceedings" means any criminal proceedings in respect of the offence specified in the notice under subsection (3).

(6) Payment of a fixed penalty under this section shall be made to the clerk of the magistrate's court as stated in the notice given pursuant to subsection (3), and an amount paid by way of fixed penalty in respect of any offence is to be treated for the purpose of this section as if it were a fine imposed on summary conviction for that offence; and in any proceedings a certificate that payment of a fixed penalty was or was not made to the clerk of the magistrate's court by the date specified in the

certificate is, if the certificate purports to be signed by such clerk, *prima facie* evidence of the facts stated therein.

(7) A notice referred to in subsection (3) may be served personally on the person in charge of the vehicle if he is present, or, if he is not present, by affixing it to the vehicle, and must

- (a) contain a statement of the offence alleged;
- (b) contain such particulars of the offence as are necessary for giving reasonable information of the allegation;
- (c) specify the period during which, by virtue of subsection (3), proceedings may not be taken for the offence;
- (d) contain the amount of the fixed penalty; and
- (e) specify the magistrate's court to the clerk of which the fixed penalty is to be paid.

(8) A notice affixed to a vehicle shall not be removed or interfered with except by, or under the authority of,

- (a) the driver or a person in charge of that vehicle; or
- (b) the person liable for the offence in question.

(9) Any person who, in contravention of subsection (8), removes a notice from a vehicle is guilty of an offence and is liable on summary conviction to a fine of \$100 or to imprisonment for a term of 1 month.

(10) The fixed penalty referred to in this section is one of the following:

1992-2.

- (a) \$50;
- (b) 1/2 the maximum fine to which a person not previously convicted is liable on summary conviction of that offence, whichever is less; or
- (c) such fine as the Minister prescribes, not exceeding 1/2 the maximum amount of the fine to which a person not previously convicted is liable on summary conviction of that offence.

(10A) Without affecting subsection (10), the fixed penalty for

1992-2.
1994-8.

(a) carrying up to 5 passengers in excess of the authorised number is \$25; and

(b) carrying 6 or more passengers in excess of the authorised number is, in addition to the penalty provided by paragraph (a), \$25 in respect of every passenger carried in excess of the 5 referred to in that paragraph up to a maximum of 10 passengers in excess of the 5 so referred to.

(10B) (1) The fixed penalty referred to in paragraph (a) of subsection (10) does not apply to the offence of exceeding the speed limit.

(2) The fixed penalty for exceeding the speed limit by up to 20 kilometres per hour is \$75.

(11) In proceedings for an offence to which subsection (1) applies, no reference may be made before or after the conviction of the accused to the giving or affixing of any notice under this section or to the payment or non-payment of a fixed penalty thereunder unless, in the course of the proceedings or in some document which is before the court in connection with the proceedings, reference has been made by or on behalf of the accused to the giving or affixing of such a notice or to such a payment or non-payment.

122. The Minister may by regulations, subject to affirmative resolution, make provision respecting any matter incidental to the operation of section 121 and in particular for prescribing

Special
regulations.

(a) the form of notice given pursuant to subsection (3) of that section; and

(b) the information to be supplied by the person on whom the penalty is imposed to the clerk of the magistrate's court.

123. This Act applies to persons in the public service of the Crown.

Application
to
persons in
public
service of
Crown.

124. (1) The Minister may make regulations respecting

General
regulations.

(a) the prescribing of anything that is by this Act required or authorised to be prescribed;

- (b) the forms to be used under this Act;
- (c) the construction, fittings, dimensions and design of any motor vehicle;
- (d) the fitting of appliances on motor vehicles and the maintaining of those appliances in working order, including
 - (i) mirrors,
 - (ii) trafficators,
 - (iii) warning or other devices;
- (e) the number, position, kind of lights and reflectors to be carried on all vehicles, together with the times during which they are to be used or exhibited, and the conditions regarding their use;
- (f) the duties and powers of inspectors with regard to the inspection of any kind of vehicle;
- (g) the inspection of any kind of vehicle and the time, place and manner of inspection;
- (h) the classification of roads, and the prohibition or restriction of the use of any classified road by vehicles of any specified class or description;
- (i) the precedence of vehicles and pedestrians at crossings and the erection of traffic signals and other notices;
- (j) the speed limits for different classes of vehicles on roads;
- (k) the driving of any vehicle on any specified road otherwise than in a specified direction;
- (l) the appointment of stands and parking places generally and the regulation of the use of such stands and parking places, including the imposition of charges in respect of parking places;
- (m) the badges and uniforms to be worn by drivers and conductors while operating public service vehicles, and the standard of conduct required of drivers, conductors and passengers while on such vehicles;
- (n) the fares and tolls to be paid by passengers using public service vehicles;

- (o) the use of motor omnibuses and minibuses including
 - (i) the restricting of the use of motor omnibuses and minibuses to specified routes,
 - (ii) the regulating and restricting of the number of motor omnibuses and minibuses on specified routes,
 - (iii) the time tables to be observed by drivers and conductors of motor omnibuses and minibuses,
 - (iv) the issue of permits in respect of public service vehicles and the conditions under which such permits are issued,
 - (v) the picking up and setting down of passengers by motor omnibuses and minibuses,
 - (vi) the issue, cancellation and suspension of the licences of conductors of motor omnibuses and minibuses,
 - (vii) returns to be rendered by the operators of motor omnibuses and minibuses showing the number and nature of journeys completed, the mileage covered, the time taken and the passengers carried;
- (p) driving licences for public service vehicles, hackney carriages and taxis;
- (q) the issue of licences for the operation of motor omnibuses and minibuses, hackney carriages, hired cars, maxi-taxis, taxis, limousines and contract carriages; 1984-4. 1990-35.
- (r) the carriage of goods and other material on motor vehicles;
- (s) the constitution and functions of the Licensing Authority;
- (t) generally, for the better carrying out of the provisions of this Act, and, in particular, for the safety, control and regulation of traffic (whether on special occasions or otherwise), the use of vehicles of any class on any road, and the conditions under which vehicles may be constructed, maintained and used.

1983-30. (1A) The Minister responsible for Finance may make regulations respecting

- (a) the forms to be used for the purposes of Part IV;
- (b) applications for and the issue of certificates of insurance and certificates of security and any other documents which may be prescribed and as to the keeping of records or documents and the furnishing of particulars thereof or the giving of information with respect thereto to the Commissioner;
- (c) the issue of copies of any certificates referred to in paragraph (b) or other documents which are lost or destroyed;
- (d) the custody, production, cancellation and surrender of any certificates referred to in paragraph (b) or other documents; and
- (e) the application of Part IV in relation to motor vehicles brought into Barbados by persons making only a temporary stay therein.

(2) Notwithstanding subsection (1), the Chief Technical Officer may with the approval of the Minister make regulations for the purpose of preventing or restricting the use of vehicles on any bridge where he is satisfied that use of the bridge by those vehicles is likely to cause damage to the bridge or to any person.

(3) Regulations made under this section or section 122 may provide that a breach of any of the regulations so made is an offence.

125. Nothing contained in this Act affects any liability of the driver or owner of a motor vehicle at common law or by virtue of any enactment for the time being in force in Barbados.

126. The *Motor Vehicle and Road Traffic Regulations, 1952* shall be deemed to have been made under this Act and are to be construed *mutatis mutandis* for the purpose of giving the necessary effect thereto.

Saving of
common
law and
other statu-
tory liabili-
ties.

Effect of
existing
regula-
tions.

FIRST SCHEDULE

1990-35

(Section 5(3))

Register of Motor Vehicles

Parish of

Regis- tration Number	Full name and Ad- dress of owner	Description make and seating ca- pacity of motor ve- hicle	Weight unladen	Maximum gross weight	Name of insurer	Whether in- tended for use as	Date of Re- gistra- tion
						(a) Private motor car (b) Limousine (c) Hackney carriage (d) Taxi (e) Maxi-taxi (f) Contract Carriage (g) Motor omnibus (h) Mini-bus (i) Goods vehicle (j) Tractor (k) Motor cycle for (i) Trade purposes (ii) Private use (l) Motor assisted pedal cycle	

1990-35.

SECOND SCHEDULE

(Sections 7(3), 10(4), 10A, 10B & 11(2))

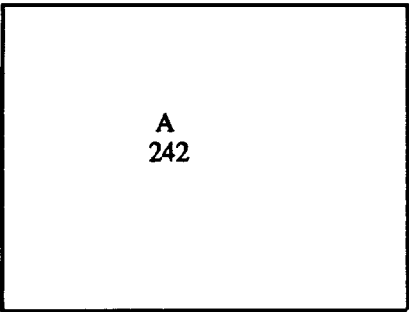
Registration Number Plates

1. Each number shall be rectangular and bear the letter indicating the parish in respect of which the motor vehicle is registered or the purpose for which the motor vehicle is used and the separate number assigned to the motor vehicle by the Licensing Authority, the letter and number being arranged in conformity with the arrangement of letters and figures shown on one or other of the alternative diagrams but when the number "9999" has been assigned to a motor vehicle, the numbers "1-9999" may be re-assigned in series, each series having a letter of the alphabet prefixed to the number.

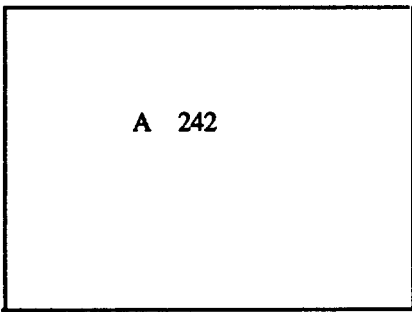
1985-17.

2. Subject to paragraph (3), the rules respecting number plates are as follows:

- (a) the number plates may, at the option of the owner, be of either of the shapes shown on the alternative diagrams or one of one shape and one of the other;
- (b) the background of the number plates must be
 - (i) black with white letters and figures, or
 - (ii) of a white reflective nature with black letters and figures for the front number plate and of a yellow reflective nature with black letters and figures for the rear number plate;
- (c) each letter and figure must be 79 millimetres in height;
- (d) every part of every letter and figure must be at least 14 millimetres in breadth;
- (e) the total width of the space occupied by a letter or figure, except in the case of the figure 1, must be at least 64 millimetres;
- (f) the space between adjoining letters or figures must be 13 millimetres;
- (g) there shall be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least 13 millimetres and between the nearest part of any letter or figure and the sides of the plate of at least 25.4 millimetres;
- (h) in the alternative diagram No. 1, the space between the upper and lower lines shall be at least 19 millimetres; and
- (i) in the alternative diagram No. 2, the space between the letter and the figure shall be at least 38 millimetres.



Alternative Diagram No. 1



Alternative Diagram No. 2

3. In the case of the number plates for a motor cycle, each of the dimensions mentioned in this Schedule shall be halved and the shape of the number plate need not be rectangular, so long as the minimum margin between any letter or figure and the top, bottom and sides of the number plate is preserved.

4. Notwithstanding the provisions of the Schedule, in the case of any motor vehicle registered after such day as is prescribed the number plates required by section 10 shall be of such shape and size and the letters and figures on such number plates shall be of such size and shall be separated by such space as is prescribed.

THIRD SCHEDULE

(Section 27)

Certificate of Weight Unladen of a Vehicle

I hereby certify that I have this day weighed the following motor vehicle

- (a) Class of Vehicle:
- (b) Registration No:
- (c) Engine No:

the property of
 inclusive of the body, accumulators, loose tools, spare wheels and other usual
 equipment and a full supply of water and fuel used for the purposes of propulsion
 and that

the weight of the said
 as equipped isKilograms.

Dated.....

Signed
Chief Technical Officer/Official Weigher

FOURTH SCHEDULE

(Sections 10(5) & 16(1))

PART I

Column 1	Column 2
REGISTERING PARISH	LETTER
Saint Andrew	A.
Saint Peter	E.
Saint George	G.
Saint John	J.
Saint Lucy	L.
Saint Michael	M.
Saint Joseph	O.
Saint Philip	P.
Saint James	S.
Saint Thomas	T.
Christ Church	X.

PART II

1992-2

Public Service Vehicles

Column 1	Column 2
USE	LETTER
Taxi	Z.
Maxi-taxi	ZM.
Route-taxi	ZR.
Self-driven or Hired car	H.
Limousine	HL.
Minibus	B.
Motor Omnibus	BM.
Tour Coach	BT.

PART III

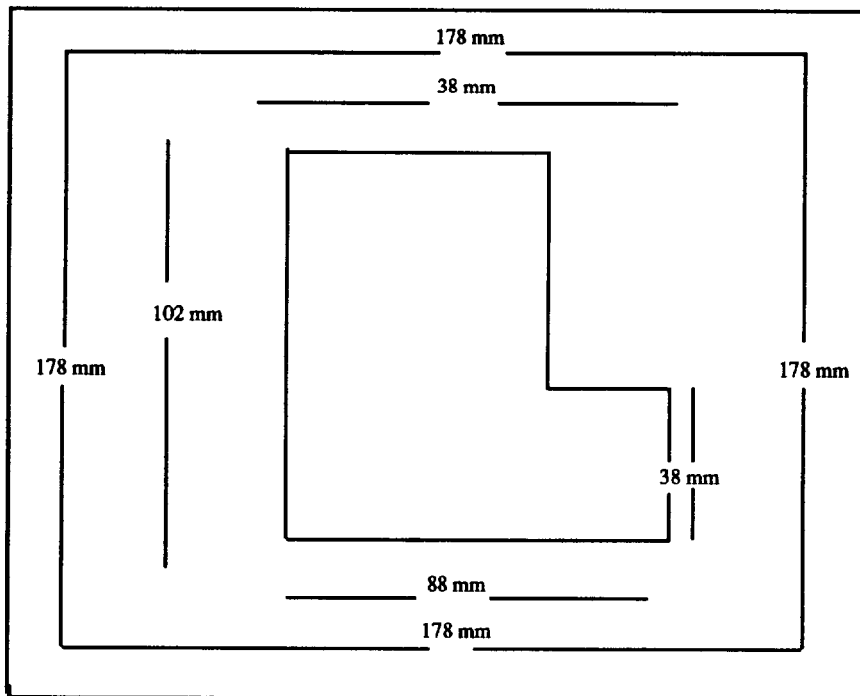
1990-35.

*Vehicles Owned by the Government of Barbados or a
Statutory Board*

Column 1	Column 2
USE	LETTER
(a) Vehicles owned by the Government of Barbados and assigned to Government Ministries and Departments for the business of Government	MP
(b) Vehicles owned by the Government of Barbados and assigned to the Barbados Defence Force for the business of the Force	D, or 1-D to 10-D
(c) Vehicles owned by a Statutory Board and used for the business of the Boards	ML

FIFTH SCHEDULE

(Section 63 (5))

Red Letter on White Background

SIXTH SCHEDULE

(Section 79(1))

Column 1	Column 2 Offence	Column 3 Number of demerit points
1.	Not reporting an accident involving injury.	7
	Not stopping after an accident.	7
2.	Driving without due care.	4
	Driving without reasonable consideration.	4
	Dangerous driving.	4
	Exceeding speed limit (by 50 or more k.p.h.)	7
3.	Exceeding speed limit (by 40 or more k.p.h.)	6
	Failing to obey stop sign.	6
	Failing to obey a light signal.	6
	Failing to comply with the lawful direction of a member of the Police Force.	4
	Overtaking improperly.	4
4.	Not making appropriate signal when stopping, turning, slowing down.	2
	Exceeding speed limit (by 20 or more k.p.h.)	2
	Negligently interrupting free passage of traffic.	2
	Causing unnecessary obstruction.	2
	Parking on restricted place.	2
5.	Carrying excess passengers.	4
6.	Going off route.	2
7.	Soliciting passengers.	4
8.	Overchanging for hire.	6

1992-2.