



ST. CHRISTOPHER AND NEVIS

CHAPTER 15.06

VEHICLES AND ROAD TRAFFIC ACT
and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2020

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VEHICLES AND ROAD TRAFFIC ACT

Act 20 of 1949 ... in force 1st April 1950

Section 26(4), (5) and (6) in force 1st June 2012

Amended by: Act 15 of 1970

Act 6 of 1976

Act 7 of 1976

Act 39 of 1976

Act 8 of 1977

Act 10 of 1983

Act 9 of 1985

Act 9 of 1986

Act 13 of 1986

Act 3 of 1987

Act 9 of 1989

Act 1 of 1990

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Act 14 of 1999

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Act 1 of 2009

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 Amended by: S.R.O. 21/2011
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VEHICLES AND ROAD TRAFFIC ACT

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CHAPTER 15.06

VEHICLES AND ROAD TRAFFIC ACT

AN ACT TO MAKE PROVISION FOR THE REGISTRATION AND LICENSING OF MOTOR VEHICLES; TO MAKE PROVISION FOR TRAFFIC SAFETY; AND TO MAKE PROVISION FOR RELATED OR INCIDENTAL MATTERS.

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Vehicles and Road Traffic Ordinance.

Interpretation.

2. (1) In this Act, unless the context otherwise requires—

“at night” means from half an hour after sunset until half an hour before sunrise or such other period for the lighting of vehicles as may be fixed from time to time by the Traffic Commissioner and published in the *Gazette*;

“Board” means the Traffic Safety Board appointed under section 3;
(Inserted by Act 22 of 1999)

“chauffeur” means a person who drives a motor vehicle and receives compensation therefor;

“Chief of Police”, in the absence from the State of the Officer for the time being lawfully performing the duties of Chief of Police, includes the senior police officer stationed in the State;

“diplomatic representative” means a head of mission or any member of the staff of a head of mission certified to the Licensing Authority by or on behalf of the Ministry responsible for Foreign Affairs, to be a diplomat;
(Inserted by Act 9 of 1989)

“driver”—

(a) in relation to a trailer, means the driver of the vehicle by which the trailer is drawn and “drive” shall be construed accordingly; and

(b) where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle and “drive” shall be construed accordingly;
(Definition of “Highway Code” deleted by Act 7 of 1976)

“inspector” means any person authorised by the Licensing Authority under this Act to inspect vehicles;

(Inserted by Act 9 of 1986)

“Licensing Authority” means the Licensing Authority within the meaning of subsection (3);

(Inserted by Act 9 of 1989)

“livery car” means a motor vehicle having a seating capacity for not more than eight passengers which is hired out by the owner for reward, for the purposes of being driven for the exclusive use of the hirer and which is driven by a chauffeur who is the owner or is employed by the owner;

(Inserted by Act 8 of 1977)

“maximum gross weight” in reference to a motor lorry means the tare weight together with the load including the weight of the driver and attendants, and in reference to a motor omnibus means the tare weight together with the weight of the driver, conductor and the number of passengers for which the vehicle is licensed. For the purposes of this definition the weight of a driver, attendant, conductor or passenger shall be taken as 126 lbs;

“Minister” means the Minister responsible for Public Transport;

(Substituted by Act 22 of 1999)

“motor cycle” means a motor vehicle with less than four wheels not equipped with means of reversing and the weight of which unladen does not exceed 8 cwt.;

“motor lorry” means a motor vehicle constructed or adapted for use and used primarily for the conveyance or haulage of goods, merchandise or other loads;

“motor omnibus” means every passenger vehicle having a seating capacity for more than nine passengers and any motor vehicle licensed as a motor omnibus which carries passengers for hire or reward;

(Inserted by Act 8 of 1977 and amended by Act 9 of 1989)

“motor vehicle” means any mechanically propelled vehicle intended or adapted for use on roads;

“overtaking” includes passing or attempting to pass any other vehicle proceeding in the same direction, or any other vehicle which is stationary on the same side of the road;

(Amended by Act 9 of 1989)

“owner” in the case of a motor vehicle that is registered, means the person in whose name the vehicle is registered:

Provided that in the case of a motor vehicle which is the subject of a hire purchase agreement it means the person in possession of the vehicle under the agreement:

Provided further that whenever the registered owner of a motor vehicle is absent from the State the person in actual charge or possession of the vehicle in the State shall be deemed to be the owner thereof;

“parking” means causing or permitting a vehicle, whether occupied or not, to remain on a road, except—

- (a) while the vehicle is being loaded or unloaded;
- (b) while passengers are entering or leaving the vehicle;
- (c) in compliance with the directions of a member of the Police Force or of a traffic sign or with the requirements of traffic regulations;
- (d) while temporarily stopped by reason of mechanical breakdown or lack of fuel;

(Inserted by Act 9 of 1989)

“parking place” means a place where motor vehicles of any class or description may wait, or a place designated as such by the Minister;

(Amended by Act 9 of 1989)

“passenger” includes a person carried in a public service vehicle for reward or payment of fare;

(Inserted by Act 10 of 1983)

“passenger truck” means a motor vehicle used for hire or reward to carry passengers and their luggage or for the conveyance or haulage of goods, merchandise or other loads;

“policy of insurance” includes a covering note;

“prearranged journey” means a journey by a passenger which has been arranged by or on behalf of that passenger before the day on which the journey occurs;

(Inserted by Act 8 of 1977)

“prearranged travelers journey” means a journey by a passenger between any airport or dock and any hotel, proprietary club, or guest house at which the passenger proposes to spend the next night, or between any hotel, proprietary club or guest house at which the passenger has spent the previous night and any airport or dock, either being a journey which has been arranged by or on behalf of that passenger before the day on which the journey occurs or being a journey by a passenger holding a coupon from an organised travel agency or transportation company situated outside the State;

(Inserted by Act 8 of 1977)

“prescribed” means prescribed by this Act or regulations made thereunder;

“private motor car” means any motor vehicle, other than a motor lorry, the weight of which unladen exceeds 8 cwt. and which does not fall within the definition of a public service vehicle;

“public service vehicle” means a motor vehicle which carries or is intended to carry passengers which is either—

(a) a motor omnibus; or

(b) a motor vehicle which is used as a livery car, self-drive vehicle; taxi or tour car;

(Inserted by Act 8 of 1977 and amended by Act 14 of 1999)

“regulations” means regulations made under this Act;

“road” means any street, road or open space to which the public are granted access and any bridge over which a road passes, and includes any privately owned street, road or open space to which the public are granted access either generally or conditionally;

“self-drive vehicle” means a motor vehicle having a seating capacity for not more than seven passengers excluding the driver which is hired out by the owner for reward for the purpose of being driven and used by the hirer exclusively for his or her own purposes;

(Inserted by Act 8 of 1977)

“tare weight” means the actual weight of a motor vehicle when unladen but inclusive of the body, accumulators, loose tools, spare wheels and other usual equipment and a full supply of water and fuel used for the purpose of propulsion;

“taxi” means a motor vehicle having a seating capacity of not more than fourteen passengers and which stands or plies for hire with a flexibility to operate as a tour vehicle and bearing a letter “T on a yellow number plate”;

(Inserted by Act 8 of 1977 and substituted by Act 14 of 1999)

“ton” means Imperial ton of 2,240 lbs;

“tour bus” means a motor vehicle which is hired for parties and having a seating capacity of not less than twenty five passengers and bearing the letters “GT” on a light pink number plate;

(Inserted by Act 14 of 1999)

“tour car” means a motor vehicle having a seating capacity for not more than seven passengers excluding the driver, which carries passengers for hire or reward on sight seeing tours or on prearranged travelers journeys and which is driven by the owner or by a person employed by the owner;

(Inserted by Act 8 of 1977)

“tractor” means any motor vehicle constructed for the purpose of hauling trailers whether or not it is itself capable of carrying passengers or goods, but does not include a motor lorry so constructed except when such motor lorry is hauling a trailer;

“traffic” includes bicycles, tricycles, motor vehicles, vehicles of every description and all animals being ridden, driven or led and pedestrians;

(Definition of “Traffic Commissioner” deleted by Act 9 of 1989)

“traffic sign” means any object, device, marking, symbol, signals, whether automatic, electric or electronic signals, including traffic lights or lettering (whether fixed or portable) for indicating to traffic on a road or to any particular class of traffic, warnings, information, requirements, restrictions or prohibitions of any description, and a reference to the erection or placing of a traffic sign includes a reference to the display thereof in any manner whatsoever (whether or not involving fixing or placing);

(Inserted by Act 9 of 1989 and amended by Act 1 of 2018)

“traffic warden” means a person appointed under section 93;

(Inserted by Act 9 of 1989)

“trailer” means any vehicle which has no independent motive power of its own and which is attached to a tractor or other motor vehicle, but does not include a side-car attached to a motor cycle;

“vehicle” includes carriages, wagons, carts, motor vehicles, tractors, bicycles, tricycles, vans, handcarts, sledges, trucks, barrows, and all other machines for the conveyance of goods or persons.

(2) For the purposes of this Act—

- (a) a motor vehicle is to be treated as carrying passengers for hire or reward if payment is made for, or for matters which include, the carrying of passengers irrespective of the person to whom the payment is made;
- (b) the carriage of a passenger being a paying guest of any hotel or guest house or a paying member or paying guest of any proprietary club in a motor vehicle owned, operated or hired by or on behalf of the owner, manager or committee of management of that hotel, guest house or club, shall be deemed to be a carriage for hire or reward:

Provided that the Licensing Authority may give oral or written permission for the occasional carriage of a paying guest or member on the ground that he or she is a distinguished visitor or for some other special reason, in a private motor car owned or operated as aforesaid, and any carriage so permitted shall not be deemed to be a carriage for hire or reward;

- (c) a payment shall be treated as made for the carrying of a passenger if made in consideration of a person being given a right to be carried, whether for one or more journeys and whether or not the right is exercised;
- (d) a payment made for the carrying of a passenger shall be treated as a fare notwithstanding that it is made in addition to the journey irrespective of the person by or to whom it is made:

Provided that the carriage of any worker who does not make any payment therefor on any journey to or from his or her place of work or for or in connection with his or her work, in a motor vehicle owned or hired by his or her employer, and driven by his or her employer, or by anyone employed by his or her employer, or on his or her behalf, shall not be deemed to be a carriage for hire or reward.

(Inserted by Act 8 of 1977)

^{*}(3) A reference in this Act to “Licensing Authority” is a reference to such person, persons or authority as the Minister appoints by Order to be the Licensing Authority for the purposes of this Act.

Traffic Safety and Public Service Drivers Board.

3. (1) There is hereby established, for the purposes of this Act, a Board to be known as the Traffic Safety and Public Service Drivers Board.

(Amended by Act 22 of 1999)

(2) The Board shall consist of—

- (a) two representatives of the Ministry of Communications, one of whom shall be Chairperson;
- (b) two representatives of the Ministry of Tourism;
- (c) a representative of the Commissioner of Police;
- (d) a representative of the Divisional Officer, Charlestown Police Division, Nevis;
- (e) a representative of the Director of Public Works;
- (f) two persons nominated by the Taxi Drivers Association; and
- (g) two persons nominated by the Bus Association.

(3) In the absence of the Chairperson, the members present shall elect one of their number to preside as Chairperson of the meeting.

(4) The Board may act by any eight of its members and may so act notwithstanding any vacancy in the number of members constituting the Board.

(5) The Board shall have the power to regulate its own procedure.

(6) The Board shall generally be responsible for advising the Minister on all matters appertaining to—

- (a) road transport;
- (b) traffic and traffic safety; and
- (c) public service vehicles and public service drivers.

(Inserted by Act 22 of 1999)

^{*} Subsection (3) is originally section 2.

(7) Notwithstanding the generality of subsection (1) of this section, the Board may, in particular, advise the Minister on the following matters, that is to say—

- (a) transport rates, fares, tolls, dues or other charges;
- (b) licence duties and fees in respect of motor and other vehicles;
- (c) the promotion of education of road users to improve road sense;
- (d) the conduct of seminars and examinations as the Minister may, from time to time, determine for those persons who wish to become public service vehicle drivers;
- (e) the issuing of certificates of competency to persons who qualify as public service vehicles drivers and decertifying such persons;
- (f) certifying of vehicles to be used as public service vehicles and decertifying of such vehicles;
- (g) appointment of persons suitably qualified to be inspectors for the purposes of the Public Service Vehicle Drivers (Special Provisions) Act, Cap. 15.04;
- (h) disciplining of public service vehicle drivers in accordance with the provisions of the Public Service Vehicle Drivers (Special Provisions) Act;
- (i) the review and amendment of existing legislation to promote road safety;
- (j) any other matter affecting traffic, transport or road safety that may be considered necessary.

(Inserted by Act 22 of 1999)

(8) The Board shall hear and determine any dispute between—

- (a) a public service driver and a client; or
- (b) a tour operator and a client; or
- (c) a tour operator and a public service driver.

(Inserted by Act 22 of 1999)

(9) The Board shall hear and determine any appeal submitted by any aggrieved person against—

- (a) an order or decision of the Licensing Authority or any other examining officer; or
- (b) a decision made under the Public Service Vehicle Drivers (Special Provisions) Act.

^{*}(10) The Board shall perform such other functions as are prescribed by the Public Service Vehicle Drivers (Special Provisions) Act, and any regulations made under that Act.

(Inserted by Act 22 of 1999)

* Originally section 3.

Licensing Authority.

4. (1) The Licensing Authority is such person, persons or authority as the Minister appoints by Order to be the Licensing Authority for the registration and licensing of vehicles and generally for the purposes of this Act and such Licensing Authority shall be subject to such general or specific direction as the Minister may give.

(2) It shall be the duty of the Licensing Authority—

- (a) to regulate and control traffic on roads;
- (b) to keep records of all accidents on roads;
- (c) to furnish, annually, to the Minister a report on all accidents on roads which result in death or injury to persons and as far as practicable the causes attributed to such accidents;
- (d) to keep a Driver's Offences Register;
- (e) to enforce the provisions of this Act and of any regulations made thereunder.

(3) The Licensing Authority may authorise such persons as it considers necessary to be inspectors for the purpose of inspecting motor vehicles in accordance with this Act and any regulations made thereunder.

(4) A person appointed or authorised by the Licensing Authority to be an inspector shall inspect any motor vehicle or trailer and issue a certificate in such form as the Minister may prescribe.

^{*}(5) The Licensing Authority may designate members of the Police Force to be Licensing Officers and Examining Officers for carrying out the provisions of the Act or any regulations made thereunder.

(Substituted by Act 9 of 1989 and amended by Act 22 of 1999)

(6) The Licensing Authority may grant authorisation for a person to become an inspector for the purposes of subsection (3) upon—

- (a) receipt of a letter of application accompanied by a fee prescribed by the Minister in Regulations;
- (b) satisfactory compliance with the guidelines for inspection and inspection facilities as may be prescribed by the Minister in Regulations.

(Inserted by Act 1 of 2018)

(7) Where a person has been authorised to perform the duties of an inspector pursuant to subsection (3), and the inspector or his agents contravenes the provisions of this section, the person shall be liable—

- (a) in the case of a first violation to be issued with a warning; and
- (b) in the case of a second or subsequent offence the authorisation may be withdrawn by the Licensing Authority.

(Inserted by Act 1 of 2018)

* Originally section 4.

(8) A licensing officer or an examining officer designated pursuant to subsection (5), shall be permitted to enter the premises where vehicles are being inspected or are proposed to be inspected by an inspector, for the purpose of verifying and monitoring the inspection process.

(Inserted by Act 1 of 2018)

Duties of Licensing Officers.

*5. It shall be the duty of the Licensing Officers, on behalf of the Licensing Authority and in accordance with the provisions of this Act—

- (a) to issue licences and certificates of registration in respect of vehicles, drivers' licences and conductors' licences;
- (b) to keep a register of—
 - (i) registered motor vehicles;
 - (ii) licensed motor vehicles and trailers;
 - (iii) licensed motor drivers and licensed conductors;
- (c) to perform all such other duties as are or may be conferred or imposed upon him or her by this or any other Act or by any regulations made thereunder or by the Licensing Authority.

(Amended by Act 9 of 1989)

Duties of Examining Officer.

†6. It shall be the duty of an Examining Officer, when so required by the Licensing Authority—

- (a) to examine and report upon the condition, construction and equipment of any motor vehicle or other vehicles;
- (b) to test applicants for drivers' licences as to their competence to drive, and, if satisfied, to grant the necessary certificates of competency;
- (c) to perform all such other duties as are or may be conferred or imposed upon him or her by this or any other Act or by any regulations made thereunder.

(Amended by Act 9 of 1989)

Fees.

‡7. (1) The Minister may, by Order, prescribe the fees to be paid in respect of the licensing, examining and inspection of vehicles and the licensing and examining of drivers and conductors under this Act.

(2) Orders made under this section shall be of no effect unless and until approved by resolution passed by the National Assembly.

(Substituted by Act 7 of 1976 and amended by Act 9 of 1989)

* Originally section 5.

† Originally section 6.

‡ Originally section 7.

PART II

REGISTRATION AND LICENSING OF MOTOR VEHICLES

Registration of motor vehicles.

*8. (1) Save as hereafter provided, no person shall drive or keep for use on a road or, being the owner, shall permit any other person to drive a motor vehicle on a road unless such vehicle is registered under this Act, and has affixed thereto in the prescribed manner the prescribed identification mark.

(2) Any person who acts in contravention of the provisions of this section commits an offence and shall, on summary conviction, be liable to a fine not exceeding three hundred dollars:

(Amended by Act 2 of 1998)

Provided that no person shall be liable to a penalty for a breach of this section if he or she proves that he or she has taken all reasonable steps to comply with its requirements, and that the vehicle was being driven on a road for the purpose of being registered.

(Amended by Act 9 of 1989)

(3) Application for the registration of a motor vehicle shall be made by the owner on the prescribed form, which application shall be duly completed by the applicant:

Provided that no registration fee shall be payable in respect of the registration of any motor vehicle which was registered under the provisions of any law in force in the State prior to the coming into operation of this Act.

(4) A person shall only register a public service vehicle, other than a self-drive vehicle, with the approval of—

- (a) the Minister, in the case a motor omnibus; or
- (b) the Tourism Authority, in the case of a taxi or tour bus.

(5) A person who seeks to register a public service vehicle, other than a self-drive vehicle, shall—

- (a) in the case of a taxi or tour bus, make an application in writing to the Tourism Authority;
- (b) in the case of a motor omnibus, make an application in writing to the Traffic Safety and Public Service Drivers Board.

(6) A person shall not transfer the registration of a taxi or tour bus to another person without the prior written approval of the Tourism Authority.

(Subsections (4), (5), and (6) inserted by Act 1 of 2009; and subsections (4) to (10) have been renumbered by necessary implication)

(7) The Licensing Officer, upon being satisfied that the provisions of this Act and any regulations and of any law for the time being in force in the State relating to the protection of third parties against risks arising out of the use of motor vehicles, have been complied with, shall satisfy himself or herself that the registration fee has been paid to the Accountant-General in accordance with the provisions of section 7 and forthwith enter particulars of the vehicle in the register of registered motor vehicles and shall assign to the vehicle a registered letter or letters and number, which

* Originally section 8.

shall be the identification mark of such vehicle and shall also assign a number as the road licence number.

(Amended by Act 9 of 1989)

(8) Every registration number or identification mark assigned to the owner of a motor vehicle is valid for a period of one year from the date it is so assigned and remains the registration number of such owner but the Licensing Authority may reassign that registration number to any other person if the person to whom it was issued—

- (a) fails within twelve months after the date of its expiry to apply for a renewal thereof; or
- (b) fails to indicate that it should be retained for his or her use; and to pay such fee as may be prescribed for its renewal or retention.

(9) A certified copy of the entry in the Register of registered motor vehicles in the prescribed form signed by the Licensing Officer shall be given to the owner of the vehicle, and such certificate of registration shall be regarded as *prima facie* evidence that the vehicle to which it refers has been registered.

(10) If a motor vehicle does not bear on it an identification mark as provided by this section, this fact shall be regarded as *prima facie* evidence that the vehicle has not been registered, and any member of the Police Force may detain such vehicle until inquiries have been made.

(11) The onus of proving that a vehicle has been registered shall be upon the owner of the vehicle.

(12) The owner of a motor vehicle shall notify the Licensing Authority of all circumstances or events that affect the accuracy of the entries in the Register of registered motor vehicles at the same time forwarding his or her certificate of registration for amendment, and the Licensing Authority may call upon any owner of a motor vehicle at any time to furnish all information for the verification of the entries in the Register of registered motor vehicles relating to such vehicle.

(13) No person shall be registered as the owner of—

- (a) a motor cycle, unless he or she is sixteen years or over;
- (b) a motor vehicle other than a motor cycle, unless he or she is eighteen years or over.

Verification of application for registration.

*9. (1) Before the registration of any motor vehicle the Licensing Officer shall verify all the particulars entered in the form of application, and may, if he or she deems it necessary, send any vehicle to be examined by an Inspector for the purpose of ensuring that it is of such construction and in such condition as may be necessary for the purpose for which it is sought to register the vehicle.

(Amended by Act 9 of 1989)

(2) Before registering any motor lorry or motor omnibus, the Licensing Officer shall ascertain, in the manner prescribed, the maximum gross weight or the maximum number of passengers which the vehicle is authorised to carry and such maximum gross weight or maximum number of passengers shall be entered in the Register of registered motor vehicles and in the certificate of registration.

* Originally section 9. Original section 10 was deleted by Act 9 of 1989.

Exemptions from need for registration.

***10.** (1) The following classes of motor vehicles shall be exempted from the need for registration—

- (a) private motor cars and motor cycles brought into the State by visitors for their own use for a period not exceeding three months, subject to such conditions as may be prescribed;
- (b) new motor vehicles in the possession of manufacturers or dealers in motor vehicles, intended for sale and not used except with the permission of the Licensing Authority in writing for the purpose of being tested with a view to sale, subject to such conditions as may be prescribed.

(2) No fee shall be charged on the registration of any motor vehicle—

- (a) which is the property of the Governor-General or an accredited diplomatic representative to Saint Christopher and Nevis (by whatever name or title designated) of the Government of any foreign country used by him or her for his or her official or personal duties; or
(Substituted by Act 9 of 1985)
- (b) which is the property of the Government of the State, or of any government body or Town or Village Council; or,
- (c) which is specially exempted by an Order of the Minister on account of its being used for any charitable, philanthropic or public purpose:

Provided that the exemption hereby granted from payment of the registration fee in respect of a vehicle shall cease whenever the condition justifying such exemption ceases to apply to that vehicle.

(3) The Licensing Authority shall, on application made to him or her and without payment of a fee, assign to such diplomatic representative a registration number in accordance with the Regulations except that the background of the number plate bearing such registration number shall be dark blue in colour and the borders, letters and figures thereon, yellow and must bear the letters “CD”.

(Inserted by Act 9 of 1989)

(4) In the case of any official vehicle of the Governor-General, the Prime Minister, the Deputy Governor-General for Nevis and the Premier of Nevis, the plates affixed may bear such other insignia as may be designated by the Licensing Authority in accordance with the direction of the Minister.

(Inserted by Act 9 of 1989)

(5) In the case of a motor vehicle that is being used on a special occasion or for a special purpose or during a special period that the Minister declares to be a special occasion or a special purpose or period under this subsection, registration number plates may be of such a nature or bear such alternative identification as the Licensing Authority may designate.

(Subsection (5) inserted by Act 9 of 1989)

* Originally section 11.

Transfer of registration.

- *11. (1) On the change of possession of a motor vehicle, otherwise than by death—
- (a) the motor vehicle shall not be used for more than seven days after such change of possession unless the new owner is registered as the owner thereof;
 - (b) the registered owner and the new owner shall, within seven days after such change of possession, make application in writing signed by both of them to the Licensing Officer giving the name and address of the new owner and the date of change of possession, and such application shall be accompanied by the certificate of registration, and the Licensing Officer, upon being satisfied that payment of the prescribed fee has been made to the Accountant-General in accordance with section 7, shall, by endorsement of the certificate of registration and entry in the register substitute the name of the new owner for that of the registered owner and shall date and initial the substitution, and from such date the new owner shall for all purposes be deemed to be the registered owner of the motor vehicle described in the relevant entry in the Register of motor vehicles and in such certificate of registration:

Provided however that in any case where the registered owner has indicated in accordance with section 8 that he or she wishes to retain the registration number for his or her own use, a new registration number shall be issued accordingly; and

(Inserted by Act 9 of 1989)

Provided further that where the ownership of any motor vehicle is changed as a result of any legal or judicial process such application may be made by the new owner alone, subject to the other requirements of this section being complied with.

- (2) In the case of the death of the registered owner the legal personal representative of the deceased in the State shall be deemed to be the owner for the purpose of such transfer and, in the absence of any legal personal representative in the State, the person into whose possession the motor vehicle lawfully comes shall, for the purpose of such transfer, be deemed to be the registered owner:

Provided that such personal representative or other person as aforesaid shall where practicable notify the Licensing Officer of the death of the registered owner within one month of the happening of such event.

- (3) At the discretion of the Licensing Officer a new certificate of registration may be issued instead of endorsing the original certificate.

Licensing, etc.

- †12. (1) Subject to the provisions of this section no person shall use or cause or permit any other person to use a motor vehicle on a road unless there is in force the relevant motor vehicle licence in respect of that vehicle, and if—

(Substituted by Act 8 of 1977)

- (a) the owner or driver of any motor vehicle or trailer keeps for use or allows to be kept for use such vehicle or trailer without having

* Originally section 12.

† Originally section 13.

obtained, or otherwise fails or omits to obtain the relevant licence prescribed in respect of that motor vehicle or trailer; or

(Amended by Act 10 of 1983)

- (b) any motor vehicle or trailer is used upon any road for a purpose which is not authorised by the licence issued in respect thereof or in contravention of any provisions of this Act; or
- (c) any motor lorry, motor omnibus or trailer is used upon a road being loaded so as to exceed the maximum gross weight or the number of passengers respectively authorised by the licence; the owner or driver or other person in charge of the motor vehicle or trailer, as the case may be, who contravenes any of the provisions of the foregoing paragraphs (a), (b) and (c) commits an offence and shall, on summary conviction, be liable to a fine not exceeding four hundred dollars:

(Amended by Act 2 of 1998)

Provided that the Licensing Authority may in his or her discretion grant permission to enable a vehicle licensed as a motor lorry to be used as motor omnibus and, in such case, such permission and any conditions attached thereto shall be recorded on the relevant licence:

Provided also that in the case of a motor vehicle intended by the applicant for a licence to be licensed as a taxi, livery car or self-drive vehicle, but not yet so licensed under this Act as a taxi, livery car or self-drive vehicle, shall upon surrender of the private motor car licence (and upon payment of the appropriate fee prescribed in the Schedule to this Act) issue the relevant public service vehicle licence.

(Inserted by Act 8 of 1977)

- (2) For the purposes of this section, the relevant motor vehicle licence is—
 - (a) in the case of a motor omnibus or of a motor vehicle licensed as a taxi, tour car, livery car or self-drive vehicle the relevant public service vehicle licence;
 - (b) in the case of a trailer, a trailer licence;
 - (c) in every other case a private motor vehicle licence, which in the case of a private motor vehicle registered and licensed outside the State or brought into the State by a *bona fide* visitor to the State, may be a temporary private motor vehicle licence.

(Inserted by Act 8 of 1977)

(3) Where the driver of any vehicle is charged with an offence under subsection (1), it shall be lawful for the Magistrate to order that a summons be issued against any person alleged by the driver to be the owner of the vehicle, making such alleged owner a co-defendant in the case; and the Magistrate may, after hearing the evidence and witnesses of all parties, make such order in regard to the payment of any penalty and costs as to the Magistrate seems just.

(4) A person shall not be convicted of an offence under this section if he or she proves that he or she has not had a reasonable opportunity of obtaining a licence for the motor vehicle or trailer and that such vehicle was being driven for the purpose of obtaining a licence.

(5) Every vehicle shall, in all proceedings under this Act, be deemed to be kept for use, until the contrary be proved by the owner of such vehicle.

(6) Upon any conviction for an offence under paragraph (a) of subsection (1), the Magistrate, in addition to any other penalty which may be imposed, unless such licence duty has been paid subsequent to the commission of the offence, shall order the owner of the motor vehicle or trailer to pay into Court to the credit of the Accountant-General the amount of the relevant licence duty which would have been payable if such licence had been taken out at the proper time, and in default of payment of such amount the owner shall be liable to imprisonment with or without hard labour for a term not exceeding three months.

Restrictions on licensing of certain motor vehicles.

*13. (1) The Licensing Authority may grant a special permit to the owner of a tractor, motor lorry or trailer for conveying heavy machinery or other articles in excess of the maximum gross weight of 5 tons, subject to such conditions as may be specified in the permit, and on payment of a special fee calculated at the rate of six cents per mile or part of a mile to be travelled for each ton or part of a ton of the gross weight to be transported in excess of the maximum gross weight for which such tractor, motor lorry or trailer is licensed.

(2) The Licensing Authority may grant a special permit to the owner of any machine used for industrial or agricultural purposes to enable such machine to be moved from one place to another, subject to such conditions as may be specified in the permit and on payment of a special fee calculated at the rate of six cents per mile or part of a mile to be travelled for each ton or part of a ton gross weight to be transported.

(3) Any person who uses a motor vehicle in contravention of the provisions of this section or to whom a permit has been granted under this section and who fails to observe any of the conditions specified in such permit shall be liable, on summary conviction, to a fine not exceeding five hundred dollars, and in addition he or she shall be liable for any damage occasioned by his or her neglect or failure to observe any of such conditions.

(4) Notwithstanding the issue of any permit under subsections (1) and (2), no fee shall be payable in respect of road rollers, or in respect of motor vehicles using roads which are not maintained at the public expense, nor in any case when the distance travelled along a public road does not exceed one-half of a mile.

(Subsection (1) was deleted by Act 3 of 1987. See also Acts 7 of 1976 and 1 of 1990)

Application for licence.

†14. Application for the licensing of a motor vehicle or trailer shall be made to the Licensing Officer on the prescribed form, and subsequent applications for renewal of a licence shall be made in person or by letter, the old licence being at the same time produced to the Licensing Officer.

Vehicle to be weighed.

‡15. It shall be lawful for the Licensing Officer before granting a licence (including a renewal) in respect of a motor vehicle or trailer to require such motor vehicle or trailer to be weighed in the presence of a person authorised by the Licensing Officer.

* Originally section 14.

† Originally section 15.

‡ Originally section 16.

Particulars to be entered in Register.

*16. Upon licensing any motor vehicle or trailer the Licensing Officer shall enter in the Register of licensed motor vehicles and trailers opposite the entry relating to that vehicle or trailer the number and date of the licence issued in respect of such vehicle or trailer.

Conditions to be satisfied before licence is issued.

†17. No licence for any motor vehicle or trailer shall be issued by the Licensing Officer until—

- (a) the motor vehicle has been duly registered;
- (b) the motor vehicle or trailer has been examined by an Examining Officer and a certificate of fitness in respect thereof produced;
- (c) the Licensing Officer is satisfied that the provisions of this Act and of any regulations made thereunder and of any law for the time being in force in the State, relating to the protection of third parties against risks arising out of the use of motor vehicles have been complied with;
- (d) the Licensing Officer is satisfied that the prescribed fee has been paid to the Accountant-General in accordance with section 7.

Renewal of licence.

‡18. The Licensing Officer shall not renew a motor vehicle or trailer licence unless—

- (a) in the case of a motor vehicle he or she is satisfied that the motor vehicle does not differ in any respect from the particulars in the Register of registered motor vehicles;
- (b) the motor vehicle or trailer has been examined by an Examining Officer and a certificate of fitness in respect thereof is produced; and
- (c) he or she is satisfied that the provisions of this Act and of any regulations made thereunder and of any law for the time being in force in the State relating to the protection of third parties against risks arising out of the use of motor vehicles have been complied with.

Licence in respect of public service vehicles.

§19. In addition to the licence to be issued in respect of a motor vehicle (other than a motor cycle) the duty in respect of which is set out in item 3 of the First Schedule, there shall be issued a licence in respect of every motor vehicle used as a public service vehicle and the duty in respect thereof shall be as set out in item 4 of the First Schedule.

* Originally section 17.

† Originally section 18. Original paragraph (c) and subsections (2) and (3) and section 19 were deleted by Act 7 of 1976.

‡ Originally section 20.

§ Originally section 21.

Alteration of motor vehicle occasioning licence duty.

*20. (1) Where a motor vehicle in respect of which a licence has been issued is altered after the licence has been issued in such manner as to cause the vehicle to become a vehicle in respect of which a licence at a higher fee or a licence of a different class is required, the licence shall become void, but the holder of the licence shall, on surrendering the same and furnishing the particulars of alteration, be entitled to receive a new licence in respect of the vehicle, to have effect for the period for which the surrendered licence would if it had not been surrendered, have remained in force, on payment of such amount if any, as represents the difference between the amount payable on the new licence and the amount paid on the surrendered licence.

(2) Where a licence has been taken out for a motor vehicle to be used solely for a certain purpose and the vehicle is at any time during the period for which the licence is in force used for some other purpose, the person so using the vehicle shall, if the fee chargeable in respect of a licence for a vehicle used for that purpose is higher than the fee chargeable in respect of the licence held by him or her, be deemed to be guilty of an offence under section 12 and the provisions of that section shall apply accordingly.

Cancellation and suspension of licence.

†21. (1) The Licensing Authority shall have power to call up for examination at any time any motor vehicle or trailer which he or she has reason to believe is not in a fit and proper state of repair or does not conform to the provisions of this Act or of any regulations as regards construction, equipment, dimensions and maintenance.

(2) If, upon such examination, the Licensing Authority is satisfied that the motor vehicle or trailer is so constructed or is in such a condition as to be a source of danger to any person travelling in the vehicle or to other users of the road or to be injurious to the roads themselves or otherwise contravenes any provisions of this Act or any regulations, the Licensing Authority may cancel or suspend any licence subsisting in respect of such vehicle.

(3) A licence suspended by virtue of this section shall, during the time of suspension, be of no effect.

Transfer of ownership.

‡22. On transfer of ownership of a motor vehicle or trailer the Licensing Officer shall, on being satisfied that the prescribed fee has been paid to the Accountant-General in accordance with the provisions of section 7, duly amend the Register of licensed motor vehicles and trailers and the licence, and it shall not be necessary to issue a new licence.

Licence Duties.

§23 (1) A licence issued in respect of a motor vehicle or trailer shall be in the prescribed form.

(2) The licence referred to in subsection (1) of this section shall—

(a) in case of a vehicle with a left hand steering wheel, be placed on the top right hand corner of the vehicle's windscreen;

* Originally section 22.

† Originally section 23.

‡ Originally section 24.

§ Originally section 25.

- (b) in case of a vehicle with a right hand steering wheel, be placed on the top left hand corner of the vehicle's windscreen.
- (3) A motor vehicle or trailer shall be licensed during the month that corresponds to the last figure of identification mark on the motor vehicle or trailer.
- (4) A motor vehicle or trailer which is licensed in a month that does not correspond to the last figure of the identification mark of the motor vehicle or trailer shall be licensed for a period commencing on the date on which the licence is issued or renewed until the end of the month immediately preceding the month which corresponds to the last figure of the identification mark of the motor vehicle or trailer.
- (5) For the purposes of subsections (3) and (4) of this section, the figures one to nine of any identification mark correspond to the months January to September respectively, and the figure nought corresponds to the month of October.
- (6) A motor vehicle or trailer licence shall be valid for a period of one calendar year commencing on the day the licence is issued or renewed.
- (7) The licence fee payable for a motor vehicle or trailer which has been licensed in accordance with the provisions of subsection (6) of this section shall be an amount proportionate to the yearly fee which corresponds to the number of months for which the motor vehicle or trailer is licensed.
- (8) For the purpose of this section, the period of validity of a motor vehicle licence or trailer licence shall be reckoned in calendar months, and a part of a calendar month shall be treated as a full month.
- (9) A person who contravenes the provisions of subsection (2) or (3) of this section commits an offence and is liable, on summary conviction, to a fine not exceeding one hundred dollars.

(Substituted by Act 2 of 1998)

International certificates and temporary licences for motor vehicles.

*24. (1) The owner of any motor vehicle in respect of which an international certificate for a motor vehicle has been issued elsewhere than in Saint Christopher and Nevis in accordance with the provisions of any International Convention relating to the international circulation of motor vehicles to which Saint Christopher and Nevis shall have adhered or which has been applied to Saint Christopher and Nevis, shall, whilst such certificate remains valid and subject to such conditions as may be prescribed, be exempted from any requirement to register such motor vehicle, and be also exempted for ninety days in any year from any requirement to hold a licence in respect of such motor vehicle.

(2) Where a motor vehicle is brought into Saint Christopher and Nevis for the purpose of being used by the owner during a visit, and the owner of that motor vehicle does not hold an international certificate, the Licensing Authority may issue a temporary licence to use the motor vehicle without registration or payment of any fee for not more than three months and subject to such conditions as may be prescribed.

(3) No motor vehicle in respect of which an international certificate or temporary licence has been issued shall be used in Saint Christopher and Nevis unless the owner has complied with the provisions of the Motor Vehicles Insurance (Third-Party Risks) Act, Cap. 15.02.

(4) Where a person in Saint Christopher and Nevis desires to use a motor vehicle in any other country which has adhered to any International Convention

* Originally section 26.

referred to in subsection (1), he or she shall apply to the Licensing Authority in the prescribed manner for an international certificate in respect of the motor vehicle.

(5) The Licensing Authority shall have power, subject to such conditions as may from time to time be prescribed, to issue international certificates for motor vehicles in accordance with any International Convention referred to in subsection (1), and before the certificate is issued the applicant shall satisfy the Licensing Authority that the motor vehicle complies with the requirements of the said Convention, and for such purpose the Licensing Authority may require an Inspector to examine the motor vehicle and report thereon.

(6) The Licensing Authority shall keep a record of all international certificates for motor vehicles and temporary licences issued by the Licensing Authority, and of all motor vehicles being used in Saint Christopher and Nevis under International Certificates issued in other countries.

(Section substituted by Act 9 of 1989)

Regulations as to registration and licensing.

*25. The Minister may by regulations made under section 80 of this Act make further provision (not inconsistent with the provisions of this Act) regarding any of the following matters—

- (a) the registration and licensing of motor vehicles and of classes and categories of motor vehicles and of public service vehicles;
- (b) the form, issue and endorsement of registration books upon registration and upon change of ownership of motor vehicles;
- (c) generally for the purposes of giving effect to the intentions of this Part of this Act.

(Inserted by Act 8 of 1977)

PART III

LICENSING OF DRIVERS

Driver's licence.

†26. (1) Save as in this section provided, no person shall drive a motor vehicle other than a public service vehicle on any road unless he or she is the holder of a driver's valid and unexpired licence and no person shall employ any other person to drive a motor vehicle other than a public service vehicle on any road unless the person so employed is the holder of a "Chauffeur's Licence", and if any person acts in contravention of the provisions of this section he or she commits an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand dollars:

(Amended by Acts 8 of 1977, 2 of 1998, 31 of 2005)

Provided that any person found driving in contravention of this section commits an offence and may be arrested forthwith without a warrant, and shall, on summary conviction, be liable to a fine not exceeding two thousand dollars:

(Amended by Acts 7 of 1976, 9 of 1986 and 1 of 2009)

* Originally section 26A.

† Originally section 27.

Provided also that for the purposes of this section the expression “public service vehicle” shall not include a self-drive vehicle.

(Inserted by Act 8 of 1977)

(2) No person shall drive or employ any other person to drive a public service vehicle, unless the provisions of section 7 of the Public Service Vehicle Drivers (Special Provisions) Act, Cap. 15.04, are complied with, and any person who contravenes the provisions of this subsection commits an offence and shall be liable, on summary conviction, to a fine of two hundred and fifty dollars for the first offence, and five hundred dollars as well as suspension or revocation of the person’s licence, for a second or subsequent offence.

(Inserted by Act 1 of 2009 as subsection (1A). Subsections (2) and (3) have been renumbered accordingly. Subsection (3) amended by Act 1 of 2009.)

(3) For the purpose of learning to drive, a person not having a driver’s licence may—

- (a) use a motor cycle upon such road and during such times as may be authorised in writing by an Examining Officer;
- (b) drive any motor vehicle other than a public service vehicle when conveying passengers upon such road and during such times as may be authorised in writing by an Examining Officer, if accompanied for the purpose of instruction by a person holding a Class I driver’s licence and sitting next to the driver, and in such case both the learner and the person accompanying him or her shall be jointly and severally liable for any offence against this Act or of any regulations made thereunder committed during the course of such instruction.

(4) Every motor vehicle used or driven under the provisions of subsection (3) shall carry such identification marks as may be prescribed:

Provided however that any person who drives a motor vehicle which displays the identification mark referred to under this section and who is not accompanied by a person learning to drive shall be liable, on summary conviction, to a fine not exceeding two hundred dollars.

(Proviso inserted by Act 9 of 1989 and amended by Act 2 of 1998. Subsection (4) corrected by S.R.O. 25/2016)

^{*}(5) Notwithstanding subsection (1), a citizen of an OECS Member State who holds a driver’s licence issued in any other OECS Member State shall, while such licence remains valid and unexpired, be exempt from any requirement to hold a driver’s licence issued under this Act to drive in Saint Christopher and Nevis.

(Inserted by Act 40 of 2011)

(6) A person to whom subsection (5) applies shall only be entitled to drive in a motor vehicle of the class for which he holds an authorization to drive in the Member State in which his driver’s licence was issued.

(Inserted by Act 40 of 2011)

(7) For the purposes of subsections (5) and (6) the expression “OECS” means the Organisation of Eastern Caribbean States established under the Treaty of Basseterre 1981 and continued under Article 2 of the Treaty of Basseterre Establishing the Organisation of Eastern Caribbean States Economic Union 2010.

(Inserted by Act 40 of 2011)

* Subsections (4), (5) and (6) inserted by Act 40 of 2011 and renumbered as subsections (5), (6) and (7).

Classes of drivers' licences.

*27. (1) Drivers' Licences shall be of ten classes, that is to say—

- (a) Class 'A' Drivers' Licence which shall entitle the holder thereof to drive any motor vehicle with a registered tare weight of four tons or less but shall not include an agricultural tractor or motor cycle;
(Amended by Act 3 of 1987)
- (b) Class 'B' Drivers' Licence which shall entitle the holder thereof to drive any motor vehicle with a registered tare weight of eight tons or less, but shall not include a motor cycle or an agricultural tractor;
- (c) Class 'C' Drivers' Licence which shall entitle the holder thereof to drive any motor vehicle with a registered tare weight exceeding eight tons but shall not include an agricultural tractor nor a motor cycle or any heavy construction equipment, and it shall include a truck-tractor in combination with semi-trailers regardless of the registered weight;
- (d) Class 'D' Drivers' Licence which shall entitle the holder thereof to drive an agricultural tractor;
- (e) Class 'E' Drivers' Licence which shall entitle the holder thereof to drive any heavy construction equipment;
- (f) Class 'F' Drivers' Licence which shall entitle the holder thereof to drive any motor vehicle or combination of vehicles, that is, any of letter classifications A, B, C, D, E or M;
- (g) Class 'L' Drivers' Licence which shall entitle the holder thereof to operate a motor vehicle for the purpose of learning to drive;
- (h) Class 'M' Drivers' Licence which shall entitle the holder thereof to drive a motor cycle;
- (i) Class 'P' Drivers' Licence which shall entitle the holder thereof to drive any motor vehicle with a registered tare weight of two tons or less but shall not include any agricultural tractor or motor cycle, or any vehicle transporting any person for compensation or reward;
- (j) Class 'I' Drivers' Licence is the licence issued to the holder of a class A, B, C, D, E or F Drivers' Licence authorising him or her to occupy the seat beside a Learner Driver for the purpose of giving instructions in driving the motor vehicle.

(Subsection (1) substituted by Act 9 of 1985, and amended by Acts 3 of 1987 and 1 of 2009)

(2) No person shall drive on any road a motor vehicle of any class or description unless he or she is the holder of a licence authorising him or her to drive a motor vehicle of that particular class or description, and any person found driving in contravention of this section may be arrested forthwith without a warrant.

(Inserted by Act 15 of 1970 and amended by Act 1 of 2009)

(3) No person shall employ or permit any other person to drive on any road a motor vehicle of any class or description unless such other person so employed or permitted as aforesaid is the holder of a licence authorising him or her to drive a motor vehicle of that particular class or description.

(Inserted by Act 15 of 1970)

* Originally section 28.

(4) Any person who contravenes or fails to comply with any of the provisions of this section commits an offence against this Act and shall be liable, on summary conviction, to a fine not exceeding four hundred dollars, and on a second or subsequent conviction for a like offence shall be liable, in addition to the aforesaid fine, to be disqualified from holding or obtaining a driver's licence for a period of not less than one month and not more than twelve months.

(Inserted by Act 15 of 1970 and amended by Act 2 of 1998)

(5) A specification made in the driver's licence of the word "automatic" shall be construed under this section as constituting a distinct class or description that would disentitle a person holding a licence of that class or description from driving a vehicle of another class or description.

(Inserted by Act 9 of 1985)

(6) A person who gives instructions in the driving of a motor vehicle shall be the holder of a Class I driver's licence and be duly authorised by the Licensing Authority as a driving instructor, and if any instruction in driving is given in contravention of the provisions of this subsection, the person by whom it is given and if he is employed by a principal to give the instruction, the principal as well, commits an offence and shall be liable, on conviction, to a fine not exceeding two thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

(7) A person shall not be granted a Class I driver's licence unless he or she—

- (a) has passed an examination of competency and fitness to give instructions in the driving of a motor vehicle as may be prescribed by the Licensing Authority;
- (b) is the holder of driver's licence for a period of not less than four years;
- (c) has not during any part of the said four years been disqualified from driving under the provisions of any law;
- (d) has not been convicted of any of the offences of reckless or dangerous driving within the last twelve months.

(8) A person who is the holder of a Class I driver's licence shall not be entitled to giving driving instructions if his or her business has been suspended by a court or other competent authority.

(9) A Class I driver's licence shall be in the form prescribed by the Licensing Authority.

(Subsections (6) to (9) Inserted by Act 1 of 2009)

Form of drivers' licences.

*28. Drivers' licences shall be in such form as may be prescribed and shall have affixed thereto the signature of the holder thereof.

Fees.

†29. On the issue of a driver's licence there shall be payable the fee set out in the First Schedule:

Provided that no fee shall be payable by an accredited diplomatic representative in Saint Christopher and Nevis (by whatever name and title

* Originally section 29.

† Originally section 30.

designated) of the Government of any foreign country in respect of a motor vehicle used by him or her on official or personal duty in Saint Christopher and Nevis on the issue to him or her of a driver's licence or on his or her passing a driving test.

(Proviso substituted by Act 9 of 1985.)

Application for driver's licence.

*30. Application for a driver's licence shall be made to the Licensing Officer in such form as may from time to time be prescribed and shall be signed by the applicant.

Certificate of competency.

†31. The Licensing Officer shall require every applicant for a driver's licence to produce a certificate of having passed a driving test conducted by an Examining Officer in accordance with regulations made under the provisions of this Act.

‡Disqualification for obtaining driver's licence.

32. (1) A person shall be disqualified for holding or obtaining a driver's licence—

- (a) if he or she is by a conviction under this Act or by an order of court thereunder disqualified for holding or obtaining a licence;
- (b) in respect of a motor cycle, if he or she is under sixteen years;
- (c) in respect of any other motor vehicle, other than a public service vehicle, if he or she is under eighteen years;
- (d) if he or she is suffering from any disease or other disability which, in the opinion of the Licensing Authority, would be likely to cause the driving of a motor vehicle by him or her to be a source of danger to the public:

Provided that if a licence is refused by virtue of this provision the applicant may claim to be subjected to a test as to his or her fitness or ability to drive a motor vehicle or a motor vehicle of a particular class or description or a motor vehicle of a particular form of construction, and if he or she passes such test and is not otherwise disqualified the licence shall not be refused by reason only of the provision of this paragraph;

- (e) in the absence of any evidence to the contrary, if the person defaults more than one month in payment of a fixed penalty pursuant to the provisions of section 85, and until such time as the penalty is paid.

(Inserted by Act 1 of 2018)

(2) During such time as any driver's licence is suspended the holder thereof shall be disqualified for holding or obtaining a driver's licence.

(3) No person who is under the age of seventeen years shall be granted a Class L driver's licence to drive a motor vehicle other than a motor cycle, and in any event shall not be granted any other class of driver's licence before attaining the age of eighteen years.

(Amended by Acts 8 of 1977 and 1 of 2009)

* Originally section 31.

† Originally section 32.

‡ Originally section 33.

Particulars on drivers' licences.

*33. Upon issuing a driver's licence the Licensing Officer shall enter in the appropriate register the particulars of the licence including the name, address and description of the person licensed, the date of the licence and any convictions ordered by competent court to be endorsed thereon.

Duration of drivers' licences.

†34. Drivers' licences shall, unless previously suspended, cancelled or revoked by competent authority, expire on the 31st day of December next following the date of issue:

Provided however that the Licensing Officer may if he or she thinks fit issue a half yearly licence upon payment of one half of the yearly licence fee specified in the First Schedule, and any such half yearly licence shall expire on the 30th day of June or the 31st day of December as shall first occur after the issue thereof:

Provided further that a driver's licence may be for such other period as may be prescribed and the fee in respect thereof shall be in respect of the said period accordingly.

(Proviso inserted by Act 9 of 1989)

Renewal of driver's licence.

‡35. On or after the expiration of a driver's licence by effluxion of time and on application by the holder thereof for the renewal of his or her licence, the Licensing Officer shall, subject to the provisions of section 32 and on being satisfied that the prescribed fee has been paid to the Accountant-General in accordance with the provisions of subsection (1) of section 7, renew the licence.

Visitor's temporary driver's licence.

§36. (1) A Licensing Officer may, upon payment of the prescribed fee, grant a temporary driver's licence, other than a chauffeur's licence, to a person who applies for the licence if that person is a *bona fide* visitor to the State.

(2) The licence referred to in subsection (1) of this section shall be valid for a period not exceeding one year.

(3) A temporary driver's licence may be granted with or without any driving test on the part of the applicant, but shall be subject to such conditions as may be stipulated on the licence.

(4) The Licensing Authority may entrust to a Company listed in the Fourth Schedule to this Act or a person listed in the same Schedule Temporary Driver's Licences for the purpose of issuing such temporary driver's licences to genuine visitors who produce their current driver's licences, except that the visitors must be eighteen years or above.

(5) The Company or person referred to in subsection (4) of this section shall not issue a temporary driver's licence to a visitor whose current driver's licence does not bear the visitor's photograph unless the visitor produces other documentary

* Originally section 34.

† Originally section 35.

‡ Originally section 36.

§ Originally section 37.

evidence to prove the driver's licence actually belongs to the visitor who has applied for the temporary driver's licence.

(6) The Company or person entrusted with temporary driver's licences under subsection (4) of this section shall, after selling the licences at the prescribed fee, pay the collected fees to the Comptroller of Inland Revenue on a monthly basis.

(7) The company or person entrusted with temporary driver's licences under subsection (4) of this section shall, on a quarterly basis, submit to the Licensing Authority returns relating to the licences received and issued by the company or person.

(8) A Company or person entrusted with temporary driver's licences under subsection (4) of this section shall, for the purpose of maintaining a record of the licences received and issued by the company or the person, keep a Temporary Driver's Licences Ledger.

(9) The Ledger referred to in subsection (8) of this section shall be issued by the Licensing Authority, and shall be in the form prescribed by the Licensing Authority.

(10) The business premises of a Company or person referred to in subsection (4) of this section may, for the purpose of examining the Temporary Driver's Licences Ledger, be entered—

- (a) by a Licensing Officer;
- (b) by the Director of Audit of Government; or
- (c) by a person authorised by the Director of Audit of Government

(11) The Minister shall, on the coming into force of this Act, publish in the *Official Gazette* the list of companies and persons that will constitute the Fourth Schedule to this Act, and the Minister may, by Statutory Order, amend the Fourth Schedule to this Act.

(12) A Company or person referred to in subsection (4) of this section commits an offence if the Company or person—

- (a) sells a temporary driver's licence at a price above that prescribed by the Licensing Authority;
- (b) allows a person who is not authorised by the Licensing Authority to issue temporary driver's licences;
- (c) issues a temporary driver's licence to a person to drive a motor vehicle which is not a class "P" or class "M".
- (d) obstructs a person from carrying out his or her duties under subsection (10) of this section;
- (e) fails to comply with the provisions of subsections (4) and (5) of this section;
- (f) fails to comply with the provisions of subsections (6), (7) or (8) of this section.

(13) A Company or person referred to in subsection (12) of this section is, on summary conviction, liable—

- (a) to a fine of three thousand dollars in respect of an offence committed under paragraphs (a), (b), (c) or (d) of subsection (12) of this section;

- (b) to a fine of five thousand dollars in respect of an offence committed under paragraph (e) of subsection (12) of this section;
- (c) to a fine of twenty thousand dollars in respect of an offence committed under paragraph (f) of subsection (12) of this section.

(14) The Licensing Authority may suspend a licence issued to a Company or person for the purpose of issuing temporary driver's licences under subsection (4) of this section if the Company or person—

- (a) is convicted of any continuing offence under this section;
- (b) is in default of payment of any Government levy,

except that the suspension shall not exceed a period of one year.

(15) Where the licence of a Company or person is suspended under subsection (14) of this section, the Licensing Authority shall either recover the licences that were issued to the company or the person, or the value of the licences.

(Substituted by Act 2 of 1998. See also Acts 10 of 1983 and 15 of 1996)

Production of Driver's Licence.

*37. (1) The driver of a motor vehicle shall, on being so required by any member of the Police Force, immediately produce his or her driver's licence for examination so as to enable such member of the Police Force to ascertain the name and address of the holder of the licence and the date of issue of the same, and if he or she fails so to do, he or she shall be liable, on summary conviction to a fine not exceeding two hundred and fifty dollars.

(2) The driver of a motor vehicle who is the holder of a temporary driver's licence pursuant to section 36, shall, on being so required by a member of the Police Force, immediately produce for examination both his or her—

- (a) temporary driver's licence; and
- (b) foreign driver's licence or a valid photo identification,

and if he or she fails to do so he or she shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

(Substituted by Act 1 of 2018)

Cancellation of driver's licence for disability.

†38. If it appears to the Licensing Authority that there is reason to believe that any person who holds a driver's licence is suffering from a disease or physical disability likely to cause the driving by him or her of a motor vehicle, being a vehicle of any such class or description as he or she is authorised by the licence to drive, to be a source of danger to the public, and if, on inquiring into the matter, the Licensing Authority is satisfied that the holder of the licence is suffering from such disease or disability as aforesaid, then whether or not the holder of the licence so suffering as aforesaid has previously passed a driving test, the Licensing Authority may, after giving to the holder of the licence notice of his or her intention so to do, revoke the licence, and the holder shall on receipt of such notice deliver the licence to the Licensing Officer for cancellation.

(Sections 40, 41, 42, 43 and 44 deleted by Act 8 of 1977. Note: Sections 45, 46, 47, 48 and 49 deleted by Act 9 of 1989)

* Originally section 38.

† Originally section 39.

PART IV
DRIVING AND OTHER OFFENCES

Speed.

*39. (1) No person shall drive a motor vehicle of such class or description as is specified in the Second Schedule at a speed greater than the speed therein specified as the maximum speed at which a vehicle of that class or description may be driven on a particular class of road.

(2) Any person who acts in contravention of the provisions of subsection (1) commits an offence and shall, on summary conviction, be liable to a fine not exceeding two thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

(3) A person charged under this section with the offence of driving a motor vehicle of such class or description on a road at a speed greater than the maximum speed allowed in the case of a vehicle of that class or description travelling on a road of that class, shall not be liable to be convicted of the offence solely on the evidence of one witness to the effect that in the opinion of the witness the person charged was driving the vehicle at such greater speed.

(4) Any person being the owner of a motor vehicle, who aids, abets, counsels or procures any person who is employed by him or her to drive such motor vehicle on a road to commit an offence under this section commits an offence and shall, on summary conviction, be liable to a fine not exceeding two thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

(5) The Licensing Authority may, by order, prohibit the driving of motor vehicles over any bridge at a speed greater than that specified in such order, and the order shall be published in the *Gazette* and the limit of speed to be observed shall be indicated on notice boards to be fixed at such bridge by the Director of Public Works.

(Substituted by Act 3 of 1994)

†(6) The Licensing Authority may by order published in the *Gazette*, prohibit the driving of motor vehicles generally or of a particular class of motor vehicles above a specified speed over any specified road or portion of a specified road for a specified time:

Provided that so long as such prohibition remains in force the Director of Public Works shall erect and maintain traffic signs which shall state the substance of the order published in the *Gazette* and which shall be placed in such positions as shall give adequate notice thereof to drivers of vehicles.

(Substituted by Act 3 of 1994.)

(7) Any member of the Police Force may employ such scientific instruments, equipment or apparatus for the conduct of tests for the determination of the speed of any vehicle or in relation to any other matter.

(Subsections (6) and (7) were inserted by Act 9 of 1989)

(8) Notwithstanding any provision in the Evidence Act the results of the said tests shall be admissible in any proceedings under this Act.

* Originally section 50.

† Original subsection (6) was deleted by Act 7 of 1976.

Drivers under influence of liquor or drugs.

*40. (1) Any person who, when driving or attempting to drive, or when in charge of, a motor vehicle on a road is under the influence of drink or drug to such an extent as to be incapable of having proper control of the vehicle, shall be liable, on summary conviction, to a fine not exceeding four thousand dollars or to imprisonment with or without hard labour for a term not exceeding four months, and in the case of a second or subsequent conviction either to a fine not exceeding eight thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(Amended by Acts 7 of 1976, 9 of 1986 and 31 of 2005)

(2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction and if there is an appeal against the conviction from the date on which the conviction is upheld for holding or obtaining a driver's licence, and on a second conviction for a like offence he or she shall be permanently disqualified from holding or obtaining a driver's licence.

(3) Any member of the Police Force may arrest without warrant any person committing an offence under this section.

Driving or being in charge, with blood-alcohol concentration above the prescribed limit.

†41. (1) If a person drives or attempts to drive or is in charge of a motor vehicle on a road, having consumed alcohol in such a quantity that the proportion thereof in his or her blood, as ascertained from a laboratory test for which he or she subsequently provides a specimen under section 44, exceeds the prescribed limit at the time he or she provides the specimen, he or she commits an offence and liable, on summary conviction—

- (a) to a fine of two thousand dollars or to imprisonment for a term of twelve months or both in the case of a first conviction; and
- (b) to a fine of four thousand dollars or to imprisonment for a term of two years or both in the case of a second or subsequent conviction.

(2) A person shall not be convicted under this section of being in charge of a motor vehicle if he or she proves that at the material time the circumstances were such that there was no likelihood of his or her driving the motor vehicle so long as there was any probability of his or her having alcohol in his or her body in a proportion exceeding the prescribed limit.

(3) In determining for the purposes of subsection (2) the likelihood of a person driving a motor vehicle when he or she is injured or the vehicle is damaged, the court may disregard the fact that he or she had been injured or that the vehicle had been damaged.

(Inserted by Act 9 of 1989)

Evidence on charge of unfitness to drive.

‡42. (1) In any proceedings for an offence under section 40, the court shall, subject to section 45(4), have regard to any evidence which may be given of the proportion or

* Originally section 51.

† Originally section 51A.

‡ Originally section 51B.

quantity of alcohol or any drug which was contained in the blood or present in the body of the accused, as ascertained by analysis of a specimen of blood taken from him or her with his or her consent by a medical practitioner, or of urine provided by him or her, at any material time; and if it is proved that the accused, when so requested by a member of the Police Force in uniform at any such time, refused to consent to the taking of or to provide a specimen for analysis, his or her refusal may, unless reasonable cause therefor is shown, be treated as supporting any evidence given on behalf of the prosecution, or as rebutting any evidence given on behalf of the defence, with respect to his or her condition at that time.

(2) A person shall not be treated for the purposes of subsection (1) as refusing to provide a specimen unless—

- (a) he or she is first requested to provide a specimen of blood, but refuses to do so;
- (b) he or she is then requested to provide two specimens of urine within one hour of the request, but fails to provide them within the hour or refuse at any time within the hour to provide them; and
- (c) he or she is again requested to provide a specimen of blood, but he or she refuses to do so.

(3) The first specimen of urine provided in pursuance of a request under paragraph (b) of subsection (2) shall be disregarded for the purposes of subsection (1).

(Inserted by Act 9 of 1989)

Breath test.

*43. (1) A member of the Police Force in uniform may require any person driving or attempting to drive a motor vehicle on a road to provide a specimen of breath for a breath test there or nearby, if the member of the Police Force has reasonable cause to suspect him or her of—

- (a) being under the influence of alcohol or drugs; and
- (b) having committed a traffic offence while the vehicle was in motion,

but no requirement may be made by virtue of paragraph (b) unless it is made as soon as reasonably practicable after the commission of the traffic offence.

(2) If an accident occurs owing to the presence of a motor vehicle on a road, a member of the Police Force in uniform may require any person whom he or she has reasonable cause to believe was driving or attempting to drive the vehicle at the time of the accident to provide a specimen of breath for a breath test—

- (a) except while that person is at a hospital as a patient, either at or near the place where the requirement is made or, if the member of the Police Force thinks fit, at a police station specified by him or her; or
- (b) in the said excepted case, at the hospital; but a person shall not be required to provide such a specimen while at a hospital as a patient if the medical practitioner in immediate charge of his or her case is not first notified of the proposal to make the requirement or objects to the provision of a specimen on the ground that its provision or the requirement to provide it would be prejudicial to the care or treatment of the patient.

* Originally section 51C.

(3) A person who, without reasonable excuse, fails to provide a specimen of breath for a breath test under subsection (1) or (2) commits an offence and liable, on summary conviction, to a fine of one thousand dollars or imprisonment for six months or both.

(4) If it appears to a member of the Police Force in consequence of a breath test carried out by him or her on any person under subsection (1) or (2) that the device by means of which the test is carried out indicates that the proportion of alcohol in that person's blood exceeds the prescribed limit, the member of the Police Force may arrest that person without warrant except while that person is at a hospital as a patient.

(5) If a person required by a member of the Police Force under subsection (1) or (2) to provide a specimen of breath for a breath test fails to do so and the member of the Police Force has reasonable cause to suspect him or her of having alcohol in his or her body the member of the Police Force may arrest him or her without warrant except while he or she is at a hospital as a patient.

(6) Subsections (4) and (5) shall not be construed as prejudicing the provisions of section 40(3).

(7) A person arrested under this section or under section 40(3) shall, while at a police station, be given an opportunity to provide a specimen of breath for a breath test there.

(Inserted by Act 9 of 1989)

Laboratory tests.

*44. (1) A person who has been arrested under section 40(3) or 43 may, while at a police station, be required by a member of the Police Force in uniform to provide a specimen for a laboratory test (which may be a specimen of blood or of urine), if he or she has previously been given an opportunity to provide a specimen of breath for a breath test at that station under section 43(7), and either—

- (a) it appears to a member of the Police Force in uniform in consequence of the breath test that the device by means of which the test is carried out indicates that the proportion of alcohol in his or her blood exceeds the prescribed limit; or
- (b) if that person has been required, whether at the hospital or elsewhere, to provide a specimen of breath for a breath test, but fails to do so and a member of the Police Force in uniform has reasonable cause to suspect him or her of having alcohol in his or her body,

but a person shall not be required to provide a specimen for a laboratory test under this subsection if the medical practitioner in immediate charge of his or her case is not first notified of the proposal to make the requirement or objects to the provision of a specimen on the ground that the requirement to provide such specimen would be prejudicial to the proper care or treatment of the patient.

(2) A person who, without reasonable excuse, fails to provide a specimen for a laboratory test in pursuance of a requirement imposed under this section commits an offence and liable—

- (a) in the case of a first conviction, to a fine of five hundred dollars or to imprisonment for a term of three months or both; or

* Originally section 51D.

- (b) in the case of a second or subsequent conviction, to a fine of one thousand dollars or imprisonment for a term of six months or both.
- (3) The court shall order particulars of any conviction under this section or section 43 to be endorsed on any driving licence held by the person convicted.
- (4) Nothing in the foregoing provisions of this section shall affect the provisions of section 42.
- (5) A person shall not be treated for the purposes of subsection (3) as failing to provide a specimen unless—
 - (a) he or she is first requested to provide a specimen of blood but refuses to do so;
 - (b) he or she is then requested to provide two specimens of urine within one hour of the request, but fails to provide them within the hour or refuses at any time within the hour to provide them; and
 - (c) he or she is again requested to provide a specimen of blood but refuses to do so.
- (6) The first specimen of urine provided in pursuance of a request under subsection (5) (b) shall be disregarded for the purposes of section 41.

(Inserted by Act 9 of 1989)

Ancillary provisions as to evidence in proceedings for an offence under section 40 or 41.

- *45. (1) For the purposes of any proceedings for an offence under section 40 or 41, a certificate signed by an authorised analyst, and certifying—
- (a) the proportion of alcohol or drug found in a specimen identified by the certificate; and
 - (b) for the purposes only of proceedings for an offence under section 40, in the case of a specimen of urine, the proportion of alcohol or of that drug in the blood which corresponds to the proportion found in the specimen,

shall, subject to subsection (3), be evidence of the matters so certified and of the qualifications of the analyst.

(2) For the purposes of any proceedings for an offence under section 40 or 41, a certificate purporting to be signed by a medical practitioner that he or she took a specimen of blood from a person with his or her consent shall, subject to subsection (3), be evidence of the matters so certified and of the qualifications of the medical practitioner.

(3) Subsections (1) and (2) shall not apply to a certificate tendered on behalf of the prosecution unless a copy has been served personally on the accused not less than seven days before the hearing or trial, nor if the accused, not less than three days before the hearing or trial, or within such further time as the court may in special circumstances allow, has served notice on the prosecutor personally requiring the attendance at the hearing or trial of the person by whom the certificate was signed.

(4) Where, in proceedings for an offence under section 40 or 41 the accused, at the time a specimen of blood or urine was taken from or provided by him or her, asked to be supplied with such a specimen, evidence of the proportion of alcohol or

* Originally section 51E.

any drug found in the specimen shall not be admissible on behalf of the prosecution unless—

- (a) the specimen is either one of two taken or provided on the same occasion or is part of a single specimen which was divided into two parts at the time it was taken or provided; and
- (b) the other specimen or part was supplied to the accused.

(5) A medical practitioner shall offer to supply to any person from whom a specimen of blood has been taken with his or her consent in a suitable container, part of the specimen or, in the case of a specimen of blood which it is not practicable to divide, another specimen which he or she may consent to have taken.

(6) In this section, “authorised analyst” means any person authorised by the Minister to make analysis for the purpose of this section.

(Inserted by Act 9 of 1989)

Detention of persons while affected by alcohol.

*46. Any person required to provide a specimen for a laboratory test under section 44(1) may thereafter be detained at the police station until he or she provides a specimen of breath for a breath test and it appears to a member of the Police Force in uniform that the device by means of which the test is carried out indicates that the proportion of alcohol in that person’s blood does not exceed the prescribed limit.

(Inserted by Act 9 of 1989)

Interpretation of sections 41 to 46.

†47. (1) In sections 41 to 46, except so far as the context otherwise requires—

“breath test” means a test for the purpose of obtaining an indication of the proportion of alcohol in a person’s blood carried out by means of a device of a type approved for the purpose of such a test by the Minister, on a specimen of breath provided by that person;

“fail”, in relation to providing a specimen, includes refuse;

“hospital” means an institution which provides medical or surgical treatment for in-patients or out-patients;

“laboratory test” means the analysis of a specimen provided for the purpose;

“the prescribed limit” means 80 milligrammes of alcohol in 100 millilitres of blood or such other proportion as may be prescribed.

(2) A person shall be treated for the purposes of sections 41 to 44 as providing a specimen of blood if, but only if, he or she consents to the specimen being taken by a medical practitioner and it is so taken and shall be treated for those purposes as providing it at the time it is so taken.

(3) References in sections 43, 44 and 46 to providing a specimen of breath for a breath test are references to providing a specimen thereof in sufficient quantity to enable that test to be carried out.

(4) For the purposes of section 40 and this section 107 milligrammes of alcohol in 100 millilitres of urine and 35 micrograms of alcohol in 100 millilitres of breath shall be treated as equivalent to 80 milligrammes of alcohol in 100 millilitres

* Originally section 51F.

† Originally section 51G.

of blood, and the power conferred by subsection (1) to prescribe some other proportion of alcohol in the blood shall include power to prescribe a proportion of alcohol in urine which is to be treated as equivalent to the prescribed proportion of alcohol in the blood.

(Inserted by Act 9 of 1989 and amended by Act 1 of 2009)

Reckless or dangerous driving.

*48. (1) Any person who drives a motor vehicle on a road recklessly, or at a speed or in a manner which is 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 which is actually at the time, or which might reasonably be expected to be, on the road, shall be liable—

- (a) on summary conviction, to a fine not exceeding four thousand dollars or to imprisonment with or without hard labour for a term not exceeding four months, and in the case of a second or subsequent conviction either to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term not exceeding six months or to both such fine and imprisonment;
- (b) on conviction on indictment, to imprisonment with or without hard labour for a term not exceeding two years, or to a fine, or both such imprisonment and fine.

(Amended by Acts 7 of 1976, 19 of 1986 and 31 of 2005)

(2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for holding or obtaining a driver's licence for a period of one year from the date of the conviction or if there is an appeal against such conviction from the date on which the conviction is upheld and on a third conviction for a like offence he or she shall be permanently disqualified for holding or obtaining a driver's licence.

(Amended by Act 31 of 2005)

Careless driving.

†49. If any person drives a motor vehicle on a road without due care and attention, or without reasonable consideration for other persons using the road, he or she commits an offence and shall be liable, on summary conviction, to a fine not exceeding two thousand dollars, and on a second or subsequent conviction for a like offence to be disqualified for holding or obtaining a driver's licence for such period as the Court shall think fit.

(Amended by Acts 2 of 1998 and 31 of 2005)

Causing death by reckless or dangerous driving of motor vehicles.

‡50. (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 which is 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 which is actually at the time, or which might reasonably be expected to be, on the road, shall be liable, on conviction on indictment, to imprisonment for five years.

* Originally section 52.

† Originally section 53.

‡ Originally section 53A.

(2) If, upon the trial of a person for an offence against this section, the jury is not satisfied that his or her driving was the cause of the death but is satisfied that he or she is guilty of driving as mentioned in subsection (1) of this section, it shall be lawful for the jury to convict him or her of an offence under section 48 of this Act whether or not the requirements of section 54 of this Act have been satisfied as respects that offence.

(3) Section 32 of the Coroners Act, Cap. 3.08 shall apply to an offence against this section as it applies to manslaughter.

(4) A person who causes the death of another person by the driving of a motor vehicle on a road, without due care and attention, or without reasonable consideration for other persons using the road, commits an offence and shall be liable, upon conviction on indictment, to imprisonment for a term of three years.

(Inserted by Act 39 of 1976 and amended by Act 1 of 2009)

Racing speed trials.

*51. (1) Any person who promotes or takes part in a race or trial of speed between motor vehicles on a road shall be liable, on summary conviction, to a fine not exceeding two thousand dollars or to imprisonment with or without hard labour, for a term not exceeding one year, or to both such fine and imprisonment.

(Amended by Acts 2 of 1998 and 31 of 2005)

(2) A person convicted of an offence under this section shall, unless the Court for special reason thinks fit to order otherwise and without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for holding or obtaining a driver's licence for a period of twelve months from the date of the conviction or if there is an appeal against such conviction from the date on which the conviction is upheld.

Power to convict for reckless or dangerous driving.

†52. Upon the trial of a person who is indicted for manslaughter in connection with the driving of a motor vehicle by him or her, it shall be lawful for the jury, if they are satisfied that he or she is guilty of an offence under section 48 to find him or her guilty of that offence, whether or not the requirements of section 54 have been satisfied as respects that offence.

Power to proceed on charge for careless driving on hearing charge under section 49.

‡53. Where a person is charged summarily before a Magistrate with an offence under section 48 (which relates to reckless or dangerous driving) and the Magistrate is of the opinion that the offence is not proved, then at any time during the hearing or immediately thereafter, the Magistrate may, without prejudice to any other powers possessed by him or her, direct or allow a charge for an offence under section 49 (which relates to careless driving) to be preferred forthwith against the defendant and may proceed with that charge, so however that the defendant or his or her solicitor or counsel shall be informed of the new charge and be given an opportunity, whether by way of cross-examining any witness whose evidence has already been given against the defendant or otherwise, of answering the new charge, and the Magistrate shall adjourn the hearing.

* Originally section 54.

† Originally section 55.

‡ Originally section 56.

Warning of intended prosecution.

*54. (1) Where a person is prosecuted for an offence under any of the provisions of this Part relating, respectively, to the maximum speed at which motor vehicles may be driven, to reckless or dangerous driving, and to careless driving, he or she shall not be convicted unless either, subject to subsection (2)—

- (a) he or she was warned at the time the offence was committed that the question of prosecuting him or her for an offence under some one or other of the provisions aforesaid would be taken into consideration;
- (b) within twenty-one days of the commission of the offence a summons for the offence was served on him or her; or
- (c) within the said twenty-one days 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 or sent by registered post to him or her or to the person registered as the owner of the vehicle at the time of the commission of the offence.

(2) The failure to comply with any of the requirements specified in subsection (1) shall not be a bar to the conviction of the accused in any case where the Court is satisfied that—

- (a) neither the name and address of the accused nor the name and address of the registered owner of the vehicle could, with reasonable diligence, have been ascertained in time for a summons to be served or for a notice to be served or sent as aforesaid; or
- (b) the accused by his or her own conduct contributed to the failure.

(3) The requirements of this section shall, in every case, be deemed to have been complied with unless the contrary is proved.

(Amended by Act 31 of 2005)

Duty to give name and address and to stop. Power of arrest in certain cases.

†55. (1) If the driver of a motor vehicle who is alleged to have committed an offence under the foregoing provisions of this Act as to reckless or dangerous driving or careless driving, on being required by any person having reasonable grounds for so requiring, refuses to give his or her name and address, or gives a false name and address, he or she commits an offence, and shall, on summary conviction, be liable to a fine not exceeding three hundred dollars.

(Amended by Act 2 of 1998)

(2) Any member of the Police Force may arrest, without warrant, the driver of any motor vehicle who within his or her view commits any offence under the provisions of this Act as to reckless or dangerous driving or careless driving or racing on a road.

(3) Any person driving a motor vehicle on a road shall stop the vehicle on being so required by any member of the Police Force in uniform, and if he or she fails so to do he or she shall be liable, on summary conviction, to a penalty not exceeding three hundred dollars.

* Originally section 57.

† Originally section 58.

(4) The expression “stop” in subsection (3) means to remain stationary for as long as is reasonably necessary for the police to complete the purpose of the stop.

(Amended by Acts 2 of 1998 and 1 of 2009)

Restrictions on persons riding bicycles.

*56. (1) It shall not be lawful for more than one person to be carried on a road on a bicycle not propelled by mechanical power unless it is constructed or adapted for the carriage of more than one person.

(2) If any person is carried on such a bicycle in contravention of the provisions of subsection (1), the rider shall be liable, on summary conviction, to a fine not exceeding fifty dollars in the case of a first conviction and to a fine not exceeding one hundred and fifty dollars in the case of a second or subsequent conviction.

(Amended by Acts 7 of 1976 and 9 of 1986)

Restrictions on riding abreast, holding on to moving vehicles, and pillion riding.

†57. (1) It shall not be lawful for more than two persons to ride abreast on a road either upon motor cycles or pedal bicycles:

Provided that a person shall not be convicted under this section in respect of the overtaking of two persons so riding where at the point of overtaking on the road there is an absence of other traffic.

(2) It shall not be lawful for any person while riding a motor cycle or a pedal bicycle on a road—

- (a) to hold on to any other moving vehicle, or to any animal; or
- (b) to ride such motor cycle or pedal bicycle without at least one hand being on the handle bar of such motor cycle or bicycle.

(3) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting astride the motorcycle and on a proper seat securely fixed to the motor cycle behind the driver’s seat.

(4) If any person contravenes the provisions of this section he or she shall be liable, on summary conviction, to a fine not exceeding one hundred dollars in the case of a first conviction and to a fine not exceeding one hundred and fifty dollars in the case of a second or subsequent conviction.

(Amended by Acts 7 of 1976 and 9 of 1986)

Bicycle to be roadworthy.

‡58. (1) No person shall ride a pedal bicycle on a road unless such bicycle is in a roadworthy condition in accordance with Regulations made under this Act.

(2) If any person contravenes the provisions of this section, he or she shall be liable, on summary conviction, to a fine not exceeding thirty dollars.

(Inserted by Act 8 of 1989)

* Originally section 59.

† Originally section 60.

‡ Originally section 60A.

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

*59. (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 or her 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 commits an offence and is liable, on summary conviction, to a fine of two hundred and fifty dollars or to imprisonment for a term of three months or both.

(Substituted by Act 9 of 1989)

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

†60. (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 or her 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),

commits an offence and is liable, on summary conviction, to a fine of five hundred dollars or to imprisonment for a term of three months or both.

(Inserted by Act 9 of 1989)

Offences.

‡61. If any person—

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

* Originally section 61.

† Originally section 61A.

‡ Originally section 62.

identification mark, motor vehicle licence, certificate of registration or driving permit issued or deemed to have been issued under this Act;

- (b) without permission of the owner or person in charge of a motor vehicle, climbs upon or into or swings upon any motor vehicle, whether the same is in motion or stationary, sounds any horn or other signalling device, or attempts to manipulate any of the levers, the starter, brakes or machinery thereof, or in any manner damages, interferes or tampers with a motor vehicle or puts in motion the engine thereof, while it is standing;
- (c) throws any object at a motor vehicle or trailer or at any person in or on such motor vehicle or trailer or places any object in any road whereby injury or damage to any motor vehicle or trailer may be occasioned;
- (d) wilfully loiters or remains on any roadway in such a manner or in such circumstances as to be likely to cause danger or obstruction to persons driving or propelling vehicles on the road;
- (e) uses or drives or permits to be used or driven any motor vehicle or trailer on a road in such defective condition as regards its mechanical fittings or otherwise as to be a source of danger to its occupants or the public;
- (f) being the owner of a motor vehicle refuses, on the request of any member of the Police Force—
 - (i) to give the name and address of the driver thereof, such driver having been authorised by such owner to drive the said motor vehicle; or
 - (ii) to give all information in his or her possession as would assist in the discovery of identity of the driver;
- (g) being a passenger in any motor vehicle reasonably suspected to be a vehicle conveying passengers for hire or reward without being duly licensed as a public service vehicle in its appropriate class, on being so required by a member of the Police Force refuses to give a statement as to his or her presence in such vehicle and as to whether he or she is being conveyed for hire or reward; or
- (h) being the driver or conductor of a public service vehicle stands for hire at any road or place not appointed for the purpose;
- (i) being the owner, driver or conductor or person acting on behalf of the owner, driver or conductor of a public service vehicle plying for hire makes any noise or sounds any instrument in order to attract the attention of the public or of a possible passenger; or by troublesome and frequent demands or by persistent following holds out the vehicle for hire to the public in such manner as to constitute a nuisance, or acts in any way so as to cause annoyance or inconvenience to any person;
- (j) rides on the running board, wings or fenders of a motor vehicle or on the outside of the vehicle except on a properly constructed seat;
- (k) being in a motor vehicle in any way obstructs the driver of such motor vehicle whilst the same is in motion;
- (l) in or in connection with an application for a motor vehicle licence or the registration of a motor vehicle or a driving licence or in connection with the endorsement of such a licence, or any change or correction in

a motor vehicle licence or the registration of a motor vehicle or in giving any information lawfully demanded or required under this Act or any regulations made thereunder makes any statement which is to his or her knowledge false or misleading in any material respect;

- (m) rides, drives or propels or causes to be ridden, driven or propelled any animal or vehicle, not being a motor vehicle, on a road carelessly, negligently or recklessly, or at a speed or in a manner which is dangerous to the public or to property having regard to all the circumstances of the case, including the amount and nature of the traffic which actually is at the time, or might reasonably be expected to be on such road;
- (n) rides, drives or propels or is in charge of any vehicle not being a motor vehicle, on a road whilst drunk, or while his or her efficiency for such purpose is impaired by drink or drugs;
- (o) drives or being the owner permits any other person to drive a motor vehicle on a road when the windows or windscreens of such vehicle are so tinted that the interior of the vehicle is not reasonably visible from the exterior of the vehicle,

(Paragraph (o) inserted by Act 13 of 1986)

he or she commits an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

Tinting.

*62. (1) In this section, “restricted motor vehicle” means any motor vehicle, other than a motor cycle, where the whole or part of the glass of the windscreen, side or rear windows of the vehicle is obscured by either—

- (a) the application of any film, tint or other device; or
- (b) is custom-tinted by the manufacturer,

that less than thirty-five percent of light transmission is possible.

(Amended by Act 15 of 2010)

(2) In this section, the expression “custom-tinted by the manufacturer” means that the glass of the windscreen, side or rear windows of a vehicle has been obscured by a process other than by the application of any film, tint or other obscuring device.

(3) Subject to the provisions of this Act, no person shall import a restricted motor vehicle into the Federation.

(4) The provisions of this part shall not apply to a restricted motor vehicle—

- (a) that has been custom-tinted by the manufacturer on or before the date of the coming into force of this section;
- (b) ambulances;
- (c) hearses;
- (d) such other classes of motor vehicles as the Minister of National security may designate by notice published in the *Gazette*.

(5) Every motor vehicle, other than a motorcycle or agricultural tractor, shall be fitted with a windscreen that provides ample protection to the driver of a motor

vehicle and it shall be kept in such condition as to allow an unobstructed view of the road at the front of the vehicle.

(6) The windscreens, side or rear windows of a motor vehicle shall, if tinted, allow a minimum of thirty-five percent of light transmission, whether the glass has been custom-tinted by the manufacturer itself or applied by any other person.

(Amended by Act 15 of 2010)

(7) The degree of light transmission shall be determined by a measuring device known as the Mars Window Transmeter or any other device which is approved by the Licensing Authority for the measurement of light passing through the glass windows of motor vehicles.

(8) Notwithstanding the light transmittance, the interior of a motor vehicle shall be reasonably visible from the exterior.

(9) No person shall drive or being the owner permit any other person to drive a motor vehicle with any sign, poster, or other reflective or sun-screening material upon the windscreen, side or rear windows of such motor vehicle, other than the licence or other label required to be displayed by law.

(10) No motor vehicle registered as a self-drive vehicle shall be used on a road if the windows or windscreens are tinted, whether the glass has been custom-tinted by the manufacturer or applied by any other person.

(11) A person who acts in contravention of the provisions of this section commits an offence and is liable, on summary conviction, to a fine of five thousand dollars or to imprisonment for a term of six months or to both such fine and imprisonment.

(12) Notwithstanding the provisions of subsections (2) and (3), no person shall be prosecuted for driving a restricted motor vehicle during the sixty day period after the coming into force of this section.

(Inserted by Act 1 of 2009 as section 62A)

Safety belt.

*63. (1) No person shall operate a motor vehicle unless the driver and any passenger in the front seat of the vehicle are adequately restrained by a seat belt.

(2) For the purposes of this section—

(a) “motor vehicle” excludes motor vehicles manufactured before January 1, 1990, buses, authorised emergency vehicles and trucks with a maximum gross weight of eighteen thousand pounds or more;

(b) “seat belt” means a safety belt used to secure a person in a motor vehicle.

(3) A passenger who is under the age of five years or weighing less than forty pounds shall be restrained in a specially designed detachable or removable seat in such conditions as are prescribed by the Minister.

(4) This section does not apply to a driver or passenger with a physically disabling condition whose physical disability would prevent appropriate restraint by safety belt or safety seat, once this condition is certified by a medical practitioner.

(5) A person who acts in a manner contrary to—

(a) subsection (1) commits an offence and is liable upon summary conviction to a fine not exceeding one thousand dollars; or

(b) subsection (3) commits an offence and is liable upon summary conviction to a fine not exceeding five thousand dollars.

(Inserted by Act 1 of 2009 as section 62B; subsection (5) substituted by Act 15 of 2010)

Mobile phone.

*64. (1) A person shall not drive a motor vehicle while using a mobile telephone unless that person has complied with such conditions as may be prescribed by the Minister.

(2) A person who acts in a manner contrary to subsection (1) commits an offence and is liable upon summary conviction to a fine not exceeding one thousand dollars.

(Inserted by Act 1 of 2009 as section 62C and subsection (2) substituted by Act 15 of 2010)

Repairing vehicle in street.

†65. Any person who, on any road, carries out repairs to any vehicle (except in cases of accident where repair on the spot is necessary) commits an offence and shall, on summary conviction, be liable to a fine not exceeding two thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

Taking vehicles without consent of owner.

‡66. (1) If any person uses any motor or other vehicle without the consent of the owner or other lawful authority, he or she commits an offence and shall, on summary conviction, be liable to a fine not exceeding one thousand dollars:

Provided that the person shall not be convicted under this section if he or she proves either—

- (a) that he or she had good reason to believe, and did in fact believe, that the owner of the vehicle would, had he or she been present, have consented to the vehicle being used in the manner in which it was used; or
- (b) that he or she had reasonable cause to believe and did in fact believe that he or she had lawful authority to use the vehicle.

(Amended by Act 2 of 1998)

(2) If any person is convicted under this section the Magistrate may, if he or she thinks fit, either in addition to or without inflicting any punishment, order that the person convicted pay to the owner of the vehicle either or both of the following sums, namely—

- (a) such sum as, in the opinion of the Magistrate, would have been charged if the vehicle had been hired by the person convicted;
- (b) such sum as, in the opinion of the Magistrate, represents fair compensation for any damage done to the vehicle;

and payment of such sum shall be enforced in the manner provided by the Magistrate's Code of Procedure Act, Cap. 3.17 for the enforcing of the payment of a fine or order made on complaint.

* Note: As a result of renumbering sections 61A, 61B, 61C as sections 62, 63, and 64, the rest of the sections have been renumbered accordingly.

† Originally section 63.

‡ Originally section 64.

(3) If, on the trial of any indictment for stealing any motor or other vehicle, the jury is of the opinion that the defendant was not guilty of stealing the vehicle, but was guilty of an offence under this section he or she shall be liable to be convicted and punished accordingly.

(4) Any member of the Police Force may arrest without warrant any person reasonably suspected by him or her of having committed an offence under this section.

Drivers' Offences Book.

*67. The particulars of every conviction for an offence under this Act including the name of the offender, and the number of his or her licence, if any, shall be furnished by the Clerk or other Officer of the Court in which the conviction is recorded to the Licensing Authority who shall enter the same in a book to be called the Drivers' Offences Book.

(Amended by Act 9 of 1989)

PART V

DISQUALIFICATIONS, SUSPENSIONS AND ENDORSEMENTS

Disqualification for offences.

†68. (1) The Court before which a person is convicted of any offence in connection with the driving of a motor vehicle may, in addition to any other penalty provided for such offence, and shall, where so required by the provisions of this Act, order that the offender be disqualified for a stated period or permanently from holding or obtaining a driver's licence either generally or limited to the driving of a motor vehicle of any particular class or description; and if the offender holds a driver's licence the Court shall endorse upon the licence particulars of the conviction.

(2) Where an order of disqualification is made against the holder of a driver's licence, the licence shall be suspended so long as the disqualification continues in force.

(3) A licence suspended by virtue of an order of disqualification shall, during the period of suspension, be of no effect.

(4) A person who, by virtue of an order of a Court made under this section, is disqualified for holding or obtaining a driver's licence may appeal against the order in the same manner as against a conviction, and the Court may, if it thinks fit, pending the appeal, suspend the operation of the order.

Temporary suspension of licence pending determination of charges.

‡69. (1) If and when any person is charged with manslaughter arising out of the use of any motor vehicle or with contravening the provisions of sections 40, 48 and 50, it shall be lawful for the Licensing Authority to order the suspension of the driver's licence of the person so charged pending the determination of the charge.

(Amended by Act 9 of 1989)

* Originally section 65.

† Originally section 66.

‡ Originally section 67.

(2) Any such licence so suspended shall, on demand by any member of the Police Force, be surrendered to such member of the Police Force who shall forthwith forward the same to the Clerk of the Court before which the person so charged is to appear.

(3) A licence suspended by virtue of this section shall, during the period of suspension, be of no effect.

Fraudulent application for driver's licence.

***70.** If any person who, under the provisions of this Act, is disqualified for holding or obtaining a driver's licence applies for or obtains a licence while he or she is so disqualified, or if any person while he or she is so disqualified drives a motor vehicle or, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, a motor vehicle of that class or description on a road, or if any person who has been refused a licence applies for or obtains a licence without disclosing such refusal he or she commits an offence, and shall, on summary conviction be liable to a fine not exceeding two thousand dollars or to imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment, and the licence obtained by any person so disqualified, as aforesaid, shall be of no effect.

(Amended by Acts 2 of 1998 and 31 of 2005)

Provisions as to endorsement.

†71. (1) An order that the particulars of any conviction or of any disqualification be endorsed on any driver's licence held by the offender shall, whether the offender is at the time the holder of the licence or not, operate as an order that any licence he or she may then hold or may subsequently obtain shall be so endorsed until he or she becomes entitled under the provisions of this section to have a licence issued to him or her free from endorsement.

(2) Where an order is made requiring any driver's licence held by an offender to be endorsed, then—

- (a) if the offender is at the time the holder of a driver's licence, he or she shall, if so required by the Court, produce the licence within five days or such longer time as the Court may determine for the purpose of endorsement; and
- (b) if he or she is not then the holder of a driver's licence, but subsequently obtains a licence, he or she shall, within five days after so obtaining the licence, produce it to the Court for the purpose of endorsement,

and if he or she fails so to do, commits an offence and shall, on summary conviction, be liable to a fine not exceeding one thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

(3) If the licence is not produced for the purpose of endorsement within such time as aforesaid, it shall be suspended from the expiration of such time until it is produced for the purpose of endorsement.

(4) On the issue of a new driver's licence to any person, the particulars endorsed on any previous licence held by him or her shall be copied on to the new licence unless he or she has previously become entitled under the provisions of this section to have a licence issued to him or her free from endorsement.

* Originally section 68.

† Originally section 69.

(5) If any person whose driver's licence has been ordered to be endorsed and who has not previously become entitled under the provisions of this section to have a licence issued to him or her free from endorsement applies for or obtains a licence without giving particulars of the order, he or she commits an offence, and any licence so obtained shall be of no effect.

(6) Where a person, in respect of whom an order has been made under this Part requiring the endorsement of any licence held by him or her, has during a continuous period of two years since the order was made had no further order made against him or her, he or she shall be entitled, at any time thereafter, subject to payment of the prescribed fee, and subject to the surrender of any subsisting licence, to have issued to him or her a new licence free from endorsement:

Provided that, in reckoning the period of two years, any period during which the person was by virtue of the order disqualified for holding or obtaining a driver's licence shall be excluded.

(7) Where a Court orders particulars to be endorsed on a driver's licence held by any person, or where by conviction or order of a Court a person is disqualified for holding or obtaining a licence, the clerk or other officer of the Court shall send a notice of the order to the Licensing Authority, and, in any case where a person is so disqualified, shall also on the production of the licence for the purpose of endorsement retain the licence and forward it to the Licensing Authority who shall keep the licence until the disqualification has expired or been removed, and the person entitled to the licence has made a demand in writing for its return to him or her.

(Amended by Act 9 of 1989)

(8) 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 Licensing Authority to whom that person's licence has been forwarded under the preceding subsection shall forthwith after the receipt thereof cause the Licensing Officer to issue to that person a new licence on which there shall be indicated in the prescribed manner the class or description of vehicle which the holder of the licence is not thereby authorised to drive, and the licence so issued shall remain in force either for the unexpired period of the original licence or for the period of the disqualification, whichever is the shorter.

(Amended by Act 9 of 1989)

(9) Where on an appeal against any such order the appeal is allowed, or where any such conviction is quashed, the Court by which the appeal is allowed or the conviction is quashed shall send notice thereof forthwith to the Licensing Authority and to the Licensing Officer who issued the licence.

(Amended by Act 9 of 1989)

PART VI

INTERNATIONAL CIRCULATION OF MOTOR VEHICLES

International circulation of motor vehicles.

*72. The Cabinet may, from time to time, by Order, for the purpose of giving effect to any convention for facilitating the international circulation of motor vehicles, provide—

- (a) for the grant and authentication of any travelling passes, certificates or authorities which may be of use to persons resident in the State when temporarily taking their motor vehicles abroad, or to drivers when proceeding abroad for the purpose of driving motor vehicles; and
- (b) for modifying the provisions of this Act and any regulations, or any rules or regulations made under any Act hereby repealed which continue in force by virtue of this Act, relating to the registration of motor vehicles and the licensing of motor vehicle drivers, in the case of motor vehicles brought temporarily into the State by persons resident abroad and intending to make only a temporary stay in the State, and in the case of drivers entering the State for the purpose of driving any such vehicle.

PART VII

SUPPLEMENTAL PROVISIONS

Presumptive evidence of Registers.

†73. The contents of the Register of Registered Motor Vehicles, the Register of Licensed Motor Vehicles, the Register of Licensed Motor Drivers, and the Register of Drivers' Offences shall respectively be *prima facie* evidence of the facts contained therein in all proceedings under this Act.

(Amended by Acts 8 of 1977 and 9 of 1989)

Duplicate licenses.

‡74. Any person who has power to issue any certificate or licence under this Act shall, on proof to his or her satisfaction that such certificate or licence has been lost, defaced or destroyed and on being satisfied that the prescribed fee has been paid to the Accountant-General in accordance with section 7, issue a duplicate thereof to the person entitled thereto.

Weighing of motor vehicles.

§75. (1) The driver or other person in charge of a motor vehicle or trailer licensed according to its maximum gross weight may, on demand by any member of the Police Force or by any person authorised in writing by the Licensing Authority, be required to satisfy such member of the Police Force or person that the load, which is being carried on such motor vehicle or trailer does not contravene the provisions of

* Originally section 70.

† Originally section 71.

‡ Originally section 72.

§ Originally section 73.

the licence or this Act or any regulations, and may be required by such member of the Police Force or person to drive him or her with such motor vehicle or trailer to a weigh-bridge or other machine for weighing vehicles for the purpose of weighing such load.

(Amended by Act 9 of 1989)

(2) Any person who fails to comply with any such requirements as aforesaid commits an offence and shall, on summary conviction, be liable to a fine not exceeding one thousand five hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

Power to detain vehicles and enter premises.

*76. (1) It shall be lawful for any member of the Police Force to stop any vehicle on a road with a view to ascertaining whether such vehicle is being used in contravention of this Act or any regulations, and in the event of any vehicle being used on a road in such manner, such member of the Police Force may take the vehicle or cause it to be taken to any police station there to be further examined or to be detained until the vehicle and driver can be identified, and the violation corrected, as the case may be.

(Amended by Acts 9 of 1989 and 2 of 1998)

(2) A person who refuses to stop his motor vehicle when requested to do so pursuant to the provisions of subsection (1) of this section commits an offence and is, on summary conviction, liable to a fine not exceeding five hundred dollars.

(Inserted by Act 2 of 1998)

(3) Any person authorised in writing by the Licensing Authority may, at all reasonable times, enter any premises for the purpose of inspecting any vehicle on such premises.

(Amended by Act 9 of 1989 and renumbered by Act 2 of 1998)

Exemptions of vehicles used for fire brigade, etc., from speed limits.

†77. The provisions of this Act or of any regulations made thereunder imposing a speed limit on motor vehicles shall not apply to any vehicle when it is being used for fire brigade, ambulance or police purposes, if the observance of those provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

Concession to operate motor omnibuses.

‡78. It shall be lawful for the Minister to grant to any person, or to two or more persons jointly, a limited concession or an exclusive concession to operate motor omnibuses in any area or on any road or route or for any journey upon such conditions as shall be specified in the grant and subject to the provisions of this Act and any regulation made thereunder.

(Amended by Acts 6 of 1976 and 7 of 1976)

Highway code.

§79. (1) It shall be the duty of persons using the road to acquaint themselves with and observe the directions contained in the highway code.

* Originally section 74.

† Originally section 75.

‡ Originally section 76.

§ Originally section 77.

(2) A failure on the part of any person to observe any provision of the highway code shall not of itself render that person liable to criminal proceedings under this Act, but such failure may in any such proceedings be relied upon by any party to the proceedings as tending to establish or to negative any liability which is in question in those proceedings.

Regulations.

*80. (1) The Minister may make regulations in respect of all or any of the following matters, that is to say—

- (a) any thing which by this Act may or is to be prescribed;
- (b) the forms to be used under this Act;
- (c) the construction, fittings, dimensions and design of any motor vehicle or trailer;
- (d) the character and nature of horns or other instruments capable of giving audible and sufficient warning of motor and other vehicles, and regulating and controlling their use;
- (e) the number, position and kind of lights and reflectors to be carried on motor and other vehicles and the times during which they are to be exhibited;
- (f) the duties and powers of Examining Officers or Inspectors in regard to the inspection of motor and other vehicles and in regard to driving tests;
- (g) the duties and powers of conductors;
- (h) the inspection of motor and other vehicles and the times, places and manner of such inspection;
- (i) the form of identification marks to be fixed on motor vehicles in respect of registration and licensing and the sizes and colour of the letters of and the manner of displaying such marks;
- (j) the classification of roads and the prohibition or restriction of the use of any classified roads by vehicles of any specified class or description;
- (k) the precedence of vehicles and pedestrians respectively at and in the vicinity of crossings and the erection of traffic signs and other notices;
- (l) the driving of any vehicle on any specified road otherwise than in a specified direction;
- (m) the appointment of parking places and the regulation of the use of such parking places including the imposition of charges in respect thereof;
- (n) the badges and uniform to be worn by drivers and conductors of public service vehicles and the conduct of drivers, conductors and passengers;
- (o) passenger fares and tolls in respect of public service vehicles;
- (p) the maximum hours of employment of persons as drivers of public service vehicles and of motor lorries;

* Originally section 78.

- (q) the determination of the number of passengers which a public service vehicle is adapted to carry and the number which may be carried;
- (r) the carriage of luggage and goods on public service vehicles;
- (s) the number, nature and use of brakes and other equipment to be carried in the case of vehicles not propelled by mechanical power;
- (t) the prohibition of excessive noise owing to the design or condition of the vehicle or the loading thereof;
- (u) the removal from roads of vehicles which have broken down and of the loads carried thereby or of vehicles which have been left in a dangerous position on a road;
- (v) the establishment of silence zones;
- (w) prescribing the routes to be followed by all classes of traffic, or of any particular class or classes of traffic or vehicles, from one specified point to another, either generally or between any specified times;
- (x) prescribing roads which are not to be used for traffic vehicles of any specified class or classes, either generally or at specified times;
- (y) regulating the relative position on the roads of traffic of differing speeds or types;
- (z) prescribing the places where vehicles or vehicles of any particular class or description may not turn so as to face in the opposite direction to that in which they were proceeding, or where they may only so turn under conditions prescribed by the regulations;
- (aa) prescribing the number and maximum size and weight of trailers which may be drawn on streets by vehicles or vehicles of any particular class or description either generally or on streets of any class or description, and for prescribing that a man should be carried on the trailer or, where more than one trailer is drawn, on the rear trailer for signalling to the driver;
- (ab) prescribing the conditions subject to which, and the times at which, articles may be loaded on to or unloaded from vehicles generally or vehicles of any particular class or description, on roads;
- (ac) prescribing the conditions subject to which, and the times at which, vehicles generally or vehicles of any particular class or description, delivering or collecting goods or merchandise, or delivering goods or merchandise of any particular class or classes, may stand in roads or in roads of any class or description, or in specified roads;
- (ad) vehicles generally or vehicles of any particular class or description when unattended;
- (ae) places in roads where vehicles, or vehicles of any particular class or description, may, or may not, wait either generally or at particular times;
- (af) ranks and stopping places of omnibuses and other public conveyances;
- (ag) the lighting and guarding of road works;
- (ah) the erection or placing or the removal of any works or objects likely to hinder the free circulation of traffic in any road, or likely to occasion danger to passengers or vehicles;

- (ai) queues of persons waiting on roads;
- (aj) priority of entry to public service vehicles;
- (ak) enabling any police, local or other public authority, in the event of any person failing to do anything which under the regulations he or she ought to have done, to do such act, and to recover the expenses thereof from the person so in default summarily as a civil debt;
- (al) generally, for the better carrying out of the provisions of this Act and in particular for the safety, control and regulation of traffic and the use of vehicles or any class of vehicles on any road and the conditions under which they may be used.

(2) The Minister may, as regards motor omnibuses, make regulations in respect of all or any of the following matters, that is to say—

- (a) the restriction of the use of motor omnibuses using specified routes;
- (b) the regulation and restriction of the number of motor omnibuses using specified routes;
- (c) the time tables to be observed by drivers of motor omnibuses;
- (d) the issue of licences by the Licensing Officer, and conditions of issue of such licences and conditions to be observed by the holders of such licences in respect of specified routes;
- (e) the taking up and setting down of passengers;
- (f) returns to be rendered to the Licensing Authority by the owners of motor omnibuses showing the number and nature of journeys completed, the mileage covered, the times taken, the number of passengers carried and the operating costs;
- (g) the conditions under which limited or exclusive concessions may be granted.

(3) The Minister may, in Regulations made under this Act, make the contravention of any provision thereof an offence punishable on summary conviction by a fine not exceeding twenty thousand dollars or to a term of imprisonment not exceeding one year.

(4) Regulations made by the Minister under subsection (3) shall be subject to negative resolution of the National Assembly.

(Amended by Acts 6 of 1976, 9 of 1989 and 16 of 2008)

Power to Licensing Authority to make orders.

***81.** (1) The Licensing Authority may, by notice published in the *Gazette* or in a newspaper published in the State, make orders as to the line to be kept by persons driving or riding any vehicle or animal on any road and as to the manner in which vehicles of any description shall be drawn up while waiting on any road and as to the route to be observed by all vehicles, horses, and persons, and for preventing obstructions on any road, in any case where such a road is liable to be thronged or obstructed; and also may give directions to members of the Police Force for the purpose of regulating traffic in the neighbourhood of Courts of Law, public offices, churches, theatres, and other places of public resort; and any person who, after being made acquainted with any orders made or directions given under this section,

* Originally section 79.

contravenes or fails to comply with such orders or directions commits an offence and shall, on summary conviction, be liable to a fine not exceeding one thousand dollars.

(Amended by Acts 2 of 1998 and 31 of 2005)

(2) It shall be lawful for any member of the Police Force to apprehend without warrant, any person who commits an offence under this section within his or her view, if such a person refuses to give his or her name and address or gives a name or address which the member of the Police Force has reasonable grounds for believing to be false.

Right of appeal.

*82. Any person who is aggrieved by any act, order or decision of the Licensing Authority, the Licensing Officer or of any Examining Officer, may appeal to the Board and the decision of the Board shall be final.

(Amended by Act 9 of 1989)

Member of Police Force may give or affix notice.

†83. (1) Notwithstanding any provisions in any law, where an offence as listed in the Third Schedule to this Act has been or is being committed in any place, it shall be lawful for a member of the Police Force to give to the driver a notice in the form specified in the Fifth Schedule to this Act charging him or her with the commission of such offence and notifying him or her that a complaint will be made against him or her in respect thereof and requiring him or her either to pay the fixed penalty within the time specified in the notice or to appear at the court specified in the notice on the day and at the hour stated therein to answer the said complaint.

(Amended by S.R.O. 2 of 1988)

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

(3) Where a member of the Police Force intends to proceed under subsection (1) or (2), the notice shall be given or affixed on the occasion when he or she had reason to believe that the offence was committed.

(4) The police officer shall send to the Magistrate for the magisterial district in which the offence is alleged to have been committed, a duplicate of the notice, which duplicate shall be deemed to be a complaint laid before the Magistrate and a summons issued by the Magistrate for the purposes of the Magistrate's Code of Procedure Act.

(Inserted by Act 10 of 1983)

* Originally section 80.

† Originally section 80A.

Particulars to be specified in notice.

*84. A notice given or affixed under section 83 shall be signed by the police officer and shall specify—

- (a) the date, time and place of the giving or affixing of the notice;
- (b) the section of the enactment creating the offence alleged and such particulars of the offence as are required for proceedings under the Magistrate's Code of Procedure Act, Cap. 3.17;
- (c) the time within which the fixed penalty may be paid in accordance with section 87;
- (d) the amount of the fixed penalty;
- (e) the Clerk of the Magistrate to whom, and the address at or to which the fixed penalty may be paid;
- (f) the address of the Magistrate's Court at which the person is required to appear in the event of his or her failure to pay the fixed penalty within the specified time, and the date and time of such appearance.

(Inserted by Act 10 of 1983 and corrected by S.R.O. 16/2016)

Payment of fixed penalty precludes prosecution.

†85. (1) Where a notice has been given under section 83, the driver or the registered owner of the vehicle as the case may be, may pay the fixed penalty in accordance with the notice.

(Corrected by S.R.O. 16/2016)

(2) The time within which the fixed penalty shall be payable shall be ten days from the date of the notice, and where payment reaches the Clerk of the Magistrate after that time, it shall not be receivable and shall be returned to the sender.

(3) Where the fixed penalty is duly paid in accordance with the notice, the proceedings instituted by the notice shall be discontinued.

(Inserted by Act 10 of 1983)

Amount of fixed penalty.

‡86. The fixed penalty for an offence shall be the amount specified in the Third Schedule.

(Inserted by Act 10 of 1983)

Payment of fixed penalty.

§87. (1) Payment of the fixed penalty shall be made to the Clerk of the Magistrate's Court District "A" Basseterre or the Clerk of the Magistrate's Court, District "C", Charlestown and shall be dealt with in the same manner as payment of a fine imposed for an offence under the Magistrate's Code of Procedure Act.

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

(Inserted by Act 10 of 1983)

* Originally section 80B.

† Originally section 80C.

‡ Originally section 80D.

§ Originally section 80E.

Certificate of payment and non-payment of fixed penalty.

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

(Inserted by Act 10 of 1983)

Consequence of failure to pay.

†89. Where the fixed penalty is not paid within the time specified in the notice, proceedings in respect of the offence specified in the notice shall proceed in the manner prescribed by the Magistrate's Code of Procedure Act.

(Inserted by Act 10 of 1983)

Unauthorised removal of or interference with notice.

‡90. A notice affixed to a vehicle under section 83 shall not be removed or interfered with except by or under the authority of the driver of the vehicle or the person liable for the offence in question and any person who contravenes this section commits an offence and liable, on summary conviction, to a fine of five hundred dollars.

(Inserted by Act 10 of 1983)

Amendment of Third Schedule, etc.

§91. (1) The Minister may, from time to time, by Order—

- (a) add any offence to the Third Schedule; or
- (b) remove any offence from the Third Schedule or alter the fixed penalty for any offence or prescribe a new penalty for any offence in an amount not exceeding one hundred dollars;
- (c) prescribe the form of notice and the duties of the Clerks of the Magistrate and the information to be supplied to them;
- (d) make provision for any matter incidental to the operation of section 83.

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

(Inserted by Act 10 of 1983)

Making good damage to road, bridge, fence or other property of the Crown.

**92. (1) Where, by reason of any offence against this Act, any damage is caused to a road, bridge, fence or other property of the Crown, the authority responsible for the repair of such bridge, fence or other property of the Crown 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.

* Originally section 80F.

† Originally section 80G.

‡ Originally section 80H.

§ Originally section 80I.

** Originally section 80J.

(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 one month 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 exceed the normal monetary limit on the jurisdiction of the Magistrates' Courts.

(Inserted by Act 9 of 1989)

Traffic Wardens.

*93. The Licensing Authority may appoint traffic wardens to undertake such functions under this Act or Regulations in connection with the control and regulation of, or the enforcement of the law relating to traffic including pedestrians or vehicles.

(Inserted by Act 9 of 1989)

Saving.

†94. Nothing in this Act shall affect any liability of the driver or the owner of a motor vehicle under any other Act or at common law.

Conflict of laws.

‡95. Whenever the provisions of this Act or of any regulations made under the Act are in conflict with the provisions of any other Act relating to the control of vehicles and road traffic the provisions of this Act and the regulations made under it shall prevail.

* Originally section 80L.

† Originally section 81.

‡ Originally section 82. Note: Original section 83 deleted by Act 7 of 1976.

	\$
Registration of any motor vehicle or trailer	50.00
Transfer of a licence/change of ownership	50.00
For amendment of the vehicle registration number	50.00
For amendment to name on driver's licence	25.00
An amendment to learner's authorisation	25.00
Police Report for Insurance	50.00

SECOND SCHEDULE

(Section 39)

LIMITS OF SPEED

Maximum speed

Miles per hour

1. On any road within the limits of the Town of Basseterre or in a village:
 - (a) Motor Omnibuses, Passenger Trucks and Motor Lorries..... 20
 - (b) Other Motor Vehicles except Tractors..... 20
 - (c) Tractors with or without Trailers..... 20
2. On all roads in the State other than those specified in paragraph (1) of this Schedule—
 - (a) Motor Omnibuses, Passenger Trucks and Motor Lorries..... 30
 - (b) Other Motor Vehicles except Tractors..... 40
 - (c) Tractors with or without Trailers..... 20

THIRD SCHEDULE*(Section 86)***OFFENCES AND FIXED PENALTIES**

1. Offences against the General Traffic Directions made by the Traffic Commissioner.....	\$100.00
2. Offences against the Vehicle and Road Traffic Regulations	\$100.00
3. Offences against sections 8, 12, 26, 56, 57 and 62 of the Vehicles and Road Traffic Act.....	\$150.00
4. Offences against section 39 of the Vehicles and Road Traffic Act shall be subject to a fine of \$250.00, and an additional \$100.00 for every ten miles per hour that exceeds the first ten miles per hour above the speed limit”.	
5. Offences against regulation 3 of the Vehicles and Road Traffic (Load) Regulations	\$150.00
6. Offences against regulation 4 of the Vehicles and Road Traffic (Load) Regulations	Load in excess by 1kg to 1,500 kg \$0.20 per kg Load in excess by 1,501 kg to 5,000 kg - \$0.40 per kg Load in excess by 5,001 kg to 8,000 kg - \$0.60 per kg Load in excess by more than 8,000 kg - \$1.00 per kg
7. Offences against regulation 3 of the Vehicles and Road Traffic (Safety) Regulations	\$150.00
8. Offences against regulation 4 of the Vehicles and Road Traffic (Safety) Regulations	\$200.00
9. Late payment of fixed penalties not exceeding one month after due date	\$50.00

*(Schedule inserted by Act 10 of 1983 and amended by Acts 9 of 1989,
2 of 1998 and S.R.O. 21/2011)*

FOURTH SCHEDULE

(Section 80)

Company

Address

FIFTH SCHEDULE
(Section 83)

(FOR OFFICIAL USE)

PART I – PAYMENT SLIP

To the Registrar's Clerk, District "....."
I enclose payment for this fixed penalty

NAME
ADDRESS (IN BLOCK CAPITALS)

A RECEIPT WILL NOT BE ISSUED UNLESS REQUESTED

ST. CHRISTOPHER (ST. KITTS) AND NEVIS POLICE
The Vehicles and Road Traffic Act

PART I

Motor Vehicle Registration Number

was seen in/at

from/at

a.m./p.m.

a.m./p.m.

to

day of

day of

in circumstances

giving me reasonable cause to believe that the offence of

was being or had been committed under section/Regulation

of the Vehicles and Road Traffic Act/Regulations, Chapter 15.06 of the Laws of the Federation.

Fixed Penalty \$

Force Number

Signature

PAYMENT

If within 10 days from the date of this notice the fixed penalty is paid to the Clerk of the Registrar's Court District "....." any person's liability to conviction of the alleged offence shall be discharged and the police will not prosecute. If not paid, the person shall appear at the Registrar's Court District "....."

at 9.00 a.m.

on

NOTE: IT IS AN OFFENCE FOR ANY UNAUTHORISED PERSON TO REMOVE OR INTERFERE WITH THIS NOTICE.

Serial Number

Date of Issue

[Inserted by SRO 2/1988]

INSTRUCTIONS FOR PAYMENT

The person paying the fixed penalty should complete the name and address box then take or forward this payment slip intact with a remittance of the Fixed Penalty to:

The Registrar's Clerk District

Payment must be of the exact amount shown on this notice.

Cheques and postal orders should be crossed and made payable to the Accountant General.

NO RESPONSIBILITY WILL BE ACCEPTED FOR CASH SENT OTHER THAN BY REGISTERED MAIL.

SIXTH SCHEDULE

(Section 80)

VEHICLES AND ROAD TRAFFIC REGULATIONS

PRELIMINARY

Citation.

1. These Regulations may be cited as the Vehicles and Road Traffic Regulations.

Interpretation.

2. In these Regulations—

“Act” means the Vehicles and Road Traffic Act;

“lateral overhang” means the distance measured from the outer face of the tyre on the rear wheel on the same side of the vehicle (and in the case of dual tyres from the outer surface of the outer tyre) to a vertical line let fall from the extreme limit of the body;

“longitudinal overhang” means the distance measured from the centre of a hub of a rear wheel to a vertical line let fall from the extreme rear limit of the body and in the case of a six wheeled vehicle from the rear wheel nearest to the said vertical line;

“overall length” means the overall length of a vehicle exclusive of the starting handle or bumpers, if any, and of the hood, if any, when down;

“overall width” means the width measured between parallel planes passing through the extreme projecting points of the vehicle exclusive of any driving mirror;

“park” means to remain stationary for any period of time which is longer than is reasonably necessary for passengers to alight from or get on a vehicle;

“public stand” means an appointed place where public service vehicles or public service vehicles of a particular class may wait;

“traffic sign” means any line, mark, direction, arrow, word, or other sign that may be placed on or near any road for the purpose of indicating the manner in which vehicles are to be driven, propelled or parked.

Forms.

3. For the purposes of the Act and of these Regulations the forms set out in Schedule 1 to these Regulations or forms to the like effect shall be used in cases to which they refer.

REGISTRATION

Identification Mark.

4. (1) The identification marks to be carried by a motor vehicle in pursuance of section 8 of the Act shall consist of two plates, which must conform, as to size, lettering, numbering and otherwise, with the provisions set out in Schedule 2 to these Regulations.

(2) Letters and numbers as prescribed in Schedule 2 to these Regulations, painted or otherwise fixed to the motor vehicle, may be used instead of plates.

(3) Any reference to plates in these Regulations shall be construed to include a reference to the numbers and letters so painted or fixed and any reference to the fixing of plates to include a reference to the numbers and letters so painted or fixed or other delineation of the numbers and figures.

(4) All applications for the registration of a motor vehicle shall be made to the Licensing Officer in the form set out in Schedule 1 to these Regulations (Form 1).

Identification Marks for Learners.

5. The identification mark prescribed to be carried by a motor vehicle in pursuance of section 27 of the Act shall be a large red letter "L" on a white ground clearly displayed in a conspicuous position on the front and on the back of the vehicle, and the dimensions of the letter "L" shall be four inches high by three and a half inches long and one and a half inches wide.

(Inserted by S.R.O. 24/1977)

Position of Identification Mark.

6. (1) The plates forming the identification mark shall be fixed, one on the front and the other on the back of the motor vehicle, in the vertical position, so that every letter or figure on the plate is vertical and easily distinguishable.

(2) In the case of a motor cycle, the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with Schedule 2 to these Regulations, be fixed so that from whichever side the cycle is viewed the letters or figures on one of the faces of the plate are easily distinguishable, though they may not be distinguishable from the front of the cycle.

(3) Subject to the provisions of this regulation, the plates forming the identification mark shall be fixed on the motor vehicle in the position indicated in the particulars given in the application for registration of the motor vehicle or subsequently furnished to the Licensing Officer, or if he or she is not satisfied with the position so indicated, in such position as he or she directs.

Identification Mark to be Legible.

7. The identification mark upon any motor vehicle shall at all times be legible and shall not be obstructed by any other figures, designs or ornamentation.

Illumination of Identification Mark.

8. Whenever a motor vehicle is used on a public road at night a lamp shall be kept alight on the motor vehicle, so contrived as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable, every letter or figure on the identification plate fixed on the back of the motor vehicle.

Visitor's Mark.

9. (1) Any person who, being a visitor to the State, imports into the State a motor vehicle of which he or she is the owner shall, if he or she desires to avail himself or herself of the provisions of section 11(1)(a) and 24 of the Act, notify the Licensing Authority within forty-eight hours of the importation and furnish at the same time particulars of the identification marks of the vehicle in the country where it was last registered together with a description of the vehicle and unless some other identification mark is assigned by the Licensing Authority the identification marks of the country where the vehicle was last registered shall be the identification marks for the purposes of the Act.

(2) The Licensing Officer shall keep a register to be called the Temporary Visitor's Motor Vehicle Register in which shall be entered the following particulars—

- (a) name of visitor;
- (b) date of arrival of visitor;
- (c) date of arrival of motor vehicle;
- (d) description of motor vehicle;
- (e) identification mark of vehicle in country where it was last registered;
- (f) identification mark (if any) assigned by the Licensing Authority.

Dealer's Mark.

10. (1) The Licensing Authority shall assign to any dealer in motor vehicles who desires to use a motor vehicle on any road for the purpose of being tested with a view to sale such number of general identification marks as he or she thinks fit.

(2) The marks shall be such as the Licensing Authority directs in each case:

Provided that—

- (a) they shall consist of two plates, each bearing some distinguishing letter or letters, and each having placed thereon or annexed thereto some distinguishing number;
- (b) the colouring of the plates shall be different from that used for the plates forming the ordinary identification mark; and
- (c) the lettering and numbering of the plates shall, so far as possible, be similar to those required in the case of the plates forming the ordinary identification mark.

(3) Every dealer to whom identification marks have been assigned shall keep a Demonstration Book, and on every occasion such identification mark is used on a motor vehicle he or she shall make or cause to be made therein an immediate entry of the following particulars—

- (a) date;
- (b) identification mark;
- (c) description of motor vehicle on which used;
- (d) driver's name;
- (e) time of departure from garage;
- (f) time of return to garage; and
- (g) purpose for which the motor vehicle is used.

(4) It shall be lawful for the Licensing Authority or any member of the Police Force to examine any Demonstration Book and such book shall be delivered by a dealer to the Licensing Authority or any member of the Police Force whenever it is required for examination.

(5) The provisions of the Regulations which relate to the fixing and illumination of identification plates shall apply to the plates forming the general identification mark as they apply to the plates forming the ordinary identification mark.

(6) A motor vehicle bearing a general identification mark assigned under the provisions of this regulation shall not be used for purposes other than those specified in section 10(1)(b) of the Act and shall not be used for private or trade purposes either by the dealer or any other person.

LICENSING

Licences and Licence Plates.

11. (1) Upon application being made to the Licensing Officer for the licensing or the renewal of a licence of any vehicle in the form set out in Schedule 1 to these Regulations (Form 2) the Licensing Officer, if satisfied that the provisions of the Act and of these Regulations have been complied with, shall issue to the applicant a licence in the form prescribed in Schedule 1 to these Regulations (Form 3).

(2) A person who desires to licence a vehicle other than a motor vehicle shall apply to the Licensing Officer in the form set out in Schedule 1 to these Regulations (Form 4) and the Licensing Officer shall issue to the applicant a licence in the form prescribed in Schedule 1 to these Regulations (Form 5) together with a licence plate.

(3) The licence plate shall bear the year and number of the licence issued in respect of such vehicle.

(4) The licence plate shall be affixed to such vehicle in a vertical position so that any letter or figure on the plate is easily distinguishable.

Grant or Renewal of Driver's Licences.

12. Any person desiring to obtain the grant or renewal of a licence in any of the three classes specified in section 27 of the Act shall apply to the Licensing Officer and furnish him or her with the relevant particulars as set out on the form in Schedule 1 to these Regulations (Form 6).

Issue of Drivers' Licences.

13. If the Licensing Officer is satisfied that the provisions of the Ordinance and of these Regulations have been complied with he shall, on payment of the prescribed fee, issue a driver's licence in the form set out in Schedule 1 to these Regulations (Form 7).

Conductor's Licence.

14. (1) A Conductor's Licence (which shall be in the form of a badge) shall not be issued to any person applying for same unless the Licensing Officer is satisfied that the applicant—

- (a) is above twenty-one years and is physically and mentally fit;
- (b) is of good character;
- (c) has sufficient knowledge of the rules of the road, and the provisions of the Act and of these Regulations.

(2) Any person desiring to obtain a licence as a conductor of a public service vehicle shall apply to the Licensing Officer and furnish him or her with the relevant particulars as set out on the form in Schedule 1 of these Regulations (Form 8) and the Licensing Officer shall, if he or she is satisfied that the applicant fulfils the necessary requirements, issue to him or her a conductor's badge.

Badges for Conductors and Drivers.

15. Upon the issue of a conductor's licence or a driver's licence in respect of a public service vehicle a badge upon which there shall be marked the word "conductor" or "driver" respectively and the year of issue shall be delivered to the holder of the licence upon due payment therefore, and the badge shall be worn at all times when the conductor or driver is on duty in such a manner as to be easily seen.

EXAMINATION OF MOTOR VEHICLES, ETC.

Register.

16. (1) The Examining Officer shall keep a register in the form set out in Schedule 1 to these Regulations (Form 8) of all certificates of fitness issued by him or her in respect of motor vehicles, and such certificates shall be as set out in the form specified in Schedule 1 to these regulations (Form 9).

(2) The Examining Officer shall examine every public service vehicle at least once every six months, and make an appropriate entry in the register.

Conditions on which Certificate of Fitness may be Issued.

17. The Examining Officer shall not issue a certificate of fitness in respect of any motor vehicle unless the conditions specified in this regulation are satisfied, namely—

- (a) *Reversing* – the motor vehicle, if it exceeds in weight unladen 8 cwt. is capable of being so worked that it may travel either forwards or backwards;
- (b) *Overall Width and Length* – the motor vehicle, not being a motor cycle, does not exceed seven feet six inches in overall width or twenty-two feet in overall length;
- (c) *Overhang* – the lateral overhang of the motor vehicle does not exceed six inches on each side and the longitudinal overhang does not exceed seven twenty-fourths ($7/24$ ths) of the overall length of the vehicle;
- (d) *Brakes*—
 - (i) the motor vehicle is equipped with two entirely independent braking systems, or with one efficient braking system having two independent means of operation, in each case so designed and constructed that the failure of any single portion of any braking system shall not prevent the brakes on two wheels, or, in the case of a motor vehicle having less than four wheels, on one wheel, from operating effectively so as to bring the vehicle to rest within a reasonable distance: Provided that in the case of a single braking system, the two means of operation shall not be deemed to be otherwise than independent solely by reason of the fact that they are connected either directly or indirectly to the same cross-shaft;
 - (ii) in the case of a motor vehicle having more than three wheels and equipped with two independent braking systems, each such system shall be so designed and constructed that if the brakes thereof act either directly or indirectly on two wheels they shall act on two wheels on the same axle;

- (iii) where, in the case of a single braking system, the means of operation are connected directly or indirectly to the same cross-shaft, the brakes applied by one of such means shall act on all wheels of the motor vehicle directly and not through the transmission gear;
 - (iv) in all cases the brakes operated by one of the means of operation shall be applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device;
 - (v) in all cases the brakes operated by one of the means of operation shall act directly upon the wheels and not through the transmission gear.
- (e) *Trailers* – the trailer is fitted with sufficient brakes to the satisfaction of the Examining Officer;
 - (f) *Condition of Vehicle* – the motor vehicle and all the fittings thereof shall be in such a condition as (in the opinion of the Examining Officer) not to cause, or to be likely to cause, danger to any person on the motor vehicle or on any public road;
 - (g) *Silencer* – the motor vehicle is fitted with a silencer to the satisfaction of the Examining Officer;
 - (h) *Unauthorised Figures and Lights* – except with the permission of the Examining Officer, there shall not be affixed to the front or rear of a motor vehicle any letters or figures other than those on the identification plate or any lighted lamps:

Provided that the Licensing Authority may authorise the issue of a certificate of fitness in respect of a vehicle which does not comply with the provisions of regulations 16 (1), 16 (2) and 16 (3).

Lights.

18. (1) Every motor vehicle shall be equipped with at least two lamps at the front of the vehicle, one on each side, and when a motor vehicle is in motion on a road at night, the two lamps at the front of the vehicle shall be lighted, and the rays from the lamps shall be uncoloured, and if the vehicle is capable of proceeding at a greater speed than 20 miles an hour, of such intensity as to illuminate the road ahead for a distance of at least 75 yards or such greater distance as is sufficient to ensure the safety of the vehicle and the persons carried on the vehicle, and to indicate clearly the presence of the vehicle to approaching traffic:

Provided that a motor cycle shall show one such light as aforesaid, but if a side-car is attached to the motor cycle, there shall be shown on that side of the side-car not adjacent to the motor cycle, an additional light of sufficient intensity to indicate the presence of the side-car for a distance of not less than 25 yards from approaching traffic.

(2) Every vehicle, other than a motor vehicle, in motion on the road at night shall carry at least one lighted lamp attached to the front of the vehicle, and the rays from the lamp shall be unclouded.

(3) Save as is provided in regulation 19, every motor vehicle when in motion on a road at night, shall carry at least one lamp showing a red light to the rear, of such intensity as to indicate clearly within a reasonable distance its presence on the road to traffic approaching from behind, and the lamp shall be of such construction and show an uncoloured light of such intensity as to illuminate clearly the figures and numbers

on the rear identification plate so that they are visible at a distance of not less than 25 yards:

Provided that where a trailer is attached to a tractor it shall be sufficient if one such lamp as aforesaid is carried at the rear of the trailer only.

(4) No spot lights or other similar swivelling lights shall be carried on any motor vehicle without the authority of the Licensing Officer who may authorise such lights at his or her discretion and subject to such conditions as he or she may impose

(5) Every motor vehicle capable of proceeding at a speed greater than 20 miles per hour shall be provided with a device whereby the front lamps of such vehicles can be dipped or dimmed to cast their rays to a distance of not more than 25 yards in front of the motor vehicle.

(6) Every driver of a motor vehicle capable of proceeding at a speed greater than 20 miles per hour when driving at night, shall, when within 50 yards of an approaching vehicle bearing lighted lamps, and until he or she has passed the said vehicle, "dip" or dim the lights of the driven car.

Motor cyclists to wear prescribed gear.

18A. A person who operates a motorcycle on a road shall at all times, while operating the motor cycle, wear the appropriate gear prescribed by the Licensing Authority, and when accompanied by a pillion, he or she shall ensure that the pillion is wearing the appropriate gear prescribed by the Licensing Authority.

(Inserted by S.R.O. 17/2003)

Bicycles.

19. (1) Every bicycle shall carry one white light at the front and a red light or reflector at the rear when being ridden on the road at night.

(2) Every bicycle shall be equipped with a bell or any other warning device as may be approved by an Examining Officer.

(3) Every bicycle shall be equipped with such effective brakes as may be approved by an Examining Officer.

Rules to be Observed by Drivers of Vehicles and by Cyclists.

20. (1) Every driver of a vehicle and every cyclist shall comply with the following rules—

- (a) he or she shall keep his or her vehicle on the left of the road unless prevented by some sufficient cause;
- (b) when meeting, or being overtaken by other vehicles, he or she shall keep as close as possible to the left or near side of the road;
- (c) when overtaking other vehicles he or she shall keep to the right or offside of such other vehicles;
- (d) when being overtaken by other vehicles he or she shall drive or ride as close to the left side of the road as possible so as to allow such other vehicles to pass, and in all cases he or she should drive or ride so as to give as much space as possible for the passing of other traffic, and shall not increase the speed of his or her vehicle whilst being overtaken by any other vehicle;

- (e) he or she shall not drive or ride so as to overtake other traffic unless he or she has a clear and unobstructed view of the road ahead and of any intersecting roads and he or she shall not overtake such other traffic unless he or she sees that the road ahead is clear for a sufficient distance to enable him or her to overtake and get back to his or her proper side before meeting any traffic from the opposite direction and without causing the vehicle which is being overtaken to alter its speed;
- (f) he or she shall not cross a road or turn in a road or proceed from one road into another road or drive or ride from a place which is not a road into a road, or from a place which is not a road, unless he or she can do so without obstructing any other traffic on the road, and for this purpose he or she shall be held to be obstructing other traffic if he or she causes risk of accident thereto;
- (g) when turning from one road into another road to the left he or she shall keep as close as possible to the left side of each road;
- (h) when turning from one road into another road to the right he or she shall drive round the point of intersection of the two roads, and shall keep as close as possible to the left side of each road.

(2) Every driver of vehicle and every cyclist shall not negligently or wilfully prevent, hinder or interrupt the free passage of any vehicle, person or animal and shall not allow his or her vehicle to stand in such road so as to cause any unnecessary obstruction thereto.

(3) Every driver of a vehicle and every cyclist shall—

- (a) when approaching turnings and cross-roads or coming from any private road or place to any public road, slow down and make the appropriate traffic signal;
- (b) when turning across traffic or turning to the right slow down and make the appropriate traffic signal;
- (c) when about to stop or slow down, do so gradually and make the appropriate traffic signal;
- (d) when moving off from any place, make the appropriate signal;
- (e) comply with the directions of all traffic signs unless prevented by some sufficient cause.

(4) Every driver of a vehicle and every cyclist, in relation to traffic signals, shall, when using a vehicle on any road, make the following traffic signals—

- (a) when about to slow down or stop he or she shall extend the right arm and hand horizontally with the palm of the hand turned downwards and shall move the arm slowly and repeatedly downwards and upwards keeping it below the level of the shoulder;
- (b) when about to turn across traffic, turn to the right or when quitting any place at which the vehicle has been stationary, he or she shall extend the right hand and arm horizontally, palm turned to the front;
- (c) when about to turn left, he or she shall extend the right arm and move his or her hand in an anti-clockwise direction;
- (d) when acknowledging a signal indicating that a following driver wishes to pass he or she shall extend the right arm and hand below the level of the shoulder and move them backwards and forwards:

Provided that in no case shall the required traffic signal be given by the driver of a motor vehicle by means of a dummy arm unless the construction of the motor vehicle and the position of the driver's seat are such as to render it impossible for the driver to make such signal with his arm:

Provided further that where a vehicle is fitted with automatic traffic indicators the driver of the said vehicle may indicate his or her intention of turning either right or left by the proper use of such indicators.

(5) Every driver of a vehicle and every cyclist, in relation to traffic directions, shall conform to the rules of the road in regard to all kinds of traffic and shall comply with the lawful directions of any member of the Police Force charged with the regulation of traffic and with any traffic sign, and he or she shall give the following signals for the purpose of indicating the direction in which he or she wishes to proceed—

- (a) when it is proposed to go straight ahead, raise the hand towards the shoulder, and move the forearm well forwards and then back in a vertical plane, making the movement sufficiently pronounced to be easily seen;
- (b) when it is proposed to turn to the left, extend the right arm and move his or her hand in an anti-clockwise direction;
- (c) when it is proposed to turn to the right, extend the right arm and hand with the palm turned to the front, and hold them rigid in a horizontal position straight out from the off-side of the vehicle. (This signal may be used in any circumstances when it may be necessary to convey the warning to traffic following behind that it is dangerous to overtake.)

(6) Every driver of a vehicle and every cyclist, in relation to slow-moving traffic, shall keep as much to the left as possible.

(7) Every driver of a vehicle and every cyclist, shall, on the request of any member of the Police Force in uniform, or of any person having charge of a horse, or if any such member of the Police Force or person shall raise his or her hand as a signal for that purpose, cause the vehicle to stop and to remain stationary so long as may be reasonably necessary.

(8) Every driver of a vehicle and every cyclist shall not carry on the vehicle, or being the owner of any vehicle shall not suffer or permit to be carried thereon, any tree, timber or iron beam or any lumber or other matter or thing projecting on either side of such vehicle more than one foot behind the plane of the wheels of the vehicle, or projecting more than five feet in front or behind, or in such manner as to obstruct, endanger or interfere with traffic.

(9) The Licensing Authority may grant permits for the transport over any road, within stated hours, by a stated route and under stated conditions, of articles the transport of which would otherwise infringe the provisions of this regulation, and such permits shall be carried on the vehicle and shall be produced by the driver at the request of any police officer.

Traffic Signs.

21. (1) The Licensing Authority may cause or permit traffic signs to be placed by the Director of Public Works on or near any road.

(2) Every person driving or propelling any vehicle shall conform to the indication given by any traffic sign.

Rules to be Observed by Drivers of Motor Vehicles.

22. (1) Every driver of a motor vehicle shall comply with the rules specified in this Regulation.

(2) A driver of a motor vehicle shall not cause the motor vehicle to travel backwards for a greater distance or time than may be requisite for the safety or convenience of the occupants of the motor vehicle and of the passengers and other traffic on the road.

(3) A driver of a motor vehicle shall not, when on the motor vehicle, be in such a position that he cannot have full control over the same, or that he or she cannot obtain a full view of the road and traffic ahead of the motor vehicle.

(4) A driver of a motor vehicle shall, before quitting the motor vehicle, stop the engine and apply the brakes so as to maintain the vehicle in a stationary position: Provided that the brakes so applied shall maintain the vehicle in a stationary position without the use of any other device whatsoever:

Provided further that the engaging of the gears of the motor vehicle shall not be deemed the equivalent of, or a substitute for, the applying of the brakes.

(5) In the case of motor lorries and public service vehicles, not more than one person shall sit by the side of the driver unless such vehicle has been certified by an Examining Officer to have been constructed for the purpose of accommodating more than one person beside the driver.

(6) No person shall sit on the right side of the driver of any motor vehicle unless such motor vehicle has been constructed with a left-hand drive, in which case no person shall sit on the left side of the driver.

(7) A driver of a motor vehicle—

- (a) shall not stop his or her motor vehicle within a distance of 15 feet from any corner, drive, carriageway, or private road leading from a public road unless compelled to do so by the necessities of traffic on the road;
- (b) shall not draw up the motor vehicle alongside any other motor vehicle nor shall he back the motor vehicle to the kerb stone of any foot-path or to the side of any road except for the purpose of turning;
- (c) shall, when leaving a vehicle stationary on a road, so stop the vehicle that it is as close as possible to the left-hand side of the road facing the direction in which the vehicle is proceeding.

(8) A driver of a motor vehicle—

- (a) shall, when about to stop the motor vehicle on any road, except as provided in paragraph (b) draw up as close as possible to the left side of the road so as to allow a clear roadway for passing traffic, and he or she shall remove the motor vehicle at the request of any member of the Police Force when it is placed in such a position as to cause or be likely to cause obstruction on any road;
- (b) shall immediately remove the vehicle when requested so to do by the occupier or the servant of the occupier of any premises the access to which is obstructed thereby, and he or she shall not draw up the motor vehicle on a road in such a manner as to prevent or hinder the drivers of other vehicles complying with the directions of any road signal;
- (c) shall not leave the motor vehicle drawn up on any public road for an undue length of time, having regard to all the circumstances of the

case, including the amount of traffic which is at the time, or which might reasonably be expected to be, on the road;

- (d) shall not park his or her motor vehicle opposite to another motor vehicle in such a manner as may be calculated to cause any obstruction to normal traffic;
- (e) may park the motor vehicle on the east side of Victoria Road facing south outside the premises of the St. Kitts Lawn Tennis Club with the left front wheel of the motor vehicle as close as possible to the left side of the road and the left rear wheel thereof not more than six feet from the left side of the road.

(9) A driver of a motor vehicle shall carry attached to the motor vehicle a horn or other instrument capable of giving audible and sufficient warning of his or her approach or position, and he or she shall by sounding the horn or other instrument give audible and sufficient warning of his or her approach or position, and he or she shall not sound his horn, or other approved instruments, except for the purpose of giving warning of his or her approach.

(10) No person shall use such horn or other instrument so as to be a nuisance or annoyance to other people, and the Licensing Officer shall have power at any time to prohibit the use of any such horn or instrument, the use of which is likely to be a nuisance or cause annoyance to the general public.

(11) Every horn, or other instruments shall either be of a kind which has been approved by the Licensing Officer generally as proper to be used on motor vehicles or which has been approved by him or her in a special case on the application of the owner of the motor vehicle.

(12) A driver of a motor vehicle shall not permit sparks, smoke or visible vapour of any avoidable nature which would cause annoyance or danger to the public to come from any motor vehicle in his or her charge on or near any public road, and he or she shall take proper precautions to prevent the unnecessary discharge of lubricating oil on any road.

(13) A driver of a motor vehicle shall not allow the motor vehicle to carry more persons than it was constructed to seat, or licensed to carry.

(14) A driver of a motor vehicle—

- (a) shall not leave or permit to be left on any public road any motor vehicle which has broken down without taking the requisite steps to indicate its presence and position, by lighting or otherwise, to other persons using the road, and shall take immediate steps to have it removed as near to the left of the road as possible;
- (b) shall, on the approach of any engine or other apparatus of a Fire Services proceeding to or from a fire or suspected fire, draw up close to the left-hand side of the road and stop, leaving the centre of the road clear for the passage of such engine or other apparatus, and no two motor vehicles shall stand abreast;
- (c) shall, on the approach of the ambulance proceeding on duty for the purpose of aiding any sick person or persons, draw up close to the left-hand side of the road and stop, leaving the centre of the road clear for the passage of such ambulance and no two motor vehicles shall stand abreast.

Putting Petrol into Motor Vehicles.

23. Any person who puts petrol into any receptacle on or adjacent to any motor vehicle or into the tank of a motor vehicle while the engine is running, or while any light, other than an electric light, is alight on the vehicle, and any person who smokes or lights a match or expose a naked light in close proximity while petrol is being so filled, commits an offence against these Regulations.

Reflecting Mirror.

24. Every motor vehicle, other than a motor cycle, shall be equipped with a reflecting mirror so constructed and fitted to the motor vehicle as to enable the driver of such motor vehicle to be or become aware of the presence in the rear thereof of any other vehicle the driver of which is desirous of passing such motor vehicle:

Provided that this requirement shall not apply to a motor vehicle when drawing a trailer if a person is carried on the trailer in a position which affords an uninterrupted view to the rear, and such person is provided with efficient means of communicating to the driver the effect of signals given by the drivers of other vehicles in rear thereof.

Noisy Motor Vehicles.

25. Any person driving or in charge of a motor vehicle which causes a loud noise to the annoyance or disturbance of any person commits an offence under these Regulations.

Tyres.

26. (1) All tyres of a motor vehicle shall at all times be maintained in such condition as to be free from any defect which might in any way cause damage to the surface of the road, or danger to persons in or on the vehicle or to any persons using the road:

Provided that a person shall not be convicted under this regulation if he or she proves to the satisfaction of the Court that he or she could not by reasonable diligence have become aware of the defect.

(2) Any pneumatic tyre from which all the rubber has been worn on any section of the outer surface of the tyre, whether such surface bears on the road or not, shall be deemed to be defective, and it shall be an offence to use such a tyre on any vehicle.

Special Regulations for Drivers of Public Service Vehicles.

27. The driver of a public service vehicle shall comply with the following regulations—

- (a) he or she shall not use a horn or other instrument for the purpose of calling passengers;
- (b) he or she shall not smoke whilst any passenger is being carried on the vehicle;
- (c) he or she shall not make use to any passenger of any abusive language or insulting gestures;
- (d) he or she shall not loiter for the purpose of procuring passengers or otherwise;

- (e) he or she shall not, while waiting to pick up passengers, race his or her engine or make any loud or unnecessary noise with his or her engine;
- (f) he or she shall at the request of any passenger immediately stop in order to enable such passenger to alight, provided that he or she does not thereby cause an obstruction;
- (g) he or she shall maintain the public service vehicle in a clean and sanitary condition;
- (h) he or she shall carry at least one spare inflated tyre fixed to the rim, spare wheel or other device, capable of being fitted to a wheel or axle;
- (i) he or she shall keep a legible and complete copy of the tariff of fares continuously posted in a conspicuous place in the vehicle;
- (j) he or she shall not, wilfully deceive or refuse to inform any passenger or intending passenger as to the fare for any journey by way of the shortest motorable road between two points or otherwise or as to the fare for any journey.

(Substituted by S.R.O. 24/1976)

Special Regulations for Motor Bus Conductors or Passenger Truck Conductors.

28. Every conductor of a motor omnibus or passenger truck on a public road shall comply with the following regulations—

- (a) he or she shall not smoke whilst any passenger is being carried on the vehicle;
- (b) he or she shall not make use of any abusive language or insulting gestures;
- (c) he or she shall not ride otherwise than inside such vehicle;
- (d) he or she shall not permit more passengers to be carried in the vehicle than the number for which it is licensed;
- (e) he or she shall not permit luggage other than personal luggage or luggage which can be carried under the seats to be carried on such vehicle;
- (f) he or she shall not be under the influence of drink or drugs during his or her employment;
- (g) he or she shall at all times wear his badge in such a manner that the whole of the writing thereon is distinctly legible;
- (h) he or she shall not permit any passenger to ride otherwise than inside such vehicle.

Passengers.

29. When a public service vehicle is carrying passengers or waiting to pick up passengers, a passenger or intending passenger shall not—

- (a) use obscene or offensive language or conduct himself or herself in a riotous or disorderly manner;
- (b) enter or alight from the vehicle otherwise than by the doors or openings provided for the purpose;

- (c) when entering or attempting to enter the vehicle wilfully and unreasonably impede passengers seeking to enter the vehicle or to alight therefrom;
- (d) enter or remain in or on the vehicle when requested not to do so by any conductor or driver on the ground that the vehicle is carrying its full complement of passengers;
- (e) travel in or on the upper deck of the vehicle unless he or she occupies a seat provided for that purpose, or in or on any part of the vehicle not provided for the conveyance of passengers;
- (f) wilfully do or cause to be done with respect to any part of the vehicle or its equipment anything which is calculated to obstruct or interfere with the working of the vehicle or to cause injury or discomfort to any person;
- (g) when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him or her unless it is necessary to do so in order to give directions as to the stopping of the vehicle;
- (h) give any signal which might be interpreted by the driver as a signal from the conductor to start;
- (i) spit upon or from or wilfully damage, soil or defile any part of the vehicle;
- (j) when in or on the vehicle distribute printed or similar matter of any description or distribute any article for the purpose of advertising;
- (k) wilfully remove, displace, deface or alter any number plate, notice board, fare table, route indicator, or destination board or any printed or other notice of advertisement in or on the vehicle;
- (l) when in or on the vehicle to the annoyance of other persons use or operate any noisy instrument or make or combine with any other person or persons to make excessive noise by singing, shouting or otherwise;
- (m) when in or on the vehicle throw any money to be scrambled for by any person on the road or footway, or throw out of the vehicle any bottle liquid or litter or any article or thing likely to annoy persons or to cause danger or injury to any person or property;
- (n) throw any article from the vehicle or attach to or trail from the vehicle any streamer, balloon, flag or other article in such manner as to overhang the road;
- (o) wilfully obstruct or impede any conductor or driver.

Seats and Seating Capacity in Motor Omnibuses and Passenger Trucks.

30. (1) When a motor omnibus or a passenger truck is carrying passengers, the width between the backs of seats when the seats are placed lengthwise must be not less than fifty-six inches.

(2) When the seats are placed behind each other, the unimpeded distance available for the passengers between the seats shall not be less than thirteen inches, while the distance between the backs of two seats so placed shall not be less than twenty-seven inches, and when the seats are placed crosswise facing each other the

unimpeded space between them shall not be less than twenty-six inches and the depth of each seat shall not be less than fourteen inches.

(3) The supports of all seats shall be firmly fixed in position and at least fifteen inches of unimpeded space allowed for each passenger measured along each seat.

(4) For the purpose of sub-regulation (1), (2) and (3), two passengers under the age of twelve, shall be treated as one.

Restrictions upon Conveyance of Passengers.

31. When a public service vehicle is carrying passengers or is awaiting to pick up passengers, a passenger or intending passenger shall not—

- (a) if his or her condition is such as to be offensive to passengers, or the condition of his or her dress or clothing is such that it may reasonably be expected to soil or injure the linens or cushions of the vehicle or the clothing of other passengers, enter or remain in or on the vehicle after the driver or conductor shall have requested him or her either not to enter or to leave the vehicle and in such latter case shall have tendered to him or her the amount of any fare previously paid;
- (b) enter or travel in or on a vehicle with loaded fire-arms, or any dangerous or offensive article or, except with the consent of an authorised person, bring into or on to the vehicle any bulky or cumbersome article or place any such article elsewhere in or on the vehicle than as directed by an authorised person;
- (c) bring any animal into or on to the vehicle without the consent of the driver or conductor or retain any animal in or on the vehicle after being requested by an authorised person to remove it or place any animal elsewhere in or on the vehicle than as directed by the driver or conductor.

Tickets.

32. (1) No passenger on a public service vehicle shall use or attempt to use any ticket which has been—

- (a) altered or defaced; or
- (b) issued to another person, if such ticket bears thereon an indication that it is not transferable.

(2) Every person on a public service vehicle shall—

- (a) unless he or she is the holder of a ticket in respect of that journey, immediately upon demand declare the journey he or she intends to take or has taken and pay the conductor the fare for the whole of such journey and accept the ticket provided therefor;
- (b) if requested by the conductor, leave the vehicle on completion of the journey the fare for which he or she has paid;
- (c) show his or her ticket, if any, when required to do so by the driver or conductor, or if he or she fails so to show his or her ticket, pay the fare for the journey taken or to be taken by him or her;
- (d) if required to do so surrender his or her ticket to the driver or conductor at the end of the journey covered by that ticket;

- (e) if required to do so surrender any period or season ticket held by him or her at the expiry of the period for which it was issued to him or her;
- (f) if required to do so surrender any ticket held by him or her either on completion of the journey or journeys covered by that ticket or in exchange for a new ticket covering the journey or journeys he or she is still entitled to take.

Removal of Passengers from Vehicle.

33. (1) Any passenger who contravenes these Regulations may be removed from the vehicle by the driver or conductor or, on the request of the driver or conductor, by any member of the Police Force.

(2) A passenger in or on a vehicle who is reasonably suspected by the driver or conductor of contravening these Regulations shall give his or her name and address to any member of the Police Force or to the driver or conductor on demand.

Refusal to Hire Motor Car.

34. The driver of a motor car plying for hire shall not, without reasonable excuse—

- (a) refuse or neglect to drive the said vehicle to any accessible place indicated by the hirer;
- (b) refuse or neglect to carry such number of passengers not exceeding the number specified in the motor vehicle licence, as he or she may be required to carry by the hirer; or
- (c) refuse or neglect to accept with the hirer a reasonable amount of luggage.

Lost Property.

35. The driver of a motor car plying for hire and the conductor of a public service vehicle wherein any property is left shall, within twenty-four hours, deposit such property, if not sooner claimed, at a Police Station.

Entering or Leaving Public Service Vehicle.

36. The driver or conductor of a public service vehicle on any road shall not permit passengers to enter or leave such public service vehicle otherwise than by the entrance and exit provided.

Vehicle to be Produced.

37. The Licensing Authority may, at any time, by a notice in writing, require the registered owner or driver of a motor vehicle to produce the vehicle for inspection.

MISCELLANEOUS PROVISIONS

Parking of Motor Omnibuses and Passenger Trucks.

38. (1) In the town of Basseterre, motor omnibuses and passenger trucks shall park only at the places appointed as parking places for them in Schedule 3 to these Regulations.

(2) When parked, such vehicles shall so far as is possible stand in a line one behind the other not less than three feet and not more than five feet apart from each other.

(3) Where such vehicles form more than one line when parking there shall not be less than ten feet and not more than fifteen feet between such lines.

(4) No other vehicle shall park in parking places appointed for motor omnibuses and passenger trucks.

(5) No such vehicle shall overtake another on approaching a parking place.

Stopping.

39. (1) Subject to subregulation (4), motor omnibuses and passenger trucks shall stop at the request of a passenger or intended passenger.

(Substituted by S.R.O. 23/2011)

(2) In this regulation, “stop” means to remain stationary for as long as may be reasonably necessary to allow passengers to alight from or to get on a motor omnibus or passenger truck.

(3) When stopping, a motor omnibus or passenger truck shall draw up on the left side of the road, facing the direction in which it is proceeding, and the driver thereof shall observe all rules of the road and other regulations as may be provided for the safety of road users when stopping a vehicle.

(4) No passenger omnibus shall stop to allow passengers on or off except in such areas as designated by the Licensing Authority.

(Inserted by S.R.O. 23/2011)

Restrictions on Travelling of Motor Omnibuses and Passenger Trucks in the Town of Basseterre.

40. (1) Except as provided in sub-regulation (2), no motor omnibus or passenger truck shall travel in any part of the town of Basseterre which does not lie on one of the routes specified in Schedule 5 to these Regulations or on such other route as may be prescribed by special permit granted by the Licensing Authority in accordance with the provisions of regulation 41.

(2) The restrictions imposed in sub-regulation (1) shall not apply—

(a) where a motor omnibus or passenger truck is driven in the town of Basseterre for the purpose of having repairs effected thereto or for the purpose of being refuelled, garaged, or serviced but in any such case no person other than the driver or conductor of such motor omnibus or passenger truck shall be carried thereon; or

(b) to a motor omnibus in respect of which a limited or an exclusive concession has been granted under section 78 of the Act, to permit such motor omnibus to be operated in any part of the town of Basseterre.

(Corrected by S.R.O. 16/2016)

(3) Where any question arises as to whether a motor omnibus or passenger truck is driven in the town of Basseterre for any of the purposes specified in sub-regulation (2) (a), the burden of proving that such motor omnibus or passenger truck is driven for that purpose shall lie on the driver.

Permits for Special Charter Trips.

41. (1) The Licensing Authority may issue permits for motor omnibuses and passenger trucks to travel in the town of Basseterre on routes other than the scheduled routes when on special charter trips.

- (2) The Licensing Authority shall state on every such permit—
- (a) the name of the owner of the motor omnibus or passenger truck;
 - (b) the registration number of the motor omnibus or passenger truck;
 - (c) the route on which the motor omnibus or passenger truck is permitted to travel;
 - (d) the period during which the permit shall remain valid.

Notices.

42. (1) All motor omnibuses and passenger trucks shall display on the outside of the front in a conspicuous place a board or other sign as may be approved by the Licensing Authority showing the destination to which the vehicle is proceeding.

(2) The boards or signs shall be so constructed and placed as not to interfere with the safety of the vehicle or other road users.

(3) There shall be exhibited in a conspicuous place inside every motor omnibus or passenger truck a notice specifying the prescribed fares and the number of persons which the omnibus or passenger truck is licensed to carry.

(4) The owner of a motor omnibus or passenger truck shall be responsible for providing all such notices above mentioned.

(5) The conductor employed on a motor omnibus or passenger truck shall be responsible for the display of such notices on the omnibus or passenger truck on which he or she is for the time being employed.

Restrictions on Travelling of Tractors in the Town of Basseterre.

43. (1) No tractor shall travel in any part of the town of Basseterre except—

- (a) along Taylors Range, Wellington Road, Cayon Street, Pond Road, Sandown Road, and that portion of the Bay Road which lies between Sandown Road and the East side of the Treasury Building; and
- (b) along that portion of West Square Street which lies between the Bay Road and the northern limit of Central Street and that portion of Central Street which lies between West Square Street and Fort Street during business hours on days other than Sundays and public holidays:

Provided always that tractors may travel to any recognised garage for repairs on the written authority of the Licensing Authority.

(2) The restrictions imposed in sub-regulation (1) shall not apply to tractors known as “industrial tractors”:

Provided that such tractors—

- (a) are not more than 128 inches long, 48 inches wide and 55 inches high;
- (b) weigh no more than 30 hundredweights; and
- (c) are towing no more than two trailers, each trailer being no more than 10 feet 6 inches long and four feet wide.

Restrictions on Parking in the Town of Basseterre

44. (1) No motor vehicle of any type whatsoever shall be parked on the following places—

- (a) on the North side of that portion of the Bay Road which lies between Adlam Street and West Square Street except for the loading and unloading of goods and for refuelling;
- (b) on the South side of that portion of Cayon Street which lies between Victoria Road and West Square Street;
- (c) on the North side of that portion of Cayon Street which lies between West Square Street and a point sixty feet from the corner of East Square Street;
- (d) on that portion of Wellington Road which lies between Cayon Street and Lozac Road;
- (e) on the South side of Princes Street;
- (f) on that portion of the Bay Road which lies immediately South of the Public Market;
- (g) between the hours of 6 a.m. and 6 p.m. on that portion of Fort Street which lies between the Circus and Central Street, except for the loading and unloading of goods and for refuelling;
- (h) on that portion of Fort Street which lies between the Circus and the Treasury;
- (i) on the east side of Adlam Street;
- (j) on that portion of Fort Thomas Road which lies between Thibou Avenue and Market Street;
- (k) on that portion of Cayon Street which lies between Westbourne Street and Market Street;
- (l) on Prickly Pear Alley;
- (m) on the west side of Victoria Road outside the premises of the St. Kitts Lawn Tennis Club;
- (n) on the North side of that portion of Liverpool Row which lies between the Circus and Church Street.

(2) On the Bay Road, cars plying for hire may park only on the North side of that portion of the road which lies between West Square Street and a point twenty feet East of the Treasury Building.

Removal of Vehicles from or upon Parking Places.

45. Notwithstanding anything contained in these Regulations or the provisions of Schedule 3 to these Regulations relating to any particular parking place, the driver or other person in charge of any vehicle using or about to use any parking place shall comply with the directions given to him or her by any member of the Police Force in uniform and shall, if required by such member of the Police Force, remove his or her vehicle from the parking place or move it from one position to another on such parking place, and it shall be lawful for any member of the Police Force in uniform or other person authorised by such member of the Police Force for any reasonable cause to remove any vehicle from any parking place or to move it from one position to another on such parking place whether or not the driver of the vehicle is present.

Impounding of Vehicles.

46. (1) The Licensing Authority may, where a vehicle is parked illegally or in any manner obstructing the free flow of traffic, cause such vehicle to be towed from the area in question and impounded.

(2) Where a vehicle is towed and impounded pursuant to subregulation (1), the Licensing Authority shall only release the vehicle to the owner or agent of the owner of the vehicle upon payment of the requisite towing fee to a company designated to perform that service.

(3) The Minister may, by Order, designate a company to tow a vehicle pursuant to this regulation.

(Inserted by S.R.O. 23/2011 as regulation 45A, renumbered and the following regulations renumbered.)

Use of Parking Places.

47. The driver of any vehicle using a parking place shall stop the engine of the vehicle as soon as it has arrived in position on the parking place, and while any vehicle is standing on a parking place no person shall start the engine or sound any horn or other instrument provided on the vehicle for the purpose of giving audible warning of its approach except immediately prior to changing the position of the vehicle on, or departing from, the parking place.

Prohibition on use of Parking Places.

48. Notwithstanding the provisions of these Regulations and specified conditions, limitations and requirements, it shall be lawful for the Licensing Authority on the occasion of any public procession or for other good and sufficient reason or for any member of the Police Force in uniform in case of emergency to prohibit the use of any parking place during such time as may be reasonably necessary.

Removal of Broken Down Vehicle.

49. (1) It shall be the duty of the owner, driver or other person in control or in charge of any vehicle—

- (a) when the vehicle has broken down on a road in such circumstances that the defects cannot be remedied within a reasonable time or the presence of the vehicle is likely unnecessarily to obstruct or to cause danger to other persons using the road; or
- (b) when required to do so by any member of the Police Force on the ground that the vehicle has been permitted to remain at rest on a road in such a position or in such condition or in such circumstances as to be likely to cause danger to other persons using the road,

to remove or to take all reasonable steps to secure the removal of such vehicle as soon as practicable.

(2) Where any broken down vehicle is left on any road and it appears to the Licensing Authority that such vehicle has been abandoned by its owner, the Licensing Authority may, by notice in writing, request such owner (if he or she can be found) to remove such vehicle within forty-eight hours of the receipt by such owner of such notice, and to deposit such broken down vehicle in some place to be approved by the Licensing Authority.

(3) If the owner of the broken down vehicle cannot be found or if he or she fails or neglects to remove such vehicle or to deposit it in manner hereinbefore

provided, it shall be lawful for the Licensing Authority to cause such vehicle to be removed and to be deposited in any other place which appears to him or her to be suitable therefor and to recover as a simple contract debt from the owner thereof the cost of such removal and of such depository as aforesaid.

(4) If the owner of the broken down vehicle cannot be found or if it appears to the Licensing Authority acting in his or her own discretion that such owner has no sufficient assets of his or her own available to enable him or her to pay the costs of the removal and the depository it shall be lawful for the Licensing Authority to cause such vehicle to be sold by public auction or by private treaty.

(5) Out of the proceeds of the sale the Licensing Authority shall re-imburse himself or herself of the cost of such sale and of such removal and depository and shall pay the balance if any to such owner or, in any case where the owner cannot be found, to keep the balance, if any, on deposit at the Treasury for or on behalf of such owner for the space of twelve months from the date of such sale.

(6) If before or upon the expiration of such period the owner has not claimed such balance so deposited on his or her behalf, such sum shall be paid into and form part of the Consolidated Fund of the State and such owner shall thereupon forfeit all claim to such sum.

(Inserted by S.R.O. 14/1970)

Roads.

50. The roads set out in Schedule 4 to these Regulations are hereby declared "Principal Roads".

Intersection of Roads.

51. Where two roads intersect the driver of a vehicle of any description before turning into or crossing a principal road shall bring the vehicle to a full stop and on turning into or crossing the principal road shall not drive such vehicle so as to obstruct any traffic on such principal road and shall comply with such directions as may be contained in these Regulations or displayed on or near such principal road or intersecting road.

Loading and Unloading Articles On or From Motor Lorries and Trailers.

52. No article may be loaded on to or unloaded from any motor lorry or trailer on any road when—

- (a) in the case of a motor lorry, more than seven persons; and
- (b) in the case of a trailer, more than four persons,

are working as loaders thereon.

Restrictions on Use of Handcarts.

53. (1) No handcart having more than two wheels shall, except with the written permission of the Licensing Authority be used on any road.

(2) No permission shall be granted under sub-regulation (1) of this regulation unless the Licensing Authority is satisfied that, by reason of infirmity of body, it is inconvenient or impossible for a handcart having two wheels or less to be used by the person seeking permission.

(3) When permission is granted as in sub-regulation (1) of this regulation, the Licensing Authority shall record upon the permit his or her reasons for having

granted the permission as well as a statement that the holder of the permit shall not ride upon the handcart.

(4) No person shall ride on any handcart whilst such handcart is being used on any road.

(5) No person shall permit any handcart to remain stationary on any road for any period of time except during such time as articles are being loaded on to or unloaded from such handcart.

Restriction on Driving in One-Way Streets.

54. (1) No vehicle of any description shall, unless so directed by a member of the Police Force, be driven on any road specified in the first column of Schedule 6 to these Regulations (hereinafter called "one-way streets") in any other direction than that specified in the second column of that Schedule.

(2) Traffic signs may be placed on or near one-way streets to indicate the direction in which vehicles should travel thereon.

Limits of Towns and Villages.

55. The Licensing Authority may cause or permit signs to be erected at suitable points to mark the limits of the towns and villages in the State.

Penalty.

56. Any person who fails to comply with the requirements of any of these Regulations shall be liable, upon summary conviction, to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding two months.

Exemption.

57. The Minister may exempt any vehicle from the provisions of these Regulations on diplomatic and national security grounds.

(Inserted by S.R.O. 6/1993)

SCHEDULE 1 TO THE REGULATIONS

(Regulation 4)

FORM 1

FORM OF PARTICULARS TO BE GIVEN BY APPLICANT
FOR REGISTRATION OF A MOTOR VEHICLE

The Vehicles and Road Traffic Act Federation of Saint Christopher and Nevis

1. Full name of owner.....
2. Postal address of residence of owner.....
3. Description or type of vehicle
4. Type and colour of body and seating accommodation
5. Make of car and year of manufacture
6. Engine number and number of cylinders
7. Name of company with which insured
8. Weight for licensing purposes
9. Whether intended for—
 - (a) Private use, or
 - (b) Use for trade purposes, or
 - (c) Use as a public service vehicle, or.....
 - (d) Use as a passenger freight vehicle
10. Particulars as to the position on the car in which it is proposed to place the plates forming the identification mark

Signature of Owner

Date of application.....

(Substituted by S.R.O. 7/1998)

FORM 2

(Regulation 11 (1))

APPLICATION FOR LICENCE FOR A MOTOR VEHICLE

The Vehicles and Road Traffic Act

PARTICULARS

Full name of owner.....

Residential address.....

Registered letter and identification mark and number

Type of vehicle.....

Whether intended for (a) private use or.....

(b) use for trade purposes, or.....

(c) use as a public service vehicle, or.....

(d) use as a passenger freight vehicle.....

Weight for licensing purposes.....

Inspecting engineer's certificate No.Date.....

Insured with.....

Address.....

Number of policy.....

Date policy expires.....

.....
Signature of Owner

Date.....

(Substituted by S.R.O. 7/1998)

FORM 3

(Regulation 11 (1))

Part I

APPLICATION FOR LICENCE FOR A MOTOR VEHICLE

The Vehicles and Road Traffic Act

The motor vehicle herein described is licensed under the provisions of the Vehicles and Road Traffic Act.

1. Name of registered owner.....
 2. Residential address
 3. Date of issue of licence.....
 4. Date of expiration of licence.....
 5. Description or type of vehicle
 6. Use for which licensed.....
 7. Registered identification mark and number.....
 8. Weight for licensing purposes
 9. Insured with
 10. Date of expiration of insurance policy.....
- _____

Part II

MOTOR VEHICLE LICENCE

The Vehicles and Road Traffic Act

SAINT CHRISTOPHER AND NEVIS
(Y E A R)

JAN
FEB
MAR
APR
MAY
JUN

[SPACE FOR COAT OF ARMS TO BE SUPPLIED]

(SERIAL NUMBER)

JUL
AUG
SEP
OCT
NOV
DEC

(Substituted by S.R.O. 7/1998)

FORM 4

(Regulation 11)

APPLICATION FOR LICENCE FOR A MOTOR VEHICLE
NOT PROPELLED BY MECHANICAL POWER

The Vehicles and Road Traffic Act

PARTICULARS

Full name of owner

Residential address

Type of vehicle.....

Whether intended for.....

(a) private use, or

(b) use for trade purposes.....

Weight of vehicle (if animal drawn).....

.....
Signature of Owner

Date.....

FORM 5

(Regulation 11(2))

LICENCE FOR A MOTOR VEHICLE NOT PROPELLED BY MECHANICAL POWER

The Vehicles and Road Traffic Act

The vehicle herein described is licensed under the provisions of the Vehicles and Road Traffic Act

1.Name of registered owner. 2.Residential address 3.Date of issue of licence. 4.Date of expiration of licence. 5.Description or type of vehicle 6.Use for which licensed. 7.Number of vehicle plate 8.Weight of vehicle (if animal drawn)	
--	--

The sum of dollars and cents has been paid for this licence.

Treasury Receipt No.....

.....
Licensing Officer

Date.....

FORM 6

(Regulation 12)

**SAINT CHRISTOPHER AND NEVIS
DRIVER'S LICENCE REGISTRATION**

ST. CHRISTOPHER AND NEVIS LICENSING AUTHORITY

INSTRUCTIONS: FILL OUT THE SECTION 1 AND SECTION 2 ONLY, THEN SIGN AT THE "X" AT BOTTOM OF THE PAGE. YOU MUST PROVIDE VALID PICTURE IDENTIFICATION (E.G. PASSPORT) WHEN SUBMITTING THIS FORM.

ALL INFORMATION IN "BOLD" TEXT MUST BE FILLED IN.

SECTION 1

LAST NAME:
FIRST NAMES:
NATIONALITY:
LOCAL ADDRESS:
OVERSEAS ADDRESS:
<i>CITY:</i>	<i>COUNTRY:</i>

SECTION 2

BIRTH DATE: DAY	MONTH:	YEAR:
SEX (M) (F):	
HEIGHT:	
BLOOD TYPE:	
EYES:	

FOR OFFICE USE ONLY

LICENCE CLASS:.....**LICENCE NUMBER:**
ISSUED: DAY**MONTH:**.....**YEAR:**.....
EXPIRES: DAY.....**MONTH:**.....**YEAR:**.....
RECEIPT NO.:

X :.....
SIGNATURE OF LICENCEE **SIGNATURE OF LICENSING OFFICER**
(Substituted by S.R.O. 7/1998)

FORM 7
(Regulation 13)

Front

SAINT CHRISTOPHER AND NEVIS	
DRIVER'S LICENCE	
Licence No.:	
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	Name: Address: Birth: Issued: Expires: Class:
	Blood: Sex:
.....	
Officer	Signature

Back

LICENCE CLASSES	
CLASS A:	MOTOR VEHICLE OF TWO TONS OR LESS, EXCLUDING AGRICULTURAL TRACTORS AND MOTOR CYCLES.
CLASS B:	MOTOR VEHICLE OF FOUR TONS OR LESS, EXCLUDING AGRICULTURAL TRACTORS AND MOTOR CYCLES.
CLASS C:	MOTOR VEHICLE EXCEEDING FOUR TONS INCLUDING TRUCK TRACTOR IN COMBINATION WITH SEMI-TRAILERS, EXCLUDING AGRICULTURAL TRACTORS, MOTOR CYCLES AND HEAVY CONSTRUCTION EQUIPMENT.
CLASS D:	AGRICULTURAL TRACTORS.
CLASS E:	HEAVY CONSTRUCTION EQUIPMENT.
CLASS F:	ANY MOTOR VEHICLE OR COMBINATION OF VEHICLES.
CLASS I:	GIVE INSTRUCTION TO A LEARNER IN THE CLASS OF VEHICLE HOLDER HAS BEEN LICENCED TO OPERATE.
CLASS L:	OPERATE A MOTOR VEHICLE WHEN ACCOMPANIED BY A DRIVING INSTRUCTOR FOR THE PURPOSE OF LEARNING TO DRIVE.
CLASS M:	MOTOR CYCLE.
CLASS P:	MOTOR VEHICLE OF TWO TONS OR LESS, EXCLUDING AGRICULTURAL TRACTORS AND MOTOR CYCLES OR ANY VEHICLE TRANSPORTING PERSONS FOR COMPENSATION OR REWARD.
Coat of arms hologram (Front)	
[SPACE FOR COAT OF ARMS TO BE SUPPLIED]	

(Substituted by S.R.O. 7/1998)

FORM 8

(Regulation 14(2))

PARTICULARS TO BE GIVEN BY APPLICANT FOR CONDUCTOR'S PERMIT

The Vehicles and Road Traffic Act

State of Saint Christopher and Nevis

1. Full name of applicant.	
2. Postal address of residence of applicant.	
3. State date of birth of applicant.	
4. Are you the holder of a conductor's permit, or have you at any time previously been the holder of a conductor's permit; if so, state number and date of issue.	
5. State particulars of any endorsement on any conductor's or driver's permit which you hold or have previously held.	
6. Have you at any time been disqualified from obtaining a conductor's or driver's permit? If so, particulars as to the Court by which, the date on which, and the period for which the disqualification was imposed.	

Signature of applicant

Date of application

FORM 10
(Regulation 16(1))
EXAMINING OFFICER'S CERTIFICATE

No.....

I HEREBY CERTIFY that

(1) I have personally made a thorough examination of, and have driven and tested the:

Motor vehicle No. (.....)
Owned by
of

which is described below:

- (a) Chassis manufactured by
- (b) Model
- (c) Engine No. No. of cylinders
- (d) Year manufactured
- (e) Factory number of chassis
- (f) Maker's maximum gross weight in pounds when new
- (g) Type of body.....
- (h) Tare in pounds

and found the condition of its several parts to be:

Chassis
Engine
Body
Tyres
Brakes
Mechanism

and have allowed a

Longitudinal overhang of
Lateral overhang of

(2) The said vehicle conforms to the Regulations for the time being in force under the Vehicles and Road Traffic Act, and is in good and proper condition to:

- (a) Carry passengers.
- (b) Carry a load of pounds.
- (c) Be licensed for a maximum gross weight ofpounds.
Licence duty to be paid

(3) The Accountant-General's Receipt bearing No. dated 20for the examination fee has been produced and seen by me.

(4) And that the said may be duly licensed.

(5) That not more than persons may sit on the left of the driver.

.....
Examining Officer

Date of Certificate.....20.....

SCHEDULE 2 TO THE REGULATIONS

(Regulation 4)

DIAGRAM.



The diagram above is drawn approximately to a scale of one third. The actual size of the plate will, however, differ according to the number of letters and figures required.

PROVISIONS TO BE COMPLIED WITH

(1) Each plate shall be rectangular and bear upon it an index mark of a letter, and shall also have a separate number assigned to that vehicle by a Licensing Officer, where the index mark and the number shall be arranged in conformity with the arrangement of the letter and figures as shown on the diagram above and as directed by the following paragraphs.

(Substituted by S.R.O. 2/2017)

* (2) The following index marks of letters shall be applicable to the licensing of vehicles—

- (a) “CD” in the case of diplomatic vehicles;
- (b) “G” in the case of Government owned vehicles with the exception of unmarked vehicles assigned for purposes of national security and police investigations;
- (c) “H”, “HA”, “R”, “RA”, “T” or “TA”, in the case of public service vehicles;
- (d) “P”, “PA”, “PB”, or “PC” in the case of ordinary motor vehicles and unmarked vehicles referred to in paragraph (b).

(3) Where the number of assigned index marks of letters in a particular category of licence plate exceeds 9999, then the next available letters shall be automatically used in alphabetical order so that “PC” would be followed by “PD” and so on.

(4) The letters and figures must be white, and the ground of the plate must be black except in the case of public service vehicles where it must be green or Government owned vehicles where the letters and figures must be black and the ground of the plate must be white.

(Amended by S.R.O. 2/2017)

(5) All letters and figures must be three-and-a-half inches high; every part of every letter and figure must be five-eighths of an inch broad; and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be two-and-a-half inches.

(6) The space adjoining figures must be half-an-inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the

* Paragraphs (1A) and (1B) inserted by S.R.O. 2/2017 and renumbered as paragraphs (2) and (3) and the subsequent paragraphs renumbered

plate of at least half-an-inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch.

(7) The space between the letters and figures must be one-and-a-half inches.

(8) In the case of the plate for a motor tricycle or a motor bicycle of a weight unladen not exceeding eight hundredweights, each of the dimensions mentioned above may be halved, and the shape of the plate need not be rectangular so long as the minimum margin between any letter or figure and the top, bottom, and the sides of the plate is preserved.

SCHEDULE 3 TO THE REGULATIONS

(Regulation 38)

PARKING PLACES FOR MOTOR OMNIBUSES AND PASSENGER TRUCKS

1. On the south side of that portion of the Bay Road which lies between a point ten feet west of the Treasury and Delisle Street.
2. On the east side of that portion of College Street which lies north of Cayon Street.
3. The north side of Branch Street.
4. King Street.
5. The east side of that portion of Market Street which lies north of Cayon Street.
6. Nevis Street.
7. If the parking places provided in Market Street or College Street are inaccessible due to sand deposits then the following alternative parking places may be used—
 - (a) the East side of New Street;
 - (b) the East side of Sprott Street.

SCHEDULE 4 TO THE REGULATIONS*(Regulation 50)***PRINCIPAL ROADS**

1. Wilkin Street as far west as Wigley Avenue.
 2. The Bay Road.
 3. Liverpool Row.
 4. South Square Street and George Street.
 5. Fort Thomas Road.
 6. Infirmary Road as far West as Wigley Avenue.
 7. Central Street until it meets Church Street.
 8. Cunningham Street
 9. Horsford Road
 10. Cayon Street.
 11. Pond Road.
 12. The main Public Road around the island.
 13. The main Public Road to Bayfords beginning North of the Moravian Church.
 14. The main road to Frigate Bay.
 15. Wigley Avenue until it meets Cayon Street.
 16. Saint Johnston Avenue until it meets Cayon Street.
 17. Cardin Avenue until it meets Cayon Street.
 18. Fort Street from the Circus until it meets Cayon Street.
 19. Church Street until it meets Cayon Street.
 20. Main Street—Charlestown, Nevis.
 21. The main public road around the island of Nevis.
-

SCHEDULE 5 TO THE REGULATIONS

(Regulation 40(1))

**ROUTES FOR MOTOR OMNIBUSES AND
PASSENGER TRUCKS – BASSETERRE**

North-Eastern Route

1. Entering from the north-east, continuing along Wellington Road, Johnston Street, Pond Road, Sandown Road to Bay Road; returning along Bay Road, Sandown Road, Pond Road and Branch Street to Wellington Road and thence continuing in a north-easterly direction beyond the town limits.

Western Route

2. Entering from the west, continuing along Cayon Street, Cunningham Street and Horsfords Road to Wilkin Street and thence to the Bay Road; returning along the Bay Road to Wilkin Street, continuing along Horsfords Road to Cunningham Street and along Cayon Street and thence continuing in a westerly direction beyond the town limits.

(Substituted by S.R.O. 23/2011)

Northern Route

3. Entering from the north, continuing along College Street to the Bay Road; returning along the Bay Road to College Street and thence continuing in a northerly direction beyond the town limits.

(Substituted by S.R.O. 23/2011)

SCHEDULE 6 TO THE REGULATIONS*(Regulation 54(1))***ONE-WAY STREETS – BASSETERRE**

<i>Street</i>	<i>Direction in which vehicles must travel</i>
1. Branch Street	from Wellington Road to Pond Road.
2. Jhonson Street.....	from Pond Road to Wellington Road.
3. Burt Street.....	from Cayon Street to Lozac Road.
4. Hart Street.....	from Lozac Road to Cayon Street.
5. Delisle Street.....	from Liverpool Row to Bay Road.
6. Rosemary Lane	from Cayon Street to Central Street.
7. Central Shear Lane	from Central Street to Liverpool Row.
8. Prickly Pear Alley.....	from Cayon Street to Central Street and from Central Street to Fort Thomas Road.
9. That portion of Fort Thomas Road which lies between Thibou Avenue and Market Street.....	from west to east.
10. Adams Hill.....	Uphill from east to west.
11. That portion of Market Street which lies between Cayon Street and Central Street	from north to south.

SEVENTH SCHEDULE

(Regulation 77)

VEHICLES AND ROAD TRAFFIC (MAXIMUM FARES) REGULATIONS

Citation.

1. These Regulations may be cited as the Vehicles and Road Traffic (Maximum Fares) Regulations.

Maximum Fares in respect of Public Service Vehicles.

2. The fares listed in the Schedules to these Regulations shall be the maximum fares which may be demanded by the drivers of public service vehicles for the use of a car for hire and if demanded, shall be paid by the person contracting for the hire of the public service vehicle.

SCHEDULE 1 TO THE REGULATIONS

MAXIMUM FARES NEVIS

1. For the hire of a car from New Castle Airport to any of the places listed below or from any of the places listed below to New Castle Airport—
- | | |
|--------------------------------|---------|
| (a) Charlestown | \$20.00 |
| (b) Old Manor | \$30.00 |
| (c) Zetlands Plantation | \$32.00 |
| (d) Golden Rock Hotel | \$32.00 |
| (e) Nisbett’s Plantation | \$10.00 |
| (f) Rest Haven | \$20.00 |
| (g) Pinney’s Beach | \$20.00 |
| (h) Montpelier | \$34.00 |
| (i) Cliff Dwellers | \$15.00 |
2. For the hire of a car from Charlestown to any of the places listed below or from any of the places listed below to Charlestown—
- | | |
|--------------------------------|---------|
| (a) Nisbett’s Plantation | \$26.00 |
| (b) Old Manor | \$15.00 |
| (c) Golden Rock | \$18.00 |
| (d) Montpelier | \$15.00 |
| (e) Cliff Dwellers | \$15.00 |
| (f) Zetlands | \$15.00 |
| (g) Rest Haven | \$ 5.00 |
| (h) Pinney’s Beach..... | \$ 5.00 |

- | | |
|--|---------|
| (i) Cane Garden | \$10.00 |
| (j) Fig Tree Church | \$10.00 |
| (k) New Castle Pottery | \$26.00 |
| 3. For the hire of a car from Charlestown Pier to any of the places listed below or from any of the places listed below to Charlestown Pier— | |
| (a) Bath Hotel or Bath Village | \$ 5.00 |
| (b) Old Hospital Road Pinneys | \$ 5.00 |
| (c) Charlestown Police Station | \$ 5.00 |
| (d) Alexandra Hospital | \$ 5.00 |
| (e) Craddock Road | \$ 5.00 |
| (f) Morning Star | \$10.00 |
| (g) Eva Wilkin's Studio at Clay Ghaut | \$15.00 |
| 4. For the hire of a car for tour of the Island of Nevis for 3½ hours .. | \$90.00 |
| 5. For the hire of a car between 10.00 p.m. and 6.00 a.m. there shall be charged an additional fare of 10 per centum of the fares listed in paragraphs 1, 2 and 3. | |
| 6. For the hire of a car for an arranged trip between 6.00 p.m. and 6.00 a.m. there shall be charged an additional fare of 20 per centum of the fares listed in paragraphs 1, 2 and 3. | |
| 7. For waiting after the first 15 minutes after arrival at destination for every 15 minutes | \$ 5.00 |

SCHEDULE 2 TO THE REGULATIONS**SECTION 1: HOTELS**

To/From RLB International Airport	1 – 4	1 – 4	5 or more	5 or more
	persons	persons	(per person)	(per person)
	US \$	EC \$	US \$	EC \$
Bird Rock Beach Hotel	\$14.00	\$38.00	\$4.00	\$10.00
Christophe Harbour Bungalows	\$30.00	\$80.00	\$8.00	\$20.00
Frigate Bay Accommodations	\$20.00	\$48.00	\$5.00	\$13.00
Kittian Hill	\$60.00	\$108.00	\$15.00	\$28.00
Koi Resort	\$16.00	\$43.00	\$4.00	\$11.00
Ocean Terrace Inn	\$16.00	\$43.00	\$4.00	\$11.00
Park Hyatt	\$40.00	\$95.00	\$10.00	\$22.00
Royal St. Kitts Hotel	\$18.00	\$48.00	\$5.00	\$13.00
St. Kitts Marriott Resort & Marriott Residences	\$20.00	\$48.00	\$5.00	\$13.00
Sugar Bay Club	\$20.00	\$48.00	\$5.00	\$13.00
The Ramada	\$40.00	\$80.00	\$8.00	\$20.00
Timothy Beach Resort	\$20.00	\$48.00	\$5.00	\$13.00

SECTION 2: RLB-GENERAL AREAS

To/From RLB International Airport	1 – 4	1 – 4	5 or more	5 or more
	persons	persons	(per person)	(per person)
	US \$	EC \$	US \$	EC \$
Basseterre (west of Cunningham Street to Seaview Gardens including Fortlands/Limekiln/Buckleys Estate)	\$12.00	\$32.00	\$3.00	\$8.00
Bay View to Mattingley	\$14.00	\$38.00	\$4.00	\$10.00
Beaumont Park/Dieppe Bay	\$26.00	\$69.00	\$7.00	\$17.00
Bird Rock/Suncrest/Harbour View/Deep Water Port	\$14.00	\$38.00	\$4.00	\$10.00
Brighton's Estate/Ottleys Village	\$16.00	\$43.00	\$4.00	\$11.00
Canada/Keys	\$12.00	\$32.00	\$3.00	\$8.00
Cayon (all areas)	\$15.00	\$40.00	\$4.00	\$10.00
Challengers	\$14.00	\$38.00	\$4.00	\$10.00
Christ Church/Mansion	\$20.00	\$53.00	\$5.00	\$14.00
Cockleshell Bay	\$40.00	\$108.00	\$10.00	\$27.00
Conaree Beach/Atlantic Views	\$12.00	\$32.00	\$3.00	\$8.00
Conaree Village/Needsmust/Kittstoddarts	\$8.00	\$22.00	\$2.00	\$6.00
Douglas Estate/White House/Lower Monkey Hill	\$14.00	\$38.00	\$4.00	\$10.00

To/From RLB International Airport	1 – 4 persons US \$	1 – 4 persons EC \$	5 or more (per person) US \$	5 or more (per person) EC \$
Downtown Basseterre (east to Ponds Pasture or west to Cunningham Street including Shadwell Site/College Housing/Wades Gardens)	\$10.00	\$27.00	\$3.00	\$7.00
Friars Bay	\$28.00	\$76.00	\$7.00	\$19.00
Frigate Bay-Half Moon Bay/New Haven	\$20.00	\$54.00	\$5.00	\$14.00
Godwin Ghaut/Half Way Tree/New Guinea	\$20.00	\$53.00	\$5.00	\$14.00
Harris's/Saddlers/Parson	\$24.00	\$64.00	\$6.00	\$16.00
La Vallee Development	\$26.00	\$69.00	\$7.00	\$17.00
Lodge	\$16.00	\$43.00	\$4.00	\$11.00
Major's Bay	\$40.00	\$108.00	\$10.00	\$27.00
Middle Island/Lamberts/Conyers	\$18.00	\$48.00	\$5.00	\$12.00
Molineux/Phillips/Upper Bourryeau	\$18.00	\$48.00	\$5.00	\$12.00
Newton Ground	\$26.00	\$69.00	\$7.00	\$17.00
Old Road/Green Tree/Verchild's	\$16.00	\$43.00	\$4.00	\$11.00
Ottleys Plantation	\$20.00	\$53.00	\$5.00	\$14.00
Palmetto Point	\$14.00	\$38.00	\$4.00	\$10.00
Pine Gardens/Shadwell Estate/New Road	\$12.00	\$32.00	\$3.00	\$8.00
Rawlins Plantation/Kittian Hill	\$60.00	\$162.00	\$15.00	\$40.00
Ross University	\$14.00	\$38.00	\$4.00	\$10.00
Sandy Point/Fig Tree	\$24.00	\$64.00	\$6.00	\$16.00
St. Pauls	\$26.00	\$69.00	\$7.00	\$17.00
Tabernacle/Belle Vue	\$22.00	\$59.00	\$6.00	\$16.00
Upper Monkey Hill/Parray's/Stapleton/Cedar Grove/Ogees/Bayfords	\$16.00	\$43.00	\$4.00	\$11.00
West Farm/Boyds	\$14.00	\$38.00	\$4.00	\$10.00
White House Bay/Salt Plage	\$30.00	\$82.00	\$8.00	\$22.00

Additional Services	US\$	EC\$
Waiting after first 15 minutes upon arrival at destination	\$5.00	\$14.00
Cost per luggage	\$1.00	\$2.00
Pets (cost per pet)	\$10.00	\$27.00
Additional charge of \$20.00 usd between 11pm and 5am		

To/From Basseterre	1 – 4 persons (New)	1 – 4 persons (New)	5 or more (per person)	5 or more (per person)
	US \$	EC \$	US \$	EC \$
Beaumont Park/Dieppe Bay	\$26.00	\$69.00	\$6.50	\$18.00
Bird Rock/Suncrest/Harbour View/ Deep Water Port	\$8.00	\$22.00	\$2.00	\$6.00
Brighton's Estate/Ottleys Village	\$14.00	\$38.00	\$3.50	\$10.00
Camps	\$12.00	\$32.00	\$3.00	\$8.00
Canada/Keys	\$12.00	\$32.00	\$3.00	\$8.00
Cayon (all areas)	\$12.00	\$32.00	\$3.00	\$8.00
Challengers	\$12.00	\$32.00	\$3.00	\$8.00
Christ Church/Mansion	\$18.00	\$48.00	\$4.50	\$12.00
Cockleshell Bay	\$40.00	\$108.00	\$10.00	\$27.00
Conaree Beach/Atlantic Views	\$12.00	\$32.00	\$3.00	\$8.00
Conaree Village/Needsmust/Kittstoddarts	\$8.00	\$22.00	\$2.00	\$6.00
Douglas Estate/White House/Lower Monkey Hill	\$12.00	\$32.00	\$3.00	\$8.00
Friars Bay	\$28.00	\$76.00	\$7.00	\$19.00
Frigate Bay/Half Moon Bay/New Haven	\$20.00	\$54.00	\$5.00	\$14.00
Godwin Ghaut/Half Way Tree/New Guinea	\$14.00	\$38.00	\$3.50	\$10.00
Harris's/Saddlers/Parson	\$20.00	\$53.00	\$5.00	\$14.00
La Vallee Development	\$20.00	\$53.00	\$5.00	\$14.00
Lodge	\$14.00	\$38.00	\$3.50	\$10.00
Middle Island/Lamberts/Conyers	\$13.00	\$35.00	\$3.00	\$9.00
Major's Bay	\$40.00	\$108.00	\$10.00	\$27.00
Molineux/Phillips/Upper Bourryeau	\$20.00	\$53.00	\$5.00	\$14.00
Newton Ground	\$20.00	\$53.00	\$5.00	\$14.00
Old Road/Green Tree/Verchilds	\$15.00	\$40.00	\$4.00	\$10.00
Ottleys Plantation	\$18.00	\$48.00	\$4.50	\$12.00
Palmetto Point	\$10.00	\$27.00	\$2.50	\$7.00
Pine Gardens/Shadwell Estate/New Road	\$8.00	\$22.00	\$7.00	\$19.00
Rawlins Plantation/Kittian Hill	\$60.00	\$162.00	\$15.00	\$40.50
Sandy Point/Fig Tree	\$18.00	\$48.00	\$4.50	\$12.00
St. Pauls	\$24.00	\$65.00	\$6.00	\$16.00
Tabernacle/Belle Vue	\$18.00	\$48.00	\$2.50	\$7.00
Upper Monkey Hill/Parray's/Stapleton/Cedar Grove/Ogees/Bayfords	\$10.00	\$27.00	\$2.50	\$7.00
West Farm/Boyds/Ross University	\$12.00	\$32.00	\$3.00	\$8.00
White House Bay/Salt Plage/The Pavilion	\$30.00	\$82.00	\$8.00	\$22.00

Basseterre Transfers

	1 – 4 persons	1 – 4 persons	5 or more (per person)	5 or more (per person)
	US \$	EC \$	US \$	EC \$
From one point to another between Ponds Pasture and Cunningham Street including Shadwell Site/College Housing/Wades Garden	\$5.00	\$14.00	\$1.25	\$4.00
From Basseterre East between Ponds Pasture and Newtown to Buckley's Estate/Camps/Mattingley/Bay View/Ocean Gardens/Ocean View/Beacon Heights/Dewars/Sea View Gardens	\$8.00	\$22.00	\$2.00	\$6.00

TO OR FROM	1 – 4 persons	1 – 4 persons	5 or more (per person)	5 or more (per person)
FRIGATE BAY	US \$	EC \$	US \$	EC \$
Basseterre (up to Cunningham Street including Shadwell Site/College Housing/Wades Garden)	\$12.00	\$32.00	\$3.00	\$8.00
Basseterre (west of Cunningham Street to Seaview Gardens including Fortlands/Limekiln/Buckleys Estate)	\$16.00	\$43.00	\$4.00	\$11.00
Bay View to Mattingley	\$20.00	\$54.00	\$5.00	\$13.50
Beaumont Park/Dieppe Bay	\$30.00	\$80.00	\$8.00	\$20.00
Christophe Harbour – Salt Plage/Pavilion	\$22.00	\$59.00	\$6.00	\$16.00
Cockleshell Bay	\$22.00	\$59.00	\$6.00	\$16.00
Fort Tyson Rise/Calypso Bay/Potato Bay/Coury Hill	\$10.00	\$27.00	\$2.50	\$7.00
Frigate Bay – (up to 3rd round-about/Horizon Villas)	\$8.00	\$22.00	\$2.00	\$5.50
Half Moon Bay/New Haven	\$10.00	\$27.00	\$2.50	\$7.00
Major's Bay	\$24.00	\$64.00	\$6.00	\$16.00
Ottley's Plantation	\$24.00	\$64.00	\$6.00	\$16.00
Park Hyatt	\$24.00	\$64.00	\$6.00	\$16.00
Kittian Hill	\$60.00	\$162.00	\$15.00	\$40.50
South Friars Bay/Ship Wreck	\$12.00	\$32.00	\$3.00	\$8.00
Sprat Net	\$24.00	\$64.00	\$6.00	\$16.00
White House Bay	\$18.00	\$48.00	\$5.00	\$12.00

Additional Services	US\$	EC\$
Waiting after first 15 minutes upon arrival at destination for every 15 minutes	\$5.00	\$14.00
Cost per luggage	\$1.00	\$2.00
Additional charge of \$20.00 usd between 11pm and 5am		

(Substituted by S.R.O. 53/2020)

SCHEDULE 3 TO THE REGULATIONS

Tours Fares	1 – 4 persons	1 – 4 persons	5 or more (per person)	5 or more (per person)
	US \$	EC \$	US \$	EC \$
Historic Basseterre Tour 1 hour	\$40.00	\$108.00	\$10.00	\$27.00
Jobs by hourly rate	\$40.00	\$108.00	\$10.00	\$27.00
Basseterre for tour to Batik (max 1.5 hours)	\$45.00	\$122.00	\$11.00	\$30.00
Frigate Bay for tour to Batik (max 1.5 hours)	\$50.00	\$135.00	\$12.00	\$34.00
Basseterre to Brimstone Hill only (max 2 hours)	\$55.00	\$149.00	\$14.00	\$38.00
Tour of S E Peninsula 2 hours return	\$52.00	\$138.00	\$13.00	\$35.00
Frigate Bay to Brimstone Hill Tour only (max 2 hours)	\$55.00	\$149.00	\$14.00	\$38.00
Half Island – Basseterre, Fairview Inn, Batik, 2 1/2 hours	\$80.00	\$216.00	\$20.00	\$40.00
Highlights of St. Kitts Tour: Timothy Hill, Historic Basseterre, Brimstone Hill, ECO Park	\$80.00	\$216.00	\$20.00	\$40.00
Panoramic- Historical Basseterre- Caribelle Batik *Timothy Hill – 2 – 2 1/2 hours	\$80.00	\$216.00	\$20.00	\$40.00
Basseterre, Brimstone Hill ECO Park	\$100.00	\$270.00	\$25.00	\$68.00
Basseterre, Fairview, Brimstone Hill	\$100.00	\$270.00	\$25.00	\$68.00
Panoramic Tour – Basseterre, Batik and Timothy Hill	\$80.00	\$216.00	\$20.00	\$40.00
Full Island – Historical Basseterre – Timothy Hill – 4 – 4 1/2 hours Stops: Fairview Great House, Caribelle Batik, Brimstone Hill, Eco Park, Black Rocks, Timothy Hill	\$100.00	\$270.00	\$25.00	\$68.00

(Substituted by S.R.O. 53/2020)

SCHEDULE 4 TO THE REGULATIONS

Fares on a passenger Truck or motor omnibus – from Basseterre to the following destinations or return journey from:

Camps	\$1.25
West Farm.....	\$1.25
Palmetto Point.....	\$1.50
Challengers	\$1.50
Stone Fort.....	\$1.50
Old Road.....	\$1.75
Verchilds.....	\$1.75
Middle Island.....	\$1.75
Lamberts	\$1.75
Godwin	\$2.00
Half Way Tree	\$2.00
Sandy Point.....	\$2.25
Newton Ground	\$2.50
St. Pauls	\$2.75
Dieppe Bay	\$3.00
St. Peters	\$1.25
Conaree.....	\$1.25
Canada	\$1.25
Keys	\$1.25
Cayon.....	\$1.50
Ottleys.....	\$1.75
Lodge	\$1.75
Molineaux	\$1.75
Stonehaven.....	\$1.75
Phillips	\$2.00
Christ Church.....	\$2.25
Mansion	\$2.25
Tabernacle.....	\$2.50
Belle Vue	\$2.75
Saddlers.....	\$2.75
Parsons.....	\$3.00
Dieppe Bay	\$3.00

EIGHTH SCHEDULE

(Section 4)

LICENSING AUTHORITY (APPOINTMENT) ORDER

Citation.

1. This Order may be cited as the Licensing Authority (Appointment) Order.

Appointment of Licensing Authority.

2. The Commissioner of Police is hereby appointed as the Licensing Authority for the purposes of the Vehicles and Road Traffic Act.

NINTH SCHEDULE*(Section 80)***VEHICLES AND ROAD TRAFFIC (SAFETY) REGULATIONS****Citation.**

1. This Order may be cited as the Vehicles and Road Traffic (Safety) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“child seat” means a specially designed detachable or removeable seat to accommodate a passenger who weighs less than forty pounds or who is three feet or less in height;

“hands-free device” includes an earpiece or other similar apparatus that enables the user of a mobilephone to speak on the phone without being required to hold the phone;

“hand-held device”, refers to a device that—

- (a) performs an interactive communication function by transmitting and receiving data but excludes a two-way radio; and
- (b) is or must be held, at some point during the course of making or receiving a call or performing any other interactive communication function;

“interactive communication function” includes the following—

- (a) sending or receiving oral or written messages;
- (b) sending or receiving facsimile documents;
- (c) sending or receiving still or moving images; and
- (d) providing access to the internet;

“use” in relation to a mobile telephone, includes the following—

- (a) holding the phone to, or near, the ear (whether or not engaged in a phone call);
- (b) creating, sending or looking at a text or video message on the phone;
- (c) turning the phone on or off;
- (d) operating any other function of the phone.

Mobile Telephones.

3. (1) No person shall use a mobile telephone or other hand-held device while driving a vehicle unless that person is wearing or using a hands-free device.

(2) No person shall cause or permit any other person to drive a motor vehicle on a road while that other person is using—

- (a) a hand-held mobile telephone; or
- (b) a hand-held device of a kind specified in paragraph (2).

(3) No person shall supervise a holder of a Class L licence if the person supervising is using—

- (a) a hand-held mobile telephone; or
- (b) a hand-held device of a kind referred to in subregulation (2),

at a time when the holder of the Class L licence is driving a motor vehicle on the road.

(4) A person does not contravene these Regulations if—

- (a) he or she is using the telephone or other hand-held device to call the police, fire, ambulance or other emergency service;
- (b) he or she is acting in response to a genuine emergency.

Child Safety.

4. (1) The driver of a vehicle shall ensure that once that vehicle is in motion that a child seat that contains a passenger shall be positioned in the rear seat of the vehicle.

(2) A child seat shall be used in any case where a passenger is under a height of three feet.

(3) The child seat referred to in subregulation (2) must be suitable for the weight of the particular passenger and must be installed and used in accordance with the manufacturer's instructions.

(4) Any passenger who is under the age of fourteen years, shall be restrained by a seat belt while riding as a passenger in a motor vehicle irrespective of whether he or she is seated in the front seat or rear seat of a vehicle.

(5) The provisions of subregulation (4) shall not be applicable to a motor omnibus where the passenger is seated elsewhere than in the front of the vehicle.

(Inserted by S.R.O. 22/2011)

TENTH SCHEDULE*(Section 80(1)(k))***VEHICLES AND ROAD TRAFFIC (LIGHT SIGNALS) REGULATIONS****Citation.**

1. These Rules may be cited as the Vehicles and Road Traffic (Light Signals) Regulations.

Interpretation.

2. In these Rules unless the context otherwise requires—

“Act” means the Vehicles and Road Traffic Act, Cap. 15.06;

“traffic control device” means a device used to display a traffic signal.

Traffic Signal Lights.

3. (1) Where coloured lights or lighted arrows are used at an intersection to direct the movement of traffic or pedestrians, only the colours green, red or yellow shall be used.

(2) Where a driver approaches an intersection and the traffic signal that is facing the driver is showing—

- (a) a circular green light, the driver shall proceed straight through the intersection or turn right or left unless there is a traffic sign prohibiting that turn or straight through movement;
- (b) a green arrow, the driver shall turn in the direction indicated by the signal;
- (c) a steady, circular red light, the driver shall bring the vehicle to a stop at or before he arrives at the limit line in that intersection;
- (d) a steady or flashing circular yellow light, the driver may proceed through the intersection with caution, bearing in mind that the light may be about to turn red and it would no longer be safe to proceed; or
- (e) a flashing red light, then the driver shall proceed using the rules of an intersection where traffic lights are not in operation.

(3) Where a police officer or traffic warden enters an intersection for the purpose of controlling traffic then—

- (a) this shall have the effect of suspending the operating of the traffic lights; and
- (b) drivers and pedestrians shall comply with the directions of the police officer or traffic warden.

(4) The provisions of this regulation shall apply equally to the operators or riders of non-motorised vehicles.

Emergency Vehicles.

4. (1) Notwithstanding the provisions of regulations 3 and 5 and subject to subregulation (3), the driver of an authorised emergency vehicle may—

- (a) park or stand, irrespective of the provisions of these Regulations;

- (b) proceed past a red light or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) exceed the maximum speed limits so long as he does not endanger life or property;
- (d) disregard regulations governing direction of movement or turning in specified directions.

(2) The exemptions granted to an authorised emergency vehicle pursuant to subsection (1) shall apply only when that vehicle is making use of audible and visual signals as used on emergency vehicles.

(3) The provisions of subregulations (1) and (2) do not relieve the driver of an authorised emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.

Pedestrians.

5. (1) A pedestrian shall have the right of way whenever a traffic signal shows a steady "Walk" sign or the diagram of a walking person.

(2) A pedestrian shall not cross the road whenever a traffic signals shows—

- (a) a flashing sign of the phrase "Don't Walk" or the diagram of an upraised hand;
- (b) a steady sign of the phrase "Don't Walk" or the diagram of an upraised hand.

(3) A pedestrian shall comply with all traffic signals that are applicable to pedestrians at an intersection.

(4) Where traffic signals are in operation at an intersection, the driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross a roadway when the pedestrian—

- (a) is on the pedestrian crossing;
- (b) steps onto the pedestrian crossing and is upon the half of the roadway upon which the vehicle is travelling; or
- (c) is approaching so closely from the opposite half of the roadway as to be in danger.

(5) Where traffic signals are not in operation at an intersection and there is no signage indicating otherwise, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to yield to a pedestrian crossing the roadway on a pedestrian crossing when the pedestrian—

- (a) is upon the half of the roadway upon which the vehicle is travelling; or
- (b) is approaching so closely from the opposite half of the roadway as to be in danger.

(6) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(7) Whenever a vehicle is stopped at a marked pedestrian crossing or at an unmarked pedestrian crossing at an intersection to permit a pedestrian to cross the

roadway, the driver of any other vehicles approaching from the rear shall not overtake and pass the stopped vehicle.

(8) Every pedestrian crossing a roadway at any point other than within a marked pedestrian crossing or within an unmarked pedestrian crossing at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(9) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked pedestrian crossing.

(10) Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or bicyclist and give warning when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person.

Offences.

6. (1) Where a driver, operator or rider of a non-motorised vehicle fails to comply with a traffic signal or fails to yield the right-of-way to a vehicle or pedestrian on the intersecting way pursuant to regulations 3 and 5, the driver commits an offence and shall be liable on summary conviction to a fine not exceeding \$1000.00 or to imprisonment for a term not exceeding three months.

(2) Where a pedestrian acts contrary to regulation 5 (2), (3), (6), (8) or (9) he or she commits an offence and may be liable upon summary conviction to a fine not exceeding \$500.00 or to imprisonment for a term not exceeding one month.

(3) Any person who without lawful authority, alters, defaces, damages, knocks down or removes any traffic control device or traffic sign or interferes with or intercepts a traffic signal, commits an offence and shall be liable on summary conviction to a fine not exceeding \$5,000.00 or to imprisonment for a term not exceeding one year.

(Inserted by S.R.O. 2/2018)
