

CHAPTER 280.**MOTOR VEHICLES AND ROAD TRAFFIC.****ARRANGEMENT OF SECTIONS.**

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CHAPTER 280.

MOTOR VEHICLES AND ROAD TRAFFIC.

22 of 1940.
6 of 1941.
21 of 1946.
28 of 1948.
26 of 1950.
52 of 1950.
52 of 1952.
Order
49 of 1953.

An Ordinance to make provision for the licensing, regulation and use of motor vehicles, the regulation of traffic on roads and otherwise with respect to roads and vehicles thereon.

[20TH DECEMBER, 1940.]

1. This Ordinance may be cited as the Motor Vehicles and Road Traffic Ordinance. Short title.

2. In this Ordinance, unless the context otherwise requires, the following expressions shall have meanings in this section assigned to them— Interpretation.

“ district ” means a police division or police district within the meaning of section 32 of the Police Ordinance; Cap. 77.

“ driver ” 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 the expression “ drive ” shall be construed accordingly;

“ goods vehicle ” means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted; 21 of 1946,
s. 2.

“ hire car ” means a motor car used or intended to be used for carrying not more than seven passengers for hire or reward under a contract express or implied for the use of the vehicle as a whole; 21 of 1946,
s. 2.

“ imprisonment ” means imprisonment with or without hard labour in the discretion of the court;

“invalid carriage” means a motor vehicle which is specially designed and constructed and not merely adapted, for the use of persons suffering from some physical defect or disability and is used solely by such persons;

Cap. 150.

“local authority” means a municipal council and a village council, country authority or sanitary authority under the Local Government Ordinance;

“motor bus” means a motor vehicle constructed and used for carrying not less than eight passengers for hire or reward at separate fares stage by stage or stopping to pick up or set down passengers along the line of route;

28 of 1948,
s. 2.

“motor car” means a motor vehicle constructed or adapted solely for the carriage of persons and their effects and used exclusively for personal purposes;

“motor cycle” means a motor vehicle with less than four wheels;

“motor lorry” means a motor vehicle which is constructed or adapted for use for the carrying of goods;

“motor tractor” means a motor vehicle which is not itself constructed to carry any load other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads, but does not include a steam traction engine, steam roller or a vehicle constructed and intended for use exclusively on rails and, for the purposes of Parts II, III (other than section 12) and IV of this Ordinance, includes a trailer;

“owner” means the person in whose name a motor vehicle or trailer is registered, and, in the absence from the Colony of the registered owner, the person in actual charge or possession of the vehicle and, in relation to a vehicle which is the subject of a hiring agreement or a hire purchase agreement, the person in possession of the vehicle under that agreement;

“prescribed” in relation to any matters, other than those prescribed in the schedules to this Ordinance, means prescribed by regulations made under this Ordinance;

“road” means any highway and any other road to which the public has access, and includes bridges over which a road passes;

“road authority” in relation to a road means the authority responsible for the maintenance of the road;

“ traffic ” means vehicles of every description, pedestrians and all animals being ridden, driven or led;

“ trailer ” means any vehicle without independent motive power intended to be drawn by a motor vehicle, but does not include a side-car or a van attached to the side of a two-wheeled motor cycle;

“ vehicle ” means a vehicle of any kind used on a road.

PART I.—CONSTITUTION OF LICENSING AUTHORITY.

3. (1) The Commissioner of Police shall be the Licensing Authority for the purposes of this Ordinance. Licensing Authority.

(2) The administration of this Ordinance shall be vested in the Licensing Authority who may from time to time by publication in the Gazette appoint such licensing officers and certifying officers for each district as may be necessary for the due carrying out of the provisions of this Ordinance and of the regulations made thereunder.

(3) All licensing officers and certifying officers shall be under the direction of the Licensing Authority and all licences, certificates and other documents which may be issued under this Ordinance or the regulations shall, except where otherwise expressly provided, be issued by them.

(4) All applications which may be made under the provisions of this Ordinance shall be made—

- (a) in connection with the motor vehicle, to the licensing officer of the district where the vehicle is usually kept, and
- (b) in the case of an application for a driver’s or conductor’s licence, to the licensing officer of the district where the applicant resides.

PART II.—REGISTRATION OF MOTOR VEHICLES.

4. (1) The Licensing Authority shall cause to be kept registers of motor vehicles in the prescribed forms and a separate register shall be kept by the licensing officer in each district as directed by the Licensing Authority. Register of motor vehicles to be kept.

(2) Every licensing officer shall forward to the Licensing Authority a copy of every entry made in the local register kept by him.

5. (1) Application for the registration of a motor vehicle shall be made by the owner thereof in the prescribed form, which must be duly completed by the applicant and be accompanied by the prescribed registration fee. Registration of motor vehicles.

Cap. 281.

(2) The licensing officer to whom application is made shall, upon being satisfied that the provisions of this Ordinance and the Motor Vehicles (Third-Party Risks) Ordinance, and regulations respectively made thereunder have been complied with, forthwith enter the particulars of the vehicle in the register and shall give to the owner of the vehicle a certified copy of that entry and such certificate of registration shall be regarded as *prima facie* evidence that the vehicle to which it refers has been registered.

(3) The licensing officer shall supply to any person applying therefor and on payment of the prescribed fee a copy of any entry in the register relating to any specified vehicle, provided that the applicant shows that he has a reasonable cause for requiring such a copy.

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

Prohibition of registration of certain persons and vehicles.

6. (1) No person shall be registered as the owner of a motor vehicle unless he is of or above the age of seventeen years.

(2) Unless the Governor otherwise directs a licensing officer shall not register a motor vehicle, other than a tractor, having the steering pillar on the left or near side, which has been imported or brought into the Colony after the 31st December, 1932.

Exemptions from need for registration and from payment of registration fee.

7. (1) The following motor vehicles shall be exempt from the need for registration—

(a) new motor vehicles in the stock of a dealer in motor vehicles, and motor vehicles whilst being used under the authority of dealers' general licences, as hereinafter provided; and

(b) any motor vehicle the property of or used by the Governor.

6 of 1941, s. 2.

(2) No registration fee shall be charged in respect of any motor vehicle which is the property of the Government or any municipal council or a local authority which has been exempted from payment of registration fees by the Governor in Council, or the Georgetown Sewerage and Water Commissioners.

Amendment of entries in register.

8. (1) The owner of a motor vehicle shall notify the licensing officer of all circumstances or events which affect the accuracy of the entries in the register and shall at the same time forward his certificate of registration for amendment. A licensing

officer may at any time call upon an owner of a motor vehicle to furnish all information for the verification of the entries in the register relating to such vehicle.

(2) Whenever the registered owner of a motor vehicle is about to absent himself from the Colony leaving his registered vehicle in the Colony he shall notify the licensing officer in writing of the name and address of the person in whose charge or possession the vehicle will be left.

9. (1) On the change of possession of a motor vehicle otherwise than by death—

Transfer of
registration.

(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 prescribed fee. The licensing officer shall thereupon enter in the register and the certificate of registration the name and address of the new owner and the date on which the entry is made and from such date the new owner shall for the purposes of this Ordinance be deemed to be the registered owner of the motor vehicle.

(2) (i) On the death of the registered owner of a motor vehicle the person into whose custody the vehicle shall lawfully come shall within one month of its coming into his custody give notice of the fact to the licensing officer, who shall give such instructions in writing as he may think fit as to the use of the vehicle pending the registration of the new owner. Any person to whom permission to use the vehicle pending such registration is given shall for the purposes of this Ordinance be deemed to be the registered owner of the vehicle during the period for which such permission is given.

(ii) On the registration of the new owner the licensing officer shall on payment of the prescribed fee amend the certificate of registration in the manner prescribed in paragraph (b) of the preceding subsection.

(3) In lieu of amending any certificate of registration as provided in this section the licensing officer may issue a new certificate of registration.

Cancellation
of registra-
tion.

10. (1) The registration of a motor vehicle shall remain valid so long as the vehicle is kept for use, and shall only be cancelled if the licensing officer is satisfied that the vehicle has been destroyed or rendered permanently unserviceable or permanently removed from the Colony.

(2) The owner of any motor vehicle which has been destroyed or rendered permanently unserviceable or has been permanently removed from the Colony shall notify the licensing officer of the fact within one month of the happening of the event.

Driving un-
registered
motor
vehicle an
offence.

11. Save as hereinbefore provided, no person shall drive, or, being the owner, shall permit any other person to drive a motor vehicle on a road unless the vehicle is registered under this Ordinance:

Provided that no person shall be convicted for an offence against this section if he proves that he 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.

PART III.—IDENTIFICATION MARKS AND CERTIFICATES OF FITNESS.

Identifica-
tion marks
for motor
vehicles.

12. (1) The licensing officer shall assign to every motor vehicle on registration a distinctive identification mark consisting of a number or a number and a letter, and there may be different series of marks for such different classes of vehicles as may be prescribed.

(2) The licensing officer may at any time give notice in writing to the registered owner of a motor vehicle directing him within a time limited in the notice to produce the vehicle in order that another identification mark may be assigned to the vehicle and on the vehicle being produced the mark shall be assigned and the register amended accordingly.

(3) The licensing officer may assign general identification marks to dealers in motor vehicles for use on vehicles which are being used for any purpose authorised by or under a dealer's general licence. The same identification mark shall not be used on more than one vehicle at any one time.

(4) The licensing officer may at any time by notice in writing assign to a dealer new identification marks.

Driving
motor vehicle
without
identifica-
tion mark
an offence.

13. Any person who drives a motor vehicle the identification mark of which is not fixed thereon as prescribed or being so fixed is in any way obscured or not easily distinguishable shall be guilty of an offence:

Provided that on a prosecution for having a mark obscured or not easily distinguishable proof that all reasonably practicable steps have been taken to prevent the mark being obscured or not easily distinguishable shall be a good defence.

14. (1) Application for a certificate of fitness in respect of a motor vehicle shall be made to a certifying officer and shall be accompanied by the prescribed fee:

Certificates of fitness for motor vehicles. 6 of 1941, s. 3.

Provided that where a second or subsequent application is made in respect of the same motor vehicle in any one year no fee shall be required: And provided further that no fee shall be charged under this section for the inspection of any motor vehicle which is the property of Government or any municipal council or a local authority which has been exempted from the payment of registration fees by the Governor in Council, or the Georgetown Sewerage and Water Commissioners.

(2) If, after inspecting the motor vehicle, the certifying officer is satisfied that the vehicle conforms to the prescribed conditions as to fitness, he shall, subject to the regulations, issue a certificate of fitness in respect of the vehicle for such time as he shall think fit.

(3) The Licensing Authority may at any time revoke or suspend a certificate of fitness if, on the advice of a certifying officer, it appears to him that the motor vehicle has ceased to comply with any of the prescribed conditions as to fitness.

(4) A certifying officer may issue a certificate of fitness without inspection if he is satisfied that the motor vehicle conforms to the prescribed conditions as to fitness.

15. Any person who drives on a road a motor vehicle in respect of which a certificate of fitness is not in force or in respect of which the prescribed conditions as to fitness are not fulfilled shall be guilty of an offence.

Driving an unfit motor vehicle an offence.

16. No (1) person shall operate any vehicle to which this section applies unless there is in force a certificate of fitness issued by a certifying officer in respect of such vehicle.

Certificate of fitness for animal drawn vehicles. 26 of 1950, s. 3. 26 of 1950, s. 3.

(2) Any application for the issue of a certificate of fitness under the provisions of this section shall be accompanied by a fee of fifty cents.

(3) This section shall apply to every vehicle drawn by any animal, and constructed and used for the carriage of not less than six passengers for hire or reward at separate fares stage

26 of 1950, s. 3.

by stage, or stopping to pick up or set down passengers along the line of route.

26 of 1950,
s. 3.

(4) Any person who operates any vehicle in contravention of the provisions of this section shall be liable on summary conviction to a penalty not exceeding twenty-five dollars.

PART IV.—LICENCE FEES.

Licence
duty for
motor
vehicles.
First
schedule.

17. (1) There shall be charged, levied and paid in respect of motor vehicles used or kept for use on roads licence fees at the rates specified in the first schedule to this Ordinance.

26 of 1950,
s. 2.

(2) The fees charged under this section shall be paid annually upon licences to be taken out by the person keeping the vehicle for use:

Provided that—

(a) a licence may be taken out in respect of any motor vehicle for one half of a year only beginning on the 1st January or the 1st July, and in the case of any licence so taken out the fee shall be fifty *per centum* of the full annual fee; and

(b) a licence may be taken out in respect of any motor vehicle for one quarter of a year only beginning on the 1st January, the 1st April, the 1st July or the 1st October, and in the case of any licence so taken out the fee shall be twenty-five *per centum* of the full annual fee.

(3) No licence fee shall be payable in respect of any vehicle which is exempt from registration or from payment of a registration fee under section 7 of this Ordinance or which is exempt under the provisions of the first schedule to this Ordinance.

First
schedule.

Rebate of
licence fee
paid.

18. (1) The holder of a licence for a motor vehicle for which the full annual fee has been paid may at any time before the 1st April or July or October surrender the licence to a licensing officer and, subject to the payment of a fee of one dollar, seventy-five cents or fifty cents respectively, shall be entitled to be repaid by or on the authority of the Licensing Authority by way of rebate of the fee paid for the licence seventy-five, fifty or twenty-five *per centum* thereof respectively.

(2) The holder of a licence for a motor vehicle for which the fee for one half of the year has been paid may at any time before the 1st April or the 1st October, according to the half of the year for which the licence was taken out, surrender the licence

to a licensing officer and, subject to the payment of a fee of fifty cents, shall be entitled to be repaid by or on the authority of the Licensing Authority by way of rebate of the fee paid for the licence fifty *per centum* thereof.

19. (1) Application for the issue of a licence for a motor vehicle shall be made to the licensing officer in the prescribed form and shall be accompanied by the certificate of registration, the certificate of fitness and the certificate of insurance under the Motor Vehicles Insurance (Third-party Risks) Ordinance.

Application
for a licence.

Cap. 281.

(2) The licensing officer may refuse to issue a licence to any applicant who fails to comply with the provisions of the preceding subsection:

Provided that the licensing officer may, if he thinks fit, dispense with production of the certificate of registration or the certificate of fitness, or both, when the licence, not being a licence for a motor bus or hire car, is to be issued by way of renewal of an existing licence and to the same applicant.

(3) Save as is in this Ordinance provided every licence shall be issued in respect of the motor vehicle specified in the application for the licence and shall not entitle the person to whom it is issued to use it in respect of any other vehicle or for any purpose other than that specified in the licence and a licensing officer shall not be required to issue any licence for which application is made unless he is satisfied that the licence applied for is the appropriate licence for the vehicle specified in the application and, in the case of an application for a licence for a vehicle purporting to be the first application for a licence in respect of the vehicle, that a licence has not previously been issued in respect of that vehicle:

Provided that if a licensing officer refuses to issue a licence on the ground that the licence applied for is not the appropriate licence for the vehicle the applicant for the licence may, after giving to the licensing officer notice of his intention so to do, appeal to the magistrate's court of the judicial district in which the vehicle is normally kept, and on any such appeal the court may make such order as it thinks fit, and any order so made shall be binding on the Licensing Authority.

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

Alteration
of motor
vehicle
occasioning
higher
licence duty.

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 as 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, be deemed to be guilty of an offence under section 23 of this Ordinance, and the provisions of that section shall apply accordingly.

Transfer of
licence on
change of
of ownership.

21. (1) On the change of possession of a motor vehicle the current licence in respect of such vehicle may be delivered to the new owner and such delivery shall, subject to the provisions of section 9 of this Ordinance, operate as a transfer of the said licence.

(2) Where on a change of possession as aforesaid the current licence is not transferred the new owner shall, if he intends to use the vehicle, obtain a licence for the purpose.

Dealers'
general
licences.

22. (1) A licensing officer may issue to a dealer in motor vehicles a dealer's general licence which, subject to the provisions of this section and to any other conditions which may be prescribed, shall authorise the use of such number of motor vehicles not exceeding four at any one time, as may be specified in the licence.

(2) Application for a dealer's general licence shall be made to a licensing officer in the prescribed form and shall be accompanied by the prescribed fee.

(3) A dealer's general licence shall authorise the use of any motor vehicle which belongs to the dealer, or is entrusted to him for sale or repair, and is being tested or being used for the purpose of effecting a sale or hire or for such other purposes as may be prescribed.

(4) A motor vehicle shall not be used on a road under the authority of a dealer's general licence unless the holder of the licence, or a person duly authorised by him in writing, accompanies such vehicle.

(5) A motor vehicle shall not be used on a road under the authority of a dealer's general licence for the carriage of passengers or goods for reward or for any purpose not provided for by this Ordinance or the regulations made thereunder nor shall it be transferred or assigned to any other person without the authority of the licensing officer.

(6) The licensing officer shall keep a register of all dealers' general licences issued under this Ordinance.

(7) On the issue of a licence under this section the licensing officer shall assign to the dealer different identification marks in respect of the number of vehicles specified in the licence.

(8) A licence issued under this section shall continue in force until the 31st December in the year in which it is issued.

23. (1) If any person uses on a road or keeps for use or permits to be kept for use on a road any motor vehicle in respect of which a licence under this Ordinance is not in force he shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding one hundred dollars and in the case of a second or subsequent conviction to a fine not exceeding two hundred and fifty dollars.

Using
unlicensed
motor
vehicle an
offence.

(2) Where any person who is charged with an offence under the preceding subsection alleges that he is not the owner of the vehicle the magistrate may cause a summons to be issued against the person who is alleged by the person charged to be the owner of the vehicle making him a co-defendant in the case and the magistrate may after hearing the evidence and witnesses of all parties make such order as to the payment of any fine and costs as to the magistrate may seem just.

(3) Where any person has been convicted of an offence under subsection (1) of this section, the magistrate shall, if such person has not at the time of conviction taken out a licence, order such person to pay, in addition to any fine imposed for such offence, the sum required to be paid for the licence for that portion of the year in respect of which there is no licence in force relating to such vehicle.

52 of 1950,
s. 3.

(4) The sum to be paid under subsection (3) of this section shall be deemed to be and shall be recovered as one penalty.

52 of 1950
s. 3.

(5) Upon the payment of the aforesaid penalty and costs, the licensing officer shall issue the appropriate licence in respect of the vehicle.

52 of 1950,
s. 3.

PART V.—LICENSING OF DRIVERS AND PROVISIONS AS TO
DISQUALIFICATION OF DRIVERS AND ENDORSEMENT OF
LICENCES.

Driving
motor
vehicle
without a
licence an
offence.

24. (1) A person shall not drive a motor vehicle on a road unless he is the holder of a driver's licence and a person shall not employ any person to drive a motor vehicle on a road unless the person so employed is the holder of a driver's licence and if any person acts in contravention of this section he shall be guilty of an offence.

(2) Any person driving a motor vehicle on a road shall, on being so required by a police constable, produce his licence for examination, so as to enable the police constable to ascertain the name and address of the holder of the licence, the date of issue, and the authority by which it was issued, and if he fails so to do, he shall be guilty of an offence:

Provided that, if within five days after the production of his licence was so required the licensee produces the licence in person at such police station as may be specified to him at the time its production was required, he shall not be convicted of an offence under this subsection.

Conditions
governing
grant of
driving
licence.

25. A licence to drive a motor vehicle shall not be granted to any applicant unless he satisfies the licensing officer that he has either—

(a) at some time passed the prescribed test of competence to drive; or

(b) at any time before the commencement of this Ordinance held a certificate in the Colony or a licence elsewhere in the British Empire authorising him to drive any motor vehicle of the class or description which he would be authorised by the licence applied for to drive.

Provisional
licences.

26. (1) For the purpose of enabling the applicant for the grant of a licence to learn to drive a motor vehicle with a view to passing the prescribed test, the licensing authority may, if so requested by him and on payment of the prescribed fee, grant him a provisional licence to be in force for a period of three months, which licence shall be in the prescribed form and granted subject to the prescribed conditions.

(2) If any person to whom such a provisional licence is granted fails to comply with any of the conditions subject to which it is granted, he shall be guilty of an offence.

27. Tests of competence to drive a motor vehicle shall be conducted by a certifying officer in the prescribed manner and on payment of the prescribed fee.

Driving tests.

28. (1) On an application for the grant of a driver's licence the applicant shall make a declaration in the prescribed form as to whether or not he is suffering from any such disease or physical disability as may be specified in the form, or any other disease or physical disability which would be likely to cause the driving by him of a motor vehicle, being a vehicle of such a class or description as he would be authorised by the licence to drive, to be a source of danger to the public.

Provisions as to physical fitness of applicants for drivers' licences.

(2) If from the declaration it appears that the applicant is suffering from any such disease or disability as aforesaid, the certifying officer shall refuse to grant the licence:

Provided that—

(i) a licence limited to driving an invalid carriage may be granted to the applicant if the certifying officer is satisfied that he is fit to drive such carriage;

(ii) the applicant may, except in the case of such diseases and disabilities as may be prescribed, on payment of the prescribed fee, claim to be subjected to a test as to his fitness or ability to drive a motor vehicle of any such class or description as he would be authorised by the licence to drive, and if he passes the prescribed test and is not otherwise disqualified, the licence shall not be refused by reason only of the provisions of this subsection so, however, that if the test proves his fitness to drive vehicles of a particular construction or design only, the licence shall be limited to the driving of such vehicles;

(iii) if on the first application for the grant of a licence by a person who at the commencement of this Ordinance is the holder of a driver's certificate under the (repealed) Motor Vehicles Ordinance, 1932, an applicant who is suffering from a disease or disability other than a disease or disability prescribed as aforesaid makes a declaration that notwithstanding his disease or disability he has during the six months immediately preceding the application been in the habit of driving a motor vehicle of any such class or description as he would be authorised by the licence to drive and that the disease or disability from which he suffered did not cause the driving of such a motor vehicle by him to be a source of danger to the public, the licence shall not be refused by reason only of the provisions of this subsection;

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(iv) if on the application for the grant of a driver's licence the applicant makes a declaration that on the occasion of a previous application by him a licence was granted to him after passing such a test as aforesaid, or making such a declaration as is mentioned in the last preceding proviso, a further test shall not be required, unless from the declaration as to physical fitness made by him for the purposes of his application, or from information received by the certifying officer, it appears that the disease or physical disability from which the applicant is suffering has become more acute, or that the applicant is suffering from some disease or disability not disclosed on the previous occasion or contracted since that occasion.

(3) If it appears to a certifying officer that there is reason to believe that any person who holds a licence is suffering from a disease or physical disability likely to cause the driving by him of a motor vehicle, being a vehicle of any such class or description as he is authorised by the licence to drive, to be a source of danger to the public, and on inquiry into the matter the certifying officer is satisfied that the licence holder is suffering from such a disease or disability as aforesaid, then, whether or not the holder so suffering as aforesaid has previously passed a test under this section, the certifying officer may, after giving to the licence holder notice of his intention so to do, revoke the licence and the licence holder shall, on receipt of such notice, deliver the licence to the certifying officer for cancellation:

Provided that the licence holder may, except in the case of such disease and disabilities as may be prescribed, claim to be subjected to a test as to his fitness or disability to drive a motor vehicle, and if he passes the prescribed test the licence shall not be revoked.

(4) If any person is aggrieved by the refusal of a certifying officer to grant a licence or by the revocation of a licence under this section, he may, after giving to the officer notice of his intention so to do, appeal to the magistrate's court of the judicial district in which the said person resides, and on any such appeal the court may make such order as it thinks fit, and any order so made shall be binding on the certifying officer.

29. (1) Subject to the provisions of this Part of this Ordinance, the licensing officer, except in the case of an applicant who is disqualified as hereinafter mentioned, shall on payment of the prescribed fee grant a licence to any person who applies for it in the prescribed manner and makes a declaration in the

prescribed form that he is not disqualified by reason of age or otherwise from obtaining the licence for which he is applying:

Provided that no fee shall be payable by any member of the police force who is required to drive in the course of his duty any motor vehicle which is the property of Government.

(2) Licences shall be in the prescribed form, and where under the provisions of this Part of this Ordinance the applicant is subject to any restriction with respect to the driving of any class of motor vehicle, the extent of the restriction shall be specified in the prescribed manner on the licence.

(3) Subject to the provisions of this Ordinance with respect to provisional licences, a licence shall, unless previously revoked or surrendered, remain in force for a period of twelve months from the date on which it is granted.

(4) A person shall be disqualified from obtaining a licence—

(a) while another licence granted to him is in force;

(b) if he is by a conviction under this Ordinance or by an order of a court thereunder disqualified from holding or obtaining a licence.

(5) In any proceedings the fact that a licence has been granted to a person shall be evidence that that person for the purpose of obtaining that licence made a declaration that he was not disqualified from holding or obtaining the licence.

30. The Licensing Authority shall keep a register of all driving licences issued in which shall be entered the name and address of the holder and the date of issue of the licence, the class of vehicle authorised to be driven and a record of any convictions against the holder of the licence.

Register of driving licences.

31. (1) Any court before which a person is convicted of any criminal offence in connection with the driving of a motor vehicle (not being an offence under Part VIII of this Ordinance)—

Disqualification for offences and endorsement of convictions.

(a) may in any case, except where otherwise expressly provided by this Ordinance, and shall where so required by this Ordinance, order him to be disqualified from holding or obtaining a licence for such period as the court thinks fit; and

(b) may in any case, and shall where a person is by virtue of a conviction disqualified from holding or obtaining a licence, or where an order so disqualifying any person is made or where so required by this Ordinance, order that particulars of the conviction and of any disqualification to which the convicted person has become subject shall be endorsed on any licence held by the offender:

Provided that, if the court thinks fit, any disqualification imposed under this section may be limited to the driving of a motor vehicle of the same class or description as the vehicle in relation to which the offence was committed.

(2) A person who by virtue of an order of a court under this Ordinance is disqualified from holding or obtaining a 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.

Provision as
to disquali-
fications and
suspensions.

32. (1) Where a person who is disqualified by virtue of a conviction or order under this Ordinance is the holder of a licence, the licence shall be suspended so long as the disqualification continues in force.

(2) A licence suspended by virtue of this Ordinance shall during the time of suspension be of no effect.

(3) A person who by virtue of a conviction or order under this Ordinance is disqualified from holding or obtaining a licence, may, at any time after the expiration of six months from the date of the conviction or order, and from time to time apply to the court before which he was convicted or by which the order was made to remove the disqualification and on any such application the court may as it thinks proper having regard to the character of the person disqualified and his conduct subsequent to the conviction or order, the nature of the offence, and any other circumstances of the case either by order remove the disqualification as from such date as may be specified in the order or refuse the application:

Provided that, where an application under this subsection is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

(4) If the court orders a disqualification to be removed, the court shall cause particulars of the order to be endorsed on the licence, if any, previously held by the applicant and the court shall in any case have power to order the applicant to pay the whole or any part of the costs of the application.

(5) If any person who under the provisions of this Ordinance is disqualified from holding or obtaining a licence applies for or obtains a licence while he is so disqualified or if any such person while he 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, that person shall be liable, on summary

conviction, to imprisonment for a term not exceeding six months or if the court thinks that, having regard to the special circumstances of the case, a fine would be an adequate punishment for the offence, to a fine not exceeding two hundred and fifty dollars, or to both such imprisonment and such fine, and a licence obtained by any person disqualified as aforesaid shall be of no effect.

(6) Notwithstanding any enactment prescribing the time within which proceedings may be brought before a court of summary jurisdiction, proceedings for an offence under subsection (5) of this section may be brought—

(a) within a period of six months from the date of the commission of the alleged offence; or

(b) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence

whichever period is the longer.

(7) For the purposes of this section, references to orders and convictions under this Ordinance include references to orders and convictions under the corresponding provisions of any enactment repealed by this Ordinance.

33. (1) An order that the particulars of any conviction or of any disqualification to which the convicted person has become subject are to be endorsed on any licence held by the offender shall, whether the offender is at the time the holder of a licence or not, operate as an order that any licence he may then hold or may subsequently obtain, shall be so endorsed until he becomes entitled under the provisions of this section to have a licence issued to him free from endorsement.

Provisions
as to
endorse-
ment.

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

(a) if the offender is at the time the holder of a licence, he 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 is not then the holder of a licence, but subsequently obtains a licence, he shall within five days after so obtaining the licence produce it to the court for the purpose of endorsement,

and if he fails to do so, he shall be guilty of an offence; and 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.

(3) On the issue of a new licence to any person, the particulars endorsed on any previous licence held by him shall be copied on to the new licence unless he has previously become entitled under the provisions of this section to have a licence issued to him free from endorsements.

(4) If any person whose 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 free from endorsement applies for or obtains a licence without giving particulars of the order, he shall be liable, on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding two hundred and fifty dollars and any licence so obtained shall be of no effect.

(5) Where a person in respect of whom an order has been made under this Ordinance or the corresponding provisions of any Ordinance repealed by this Ordinance requiring the endorsement of any licence held by him, has during a continuous period of three years or upwards since the order was made had no such order against him, he shall be entitled, either on applying for the grant of a licence under this Ordinance or, subject to payment of a fee of one dollar and twenty cents, and subject to surrender of any subsisting licence, at any time, to have issued to him a new licence free from endorsements:

Provided that, in reckoning the said period of three years, any period during which the person was by virtue of the order disqualified from holding or obtaining a licence shall be excluded.

(6) Where a court orders particulars to be endorsed on a licence held by any person, or where by a conviction or order of a court a person is disqualified from holding or obtaining a licence the court shall send notice of the conviction or order to the Licensing Authority and in a 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.

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 shall forthwith after the receipt thereof 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.

(7) 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 direct that notice thereof be sent to the Licensing Authority.

PART VI.—PROVISIONS AS TO DRIVING AND THE USE OF ROADS AND OFFENCES IN CONNECTION THEREWITH.

34. (1) A person under sixteen years of age shall not drive a motor vehicle on a road.

Restrictions on driving by young persons.

(2) A person under seventeen years of age shall not drive a motor vehicle other than a motor cycle or invalid carriage on a road.

(3) A person under twenty-one years of age shall not drive a hire car, motor bus, motor lorry, or motor tractor on a road:

Provided that a vehicle being an agricultural tractor shall not be deemed to be driven on a road within the meaning of this subsection while it is being so driven in the course of the internal operations of an estate or plantation.

(4) Any person who drives, or causes or permits any other person to drive a motor vehicle in contravention of this section, shall be guilty of an offence.

(5) A person prohibited by this section by reason of his age from driving a motor vehicle or a motor vehicle of any class, shall be deemed to be disqualified from holding or obtaining any driving licence other than a licence to drive such motor vehicle, if any, as he is not by this section forbidden to drive.

35. (1) It shall not be lawful for any person to drive a motor vehicle of any class or description on a road at a speed greater than the speed specified in the second schedule to this Ordinance as the maximum speed in relation to a vehicle of that class or description and if any person acts in contravention of this section he shall be guilty of an offence.

Rate of speed.

Second schedule.

(2) A first or second conviction for an offence under this section shall not render the offender liable to be disqualified from holding or obtaining a licence.

(3) A person charged under this section with the offence of driving a motor vehicle of any 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, 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) The Governor in Council may by regulation vary, subject to such conditions as may be specified in the regulation, the provisions of the second schedule to this Ordinance.

Second
schedule.

Cap. 14.

(5) If any person is convicted under section 19 of the Summary Jurisdiction (Offences) Ordinance, of aiding, abetting, counselling or procuring any person who is employed by him to drive, or is subject to his orders in driving a motor vehicle on a road to commit an offence under this section, he shall, instead of being liable on being so convicted to the same punishment as the principal offender, be liable in the case of a first conviction to a fine not exceeding two hundred and fifty dollars, and in the case of a second or subsequent conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment, and if any person is convicted of the offence of inciting to commit an offence under this section, he shall be liable to the same punishment as if he had procured the commission of an offence under this section.

(6) If a person who employs other persons to drive motor vehicles on roads publishes or issues any time-table or schedule or gives any directions, under which any journey or any stage or part of any journey is to be completed within some specified time and it is not practicable in the circumstances of the case for that journey or that stage or part of the journey to be completed in the specified time without an infringement of the provisions of this section, the publication or issue of the said time-table or schedule or the giving of the directions may be produced as *prima facie* evidence that the employer, as the case may be, procured or incited the persons employed by him to drive the vehicles to commit an offence under this section.

Reckless or
dangerous
driving.

36. (1) If any person 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, he shall be liable, on

summary conviction, to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months, and in the case of a second or subsequent conviction either to a fine not exceeding five hundred dollars or to such imprisonment as aforesaid or to both such fine and imprisonment.

(2) The court shall order particulars of any such conviction to be endorsed on any licence held by the person convicted.

(3) On a second or subsequent conviction under this section the convicting court shall exercise the power conferred by this Ordinance of ordering that the offender shall be disqualified from holding or obtaining a licence unless the court, having regard to the lapse of time since the date of the previous or last previous conviction or for any other special reason thinks fit to order otherwise, but this provision shall not be construed as affecting the right of the court to exercise the power aforesaid on a first conviction.

(4) Where a person is convicted of aiding, abetting, counselling or procuring, or inciting the commission of an offence under this section, and it is proved that he was present in the vehicle at the time of the commission of the offence, the offence of which he is convicted shall for the purpose of the provisions of this Ordinance relating to disqualification from holding or obtaining licences, be deemed to be an offence in connection with the driving of a motor vehicle.

37. (1) 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 shall be guilty of an offence.

Careless driving

(2) A first or second conviction for an offence under this section shall not render the offender liable to be disqualified from holding or obtaining a licence.

38. (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 imprisonment for a term not exceeding three months or to a fine not exceeding two hundred and fifty dollars, or to both such imprisonment and fine.

Prohibition of motor racing and speed trials on highways.

(2) A person convicted of an offence under this section shall, unless the court for special reasons thinks fit to order otherwise and without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction from holding or obtaining a licence.

Punishment of persons driving motor vehicles when under influence of drink or drugs.

39. (1) Any person who when driving or attempting to drive, or when in charge of, a motor vehicle on a road or other public place is under the influence of drink or a 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 two hundred and fifty dollars or to imprisonment for a term not exceeding six months, and in the case of a second or subsequent conviction either to a fine not exceeding five hundred dollars or to such imprisonment as aforesaid or to both such fine and imprisonment.

(2) A person convicted of an offence under this section shall, unless the court for special reasons thinks fit to order otherwise and without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction from holding or obtaining a licence.

Riding on outside of motor vehicle.

40. (1) A driver of a motor vehicle shall not permit any person to ride on the running board, wings or fenders of the vehicle or on the outside of the vehicle except on a properly constructed seat or on any trailer drawn thereby.

(2) If any person is carried on any such motor vehicle in contravention of the provisions of this section, the driver of the vehicle shall be liable, in the case of a first conviction, to a fine not exceeding twenty-five dollars, and in the case of a second or subsequent conviction to a fine not exceeding fifty dollars.

Not more than one trailer to be drawn.

41. (1) One trailer only shall be drawn by a motor vehicle on a road and one person in addition to the driver of the vehicle shall be carried on the vehicle for the purpose of attending to the trailer.

(2) If any person causes or permits a trailer to be drawn in contravention of this section he shall be guilty of an offence.

Limitation of time for which drivers of certain vehicles may remain continuously on duty.

42. (1) It shall not be lawful for any person to drive or cause or permit any person employed by him or subject to his orders to drive any motor bus, motor lorry, motor tractor or any motor vehicle constructed to carry goods other than the effects of passengers—

(a) for any continuous period of more than five hours and one-half; or

(b) for continuous periods amounting in the aggregate to more than eleven hours in any period of twenty-four hours commencing two hours after midnight; or

(c) so that the driver has not at least ten consecutive hours for rest in any period of twenty-four hours calculated from the commencement of any period of driving:

Provided that it shall be a sufficient compliance with the provisions of paragraph (c) if the driver has at least nine consecutive hours for rest in any such period of twenty-four hours provided that he has an interval of at least twelve consecutive hours for rest in the next following period of twenty-four hours.

(2) For the purposes of this section—

(a) any two or more periods of time shall be deemed to be a continuous period unless separated by an interval of not less than half-an-hour in which the driver is able to obtain rest and refreshment;

(b) any time spent by a driver on other work in connection with a vehicle or the load carried thereby, including in the case of a motor bus any time spent on a vehicle while on a journey in any other capacity than as a passenger shall be reckoned as time spent in driving;

(c) in the case of a vehicle which is being used in the course of operations of agriculture or forestry a person shall not be deemed to be driving the vehicle or to be spending time on work in connection with the vehicle or the load carried thereby so long as the vehicle is elsewhere than on a road.

(3) If any person acts in contravention of this section, he shall be guilty of an offence:

Provided that a person shall not be liable to be convicted under this section if he proves to the court that the contravention was due to unavoidable delay in the completion of any journey arising out of circumstances which he could not reasonably have foreseen.

43. (1) If the driver of a motor vehicle who is alleged to have committed an offence under the foregoing provisions of this Ordinance or the regulations as to reckless or dangerous driving or careless driving refuses, on being so required by any person having reasonable ground for so requiring, to give his name or address, or gives a false name or address, he shall be guilty of an offence.

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

(2) Any member of the police force may arrest without warrant the driver of any motor vehicle who within his view commits any offence contrary to the provisions of this Ordinance as to reckless or dangerous driving or careless driving, unless

the driver either gives his name and address or produces his licence for examination.

(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 fails so to do shall be liable, on summary conviction, to a fine not exceeding twenty-five dollars.

Information to be given as to identity of drivers of motor vehicles.

44. Where the driver of a vehicle is alleged to be guilty of an offence under this Ordinance—

(a) the owner of the vehicle shall give such information as he may be required by or on behalf of the Commissioner of Police to give as to the identity of the driver, and, if he fails to do so, shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver was; and

(b) any other person shall, if required as aforesaid, give any information which it is in his power to give and which may lead to the identification of the driver, and, if he fails to do so, he shall be guilty of an offence.

Restrictions on prosecutions under certain sections.

45. Where a person is prosecuted for an offence under any of the provisions of this Ordinance relating respectively to the maximum speed at which motor vehicles may be driven, to reckless or dangerous driving, and to careless driving he shall not be convicted unless either—

(a) he was warned at the time the offence was committed that the question of prosecuting him for an offence under some one or other of the provisions aforesaid would be taken into consideration; or

(b) within fourteen days of the commission of the offence a summons for the offence was served on him; or

(c) within the said fourteen 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 the owner of the vehicle at the time of the commission of the offence:

Provided that—

(i) failure to comply with this requirement shall not be a bar to the conviction of the accused in any case where the court is satisfied that—

(1) neither the name and address of the accused nor the name and address of the 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

(2) the accused by his own conduct or the failure; and

(ii) the requirement of this section shall in any case be deemed to have been complied with and until the contrary is proved.

PART VII.—REGULATION OF TRAFFIC AND OTHER MATTERS IN CONNECTION THEREWITH.

46. (1) Every person in any road who drives or propels any vehicle or is in charge of any animal when meeting or being overtaken by any other vehicle or animal as aforesaid shall keep his own vehicle or animal on the left or near side of the road, and when overtaking another vehicle or animal going in the same direction shall keep his own vehicle or animal on the right or offside, except in case of actual necessity or other sufficient reason for deviation.

Rule of the road.

(2) Every person who acts in contravention of the provisions of this section shall be guilty of an offence.

47. (1) The Licensing Authority may, with the approval of the Governor in Council, make orders for any of the following purposes—

Power to restrict use of vehicles on specified roads.
6 of 1941, s. 5.

(a) the classification of roads into major roads and minor roads;

(b) the specification of the routes to be followed by motor or other vehicles;

(c) the prohibition or restriction of the use of specified roads by motor or other vehicles of any specified class or description, generally or during particular hours;

(d) the prohibition of the driving of vehicles on any specified road otherwise than in a specified direction;

(e) otherwise in relation to the regulation of traffic.

(2) The Licensing Authority may by order prohibit or restrict the use of specified roads by motor or other vehicles of any specified class or description on particular occasions:

6 of 1941, s. 5.

Provided that no order shall be made under this section with respect to any road which would have the effect of preventing such access as may be reasonably required for vehicles of any class or description to any premises situated on or adjacent to the road.

Power of road authority temporarily to prohibit or restrict traffic on roads.

48. (1) Subject to the provisions of this section, if a road authority is satisfied that traffic on any road should, by reason of works of repair or reconstruction being required or being in progress on the road, be restricted or prohibited, the authority may by order restrict or prohibit the use of that road or of any part thereof by vehicles or by vehicles of any particular class or description to such extent and subject to such conditions or exceptions as they may consider necessary.

(2) A road authority, when considering the question of the making of an order under this section, shall have regard to the existence of alternative routes suitable for the traffic which will be affected by the order.

(3) Any person who uses or permits the use of a vehicle in contravention of any restriction or prohibition imposed under this section shall be guilty of an offence.

Erection of notice boards, etc.

49. (1) The Licensing Authority may cause or permit the prescribed traffic signs to be placed on or near any road.

(2) After the commencement of this Ordinance no traffic signs shall be placed on or near any road except under and in accordance with the provisions of the preceding subsection:

Provided that nothing in this subsection shall apply to any notice in respect of the use of a bridge or to any traffic sign placed by the owners or workers of any railway or light railway or any harbour undertaking in pursuance of powers conferred by any Ordinance.

(3) In this Ordinance the expression "traffic sign" includes all signals, warning sign posts, direction posts, signs or other devices for the guidance or direction of persons using roads.

Parking places.

50. The Licensing Authority may by order—

(a) appoint parking places for motor and other vehicles or any specified class of vehicle generally or for particular occasions or during particular hours;

(b) prescribe the manner in which and the conditions under which such vehicles may park in such places; and

(c) prohibit or restrict the parking of vehicles in any road or in any part of a road generally or on particular occasions or during particular hours.

Penalties for neglect of traffic directions.

51. Where any member of the police force in uniform is for the time being engaged in the regulation of traffic on a road, or where any traffic sign being a sign for regulating the movement

of traffic or indicating the route to be followed by traffic, has been lawfully placed on or near any road in accordance with the provisions of section 49 of this Ordinance, any person driving or propelling any vehicle or being in charge of any animal who—

(a) neglects or refuses to stop the vehicle or animal or to make it proceed in or along any route or keep to a particular line of traffic when directed so to do by any member of the police force aforesaid in the execution of his duty; or

(b) fails to conform to the indication given by the sign;

shall be guilty of an offence.

52. (1) It shall be lawful for any member of the police force in uniform on the occasion of any abnormal or extraordinary traffic on a road to give such directions as he may deem necessary in order to relieve congestion or prevent obstruction of such traffic and with respect to the parking of vehicles comprising such traffic.

Abnormal or extra-ordinary traffic.

(2) If the driver or person in charge of any vehicle fails to comply with any direction given under and in accordance with the preceding subsection he shall be guilty of an offence and on summary conviction shall be liable to a fine not exceeding ten dollars.

53. (1) If any person otherwise than with lawful authority or reasonable cause takes or retains hold of or gets on to a motor vehicle or trailer while in motion on any road, for the purpose of being drawn or carried, he shall be liable, in the case of a first conviction, to a fine not exceeding twenty-five dollars, and in the case of a second or subsequent conviction to a fine not exceeding fifty dollars.

Restrictions on persons being towed by getting on to or tampering with motor vehicles.

(2) If while a motor vehicle is on a road or a parking place any person otherwise than with lawful authority or reasonable cause gets on to the vehicle or tampers with any part of the vehicle, he shall be guilty of an offence.

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

Restriction on pillion riding.

(2) If any person is carried on any such cycle in contravention of the provisions of this section, the driver of the cycle shall be guilty of an offence.

Restrictions on persons being towed on bicycles.

55. (1) It shall not be lawful for more than one person to be carried on a road on a bicycle unless it was originally constructed for the carriage of more than one person:

Provided that the provisions of this subsection shall not apply to the carriage of not more than one child under the age of seven years on a bicycle adapted for the purpose.

(2) If any person is carried on a bicycle in contravention, of the provisions of the foregoing subsection, each of the persons carried shall be liable in the case of a first conviction to a fine not exceeding twenty-four dollars and in the case of a second or subsequent conviction to a fine not exceeding forty-eight dollars.

(3) In this section references to a person carried on a bicycle shall include reference to a person riding a bicycle.

(4) This section shall apply only to such areas or to such roads as the Governor in Council may, from time to time, by order direct.

Restriction on cyclists riding abreast or holding on to other moving vehicles.

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

Provided that a person shall not be convicted under this section in respect of the overtaking of two persons so riding when there is no other traffic on the road at the point of overtaking.

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

(a) to hold on to any other moving vehicle; or

(b) to ride such cycle or bicycle without at least one hand being on the handle bars thereof.

(3) If any person contravenes the provisions of this section he shall be guilty of an offence.

Using vehicles on road carelessly.
52 of 1952,
s. 2.

57. If any person in charge of a vehicle, other than a motor vehicle, uses or causes or permits such vehicle to be used on any road without due care and attention or without reasonable consideration for other persons using the road he shall be guilty of an offence, and shall, on summary conviction, be liable in the case of a first conviction to a penalty not exceeding twenty-five dollars and in the case of a second or subsequent conviction to a penalty not exceeding fifty dollars.

58. If any person in charge of a vehicle causes or permits the vehicle or any trailer drawn thereby to remain at rest on any road in such position or in such condition or in such circumstances as to be likely to cause danger or obstruction to other persons using the road, he shall be guilty of an offence.

Leaving vehicles in dangerous positions.

59. If any person 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 he shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty-five dollars.

Pedestrians, etc., causing obstruction.

60. (1) If in any case owing to the presence of a motor vehicle on a road an accident occurs whereby damage or injury is caused to any person, vehicle or animal under control, the driver of such motor vehicle shall stop, and if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner and the identification marks of the vehicle.

Duty to stop in case of accident.

(2) In the case of any such accident as aforesaid if injury is caused to any person or if the driver of the motor vehicle for any reason does not give his name and address to any such person as aforesaid, he shall report the accident at a police station or to a police constable as soon as reasonably practicable, and in any case within twenty-four hours of the occurrence thereof.

(3) In this section the expression " animal " means any horse, cattle, ass, mule, sheep, goat or dog.

(4) If any person fails to comply with this section he shall be guilty of an offence.

61. A person guilty of an offence under sections 48, 54, 56 and 58, of this Ordinance shall, on summary conviction, be liable in the case of a first conviction to a fine not exceeding ten dollars and in the case of a second or subsequent conviction to a fine not exceeding twenty-five dollars.

Penalty for certain offences. 52 of 1952, s. 3.

PART VIII.—ROAD SERVICE, HIRE CAR AND GOODS TRANSPORTATION LICENCES.

21 of 1946, s. 3.

62. (1) No person shall operate a motor vehicle as a motor bus in any area or route in the county of Demerara, including the City of Georgetown, or in any area or route which may thereafter be defined in any order made by the Governor in Council unless he is the holder of a road service licence.

Road service licences.

(2) Every person who applies for a road service licence shall submit with his application to the Prescribed Authority—

(a) particulars of the type or types of vehicle to be used; and

(b) the route to be followed by the vehicle in proceeding from one terminus to the other; and

(c) in the case of regular services, the time-tables and fare-tables of the services which it is proposed to provide under the licence; and

(d) in any case, such particulars as to the frequency of the services and the times to be taken on the journeys included in those services, as the Prescribed Authority may require.

Considerations before grant or refusal of road service licence.

63. (1) In exercising its discretion to grant or to refuse a road service licence in respect of any routes and its discretion to attach conditions to a road service licence the Prescribed Authority shall have regard to the following matters—

(a) the suitability of the routes on which a service may be provided under the licence;

(b) the extent, if any, to which the needs of the proposed routes or any of them are already adequately served;

(c) the extent to which the proposed service is necessary or desirable in the public interest;

(d) the needs of the area as a whole in relation to traffic (including the provision of adequate, suitable and efficient services, the elimination of unnecessary services and the provision of unremunerative services), and the co-ordination of all forms of passenger transport, including transport by rail;

and take into consideration any representations which may be made by persons who are already providing transport facilities along or near to the routes or any part thereof or by any local authority in whose area any of the routes or any part of any of the routes is situate:

Provided that nothing in this subsection shall operate to prejudice the grant of a first licence for a period not exceeding twelve months to any person who applies therefor and who proves to the satisfaction of the Prescribed Authority that he had been lawfully operating a motor bus for a period of not less than six months immediately prior to the date of the commencement of this Ordinance.

(2) Subject to the provisions of this section and to any regulations the Prescribed Authority shall specify by endorsement on the licence the routes on which the motor bus may ply

or stand for hire and may attach to a road service licence such conditions as it may think fit with respect to the matters to which it is required to have regard under the preceding subsection, and in particular for securing that—

(a) fares shall not be unreasonable;

(b) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with alternative forms of transport, if any, along the route or any part thereof, or in proximity thereto;

(c) copies of the time-table and fare-table shall be carried and be available for inspection in vehicles used on the service;

(d) passengers shall not be taken up or shall not be set down except at specified points or shall not be taken up or shall not be set down between specified points;

and generally for securing the safety and convenience of the public; and the Prescribed Authority may from time to time vary in such manner as it thinks fit the conditions attached to a road service licence.

(3) If any person uses a motor bus or causes or permits it to be used in contravention of the provisions of section 62 of this Ordinance or wilfully or negligently fails to comply with any of the conditions attached to a road service licence, he shall be guilty of an offence.

64. (1) A road service licence may be revoked by the Prescribed Authority on the ground that any condition subject to which the licence was granted has not been complied with:

Power to revoke licences for non-compliance with conditions.

Provided that the Prescribed Authority shall not revoke such a licence unless, owing to the frequency of the breach of conditions on the part of the licensee, or to the breach having been committed wilfully, or to the danger to the public involved in the breach, the Prescribed Authority is satisfied that the licence should be revoked.

(2) The power to revoke a road service licence under this section shall include a power to suspend a road service licence for such period of its duration as the Prescribed Authority may think fit.

21 of 1946, s. 4.

65. A road service licence shall, unless previously revoked, continue in force for such period, not exceeding two years, as may be stated in the licence.

Duration of licences.

Appeal.
21 of 1946,
s. 4.

66. Any person whose application for the grant of a road service licence is refused or whose road service licence has been revoked or suspended may appeal to the Governor in Council against the decision of the Prescribed Authority and the Governor in Council shall, after considering the matter, make such order as to him may seem just. The decision of the Governor in Council shall be final.

Power of
Prescribed
Authority
to licence
hire cars to
operate
by stages
at separate
fares and
to operate
feeder
services.
28 of 1948,
s. 3.

67. (1) Notwithstanding any of the provisions of this Ordinance to the contrary, the Prescribed Authority may issue a special licence with respect to any hire car permitting such hire car to—

- (a) ply for hire at separate fares stage by stage, and to stop to pick up or set down passengers along the line of route; or
- (b) to operate a feeder service.

(2) In this section "to operate a feeder service" means to convey passengers for reward from any steamer, railway or aircraft terminus to their respective destinations at separate fares.

Considerations before grant or refusal of special licence.
28 of 1948,
s. 3.

68. (1) In exercising its discretion to grant or to refuse a licence under the provisions of the last preceding section, the Prescribed Authority shall have regard to the following matters—

- (a) the suitability of the routes on which such a service is proposed to be run;
- (b) the extent to which the proposed service is necessary or desirable in the public interest;
- (c) the needs of the area as a whole, in relation to traffic:

Provided that no such licence shall be granted in respect of any area in respect of which an exclusive licence has been granted to any person or body of persons to operate a road service as hereinafter provided, or where in the opinion of the Prescribed Authority the needs of the area are sufficiently served by the holders of road service licences.

28 of 1948,
s. 3.

(2) Subject to the provisions of this section, the Prescribed Authority shall specify by endorsement on the special licence any conditions he may think fit subject to which the hire car may be operated.

28 of 1948,
s. 3.

(3) Any special licence granted under the provisions of the last preceding section shall remain in force for a period not exceeding two years as may be stated in the licence, unless previously revoked as hereinafter provided.

(4) Any person who operates, or permits to be operated any hire car in a manner or for any of the purposes specified in the preceding section otherwise than in accordance with the conditions endorsed on a special licence issued with respect to the hire car shall be guilty of an offence.

28 of 1948,
s. 3.

69. A special licence may be revoked by the Prescribed Authority where any condition endorsed on such licence has not been complied with.

Revocation
of special
licence.
28 of 1948,
s. 3.

70. Any person whose special licence has been revoked may appeal to the Governor in Council against the decision of the Prescribed Authority and the Governor in Council shall after consideration of the matter, make such order as to him may seem just. The decision of the Governor in Council shall be final.

Appeal.
28 of 1948,
s. 3.

71. (1) The Governor in Council may, if he deems it necessary or desirable in the public interest so to do, fix the minimum or maximum fares that may be charged by any person operating a motor bus in any area or route to which subsection (1) of section 62 applies or along any specified part of a route within that area and shall cause notice thereof to be sent to the Prescribed Authority.

Power to fix
minimum
or maximum
fares.

(2) Upon the receipt of such notice the Prescribed Authority shall by notice in writing call upon every holder of a road service licence operating a motor bus in that area or route to produce his licence and shall endorse thereon the minimum or maximum fares so fixed and thereupon such endorsement shall become a condition of the licence.

(3) If upon the receipt of such notice the holder of any such licence fails within the time specified in the notice to produce his licence, the licence shall become void.

72. A local authority, with the approval of the Governor in Council, may make orders for determining the roads maintained and managed by it which may or may not be used by motor buses or motor lorries in the area or in any part of the area of the authority.

Power of
local
authorities
with respect
to use of
roads by
motor buses.

73. The Licensing Authority may make orders for fixing stands for motor buses and as to the places at which such vehicles may stop for a longer time than is necessary for the taking up and setting down of passengers and as to the manner of using such stands and places, and as to the places or parts of roads at which

Power to fix
stands and
stopping
places for
motor buses.

such vehicles may stop for the taking up and setting down of passengers.

Special provision for City of Georgetown.

74. It shall be lawful for the Prescribed Authority, on representations made to it in that behalf by the Mayor and Town Council of Georgetown by order to declare that on and after a date to be specified in the order, a road service licence shall not be granted by it to operate any motor bus in the City of Georgetown unless the motor bus is of a special type and conforms to such special particulars (in addition to the requirements of this Ordinance and the regulations made thereunder) as may be specified in the order.

Exclusive licence.

75. (1) Notwithstanding anything contained in this Part of this Ordinance, it shall be lawful for the Governor in Council to grant to any person or to any body of persons an exclusive licence to operate a road service in any area or route to which subsection (1) of section 62 applies upon such terms and conditions as may be specified in the licence and subject to the provisions of this Ordinance and the regulations made thereunder.

(2) Any such licence shall commence to operate on a day to be specified therein and after the day so specified it shall be unlawful for any person not authorised by virtue of the licence to operate a motor bus in any part of the said area, or route for the purpose of carrying passengers for reward:

Provided that any motor bus operating outside the said area or route may traverse any part of the said area or route which may be prescribed solely for the purpose of setting down or taking up passengers at prescribed points who are brought from outside or who are to be carried outside the said area or route.

(3) If any person contravenes the provisions of the last preceding subsection he shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding two hundred and fifty dollars.

Conductors' licences.

76. (1) A person shall not act as a conductor of a motor bus on a road unless he pays the prescribed fee and obtains a licence for the purpose from a certifying officer and a person shall not employ any person who is not so licensed to act as conductor of a motor bus on a road.

(2) A person shall be disqualified from obtaining a licence to act as conductor of a motor bus unless he is over the age of eighteen and fulfils such other conditions as may be prescribed.

(3) A licence to act as conductor of a motor bus may at any time be suspended or revoked by the Licensing Authority upon the ground that, by reason of his conduct or physical disability, the holder is not a fit person to hold such a licence.

(4) A licence to act as conductor shall, unless previously revoked, continue in force for a period of twelve months.

(5) If a person acts in contravention of this section he shall be guilty of an offence.

77. (1) It shall be lawful for the Prescribed Authority from time to time to license motor cars to operate as hire cars in the Colony subject to such conditions as he may deem necessary, having regard to the co-ordination of traffic, the interests of existing bus services and the needs of the public.

Licensing of motor cars as hire cars.

21 of 1946, s. 5.
28 of 1948, s. 4.

(2) Before any such licence to operate a hire car is granted the owner thereof shall make a requisition therefor to the Prescribed Authority in the prescribed form and the requisition shall be signed by the owner of the hire car in respect of which such licence is applied for.

21 of 1946, s. 5.

(3) Every such licence shall remain in force for one year from the date thereof and there shall be specified therein such particulars as may be prescribed.

21 of 1946, s. 5.

(4) If the owner of a hire car uses it or permits it to be used—

21 of 1946, s. 5.

(a) without having first obtained a licence under this section, or

28 of 1948, s. 4.

(b) after the revocation or during the suspension of such a licence, or

(c) otherwise than in accordance with any conditions subject to which a licence has been issued under this section,

he shall be guilty of an offence under this Ordinance.

78. (1) For the purpose of driving hire cars licensed under this Part of this Ordinance, the Prescribed Authority may grant to any fit and proper person who is the holder of a driver's licence under Part V of this Ordinance a licence to drive a hire car.

Licensing competent drivers to drive hire cars.

21 of 1946, s. 5.

(2) No person shall act as the driver of a hire car without first obtaining from the Prescribed Authority a licence to drive a hire car, and every such licence shall remain in force for one year from the date thereof, unless it is revoked or suspended under this Ordinance.

21 of 1946 s. 5.

21 of 1946,
s. 5.

(3) If any person acts as the driver of a hire car—

(a) without having first obtained such a licence, or

(b) after the revocation or during the suspension of his licence,

he shall be guilty of an offence under this Ordinance.

21 of 1946,
s. 5.

(4) If any person licensed to drive a hire car under this section lends or parts with his licence he shall be guilty of an offence under this Ordinance.

Conditions
under which
a hire car
may be
driven by a
person not
licensed to
drive a
hire car.
52 of 1950,
s. 4.

79. (1) Anything in the provisions of the last preceding section to the contrary notwithstanding, but subject to the provisions of this section, the owner of a hire car may hire such vehicle to any fit and proper person who is the holder of a licence under Part V of this Ordinance for the purpose of being used and driven by such person for his private use.

(2) Every person who desires to use and drive a hire car as contemplated by the preceding subsection shall make application in the prescribed form to the licensing officer of the district in which the vehicle is licensed for a licence in that behalf. Every such application shall be signed by the applicant and the owner of the vehicle, and shall be accompanied by the prescribed fee.

(3) Upon the application of any person under the provisions of the last preceding subsection the licensing officer if satisfied that—

(a) the applicant is a fit and proper person to use a hire car as contemplated by subsection (1) of this section;

(b) the applicant has taken out such a policy of insurance or such a security in respect of third party risks as complies with the requirements of the Motor Vehicles Insurance (Third Party Risks) Ordinance;

(c) the applicant is licensed under Part V of this Ordinance, shall issue to the hirer the prescribed licence and the prescribed identification mark upon the payment of the prescribed fees.

Cap. 281.

(4) Any person who—

(a) being the owner of a hire car, permits any other person to hire and drive such vehicle in the manner contemplated by subsection (1) of this section without having obtained the prescribed licence; or

(b) drives any hire car in the manner contemplated by subsection (1) of this section without having obtained a licence under the provisions of subsections (2) and (3) of this section; or

Offences.
52 of 1950,
s. 5.

(c) fails to return to the licensing officer the identification mark issued to him at the completion of the term in respect of which a licence has been issued to him under the provisions of subsection (3) of this section,

shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars, and in the case of an offence under paragraph (a) of this subsection, the Licensing Authority may suspend or revoke the licence of the owner to operate such vehicle as a hire car.

80. (1) No owner of a hire car shall employ any person as the driver thereof unless such person first produces to him his licence under section 78 of this Ordinance to drive a hire car, and every owner who contravenes this section shall be guilty of an offence under this Ordinance.

Employment of driver of hire car. 21 of 1946, s. 5.

(2) In all cases of complaint against the driver of a hire car to whom a licence has been granted under section 78 of this Ordinance, the court shall, if the driver is adjudged guilty or pleads guilty of the offence alleged against him, order him to produce his licence as aforesaid, within the time specified by the court and if no time is specified within seven days, for endorsement, and the court shall make an endorsement upon the licence of such driver, stating the nature of the offence and the particulars of the conviction therefor.

21 of 1946, s. 5.

(3) Every driver of a hire car who neglects or refuses to produce a licence as required by subsection (2) of this section shall be guilty of an offence under this Ordinance.

21 of 1946, s. 5.

81. The Prescribed Authority may, upon the conviction for the second time of an owner or a driver of any hire car for any offence in connection with the operation or the driving of a hire car or for any other sufficient cause suspend or revoke, as he may deem right, the licence of such owner under section 77 of this Ordinance to operate hire cars or the licence of such driver under section 78 of this Ordinance to drive a hire car, as the case may be.

Power to suspend or revoke a licence to use, or to drive, a hire car. 21 of 1946, s. 5.

82. (1) Every refusal by the Prescribed Authority to grant a licence to operate a hire car or to drive a hire car, and every suspension or revocation of such a licence shall be subject to an appeal to the magistrate of the judicial district in which the applicant for the licence or the person whose licence is revoked or suspended resides and the grounds and the form of the appeal shall be prescribed.

Appeal from Prescribed Authority. 21 of 1946, s. 5.

26 of 1950,
s. 4.

(2) The decision of the magistrate on every such appeal shall be subject to appeal to the Full Court of the Supreme Court.

Obligation to
carry all
persons.
21 of 1946,
s. 5.

83. (1) Except as otherwise provided in this section, no driver or conductor shall refuse or neglect, without reasonable cause, to carry in any motor bus or hire car licensed under this Part of this Ordinance any person who offers himself as a passenger, and any driver or conductor who so refuses or neglects shall be guilty of an offence under this Ordinance.

21 of 1946,
s. 5.

(2) No driver or conductor shall carry as a passenger any person who is—

(a) under the influence of liquor to such a degree that he may become a nuisance to other persons in the motor bus or hire car, or

(b) to his knowledge suffering from any infectious, contagious or other communicable disease, or

(c) not decently clad, or

(d) in such other state or condition that he may become a nuisance to other persons in the motor bus or hire car,

and any driver or conductor who carries any such person as a passenger shall be guilty of an offence under this Ordinance.

21 of 1946,
s. 5.

(3) Where the motor bus or hire car licensed under this Part of this Ordinance has a conductor, the obligation of the driver or conductor under this section shall rest wholly on such conductor.

Licensing of
goods
vehicles.
21 of 1946,
s. 5.

84. (1) No person shall use a goods vehicle on a road in any area of the Colony for the carriage of goods—

(a) for hire or reward, or

(b) for or in connection with any trade or business carried on by him,

except under a goods transportation licence.

21 of 1946,
s. 5.

(2) Where a goods vehicle is being used on a road for the carriage of goods, the driver of the vehicle, if it belongs to him or is in his possession, under an agreement for hire, hire-purchase or loan, and in any other case the person whose agent or servant the driver is, shall, for the purposes of this Part of this Ordinance be deemed to be the person by whom the vehicle is being used.

21 of 1946,
s. 5.

(3) Where at any time goods are carried in a goods vehicle, being a vehicle which has been let on hire by the person who at the time of the carriage of the goods is within the meaning of

this Part of this Ordinance the user of the vehicle, the goods shall be deemed to be carried by that person for hire or reward.

(4) For the purposes of this Part of this Ordinance—

21 of 1946,
s. 5.

(a) the delivery or collection by a person of goods sold, used or let on hire or hire-purchase in the course of a trade or business carried on by him, or

(b) the delivery or collection by a person of goods which have been, or are to be, subjected to a process or treatment in the course of a trade or business carried on by him, or

(c) the carriage of goods in a vehicle by a manufacturer, agent, or dealer, whilst the vehicle is being used by him for demonstration purposes,

shall not be deemed to constitute a carrying of the goods for hire or reward.

(5) A goods transportation licence may be granted in respect of any specified area or route in the Colony as described in the licence.

21 of 1946,
s. 5.

(6) Every goods transportation licence shall be issued in favour of a person or body of persons, and shall specify the number of goods vehicles under paragraph (a) or (b) of subsection (1) of this section to which the licence relates.

21 of 1946,
s. 5.

(7) This section shall not apply—

21 of 1946,
s. 5.

(a) to the use of a vehicle for the purposes of funerals; or

(b) to the use of a vehicle for towing a disabled motor vehicle, or for removing goods from a disabled vehicle to a place of safety; or

(c) to the use of a vehicle for any purpose prescribed or the use for any purpose of a vehicle of any class or description so prescribed.

(8) If any person uses a goods vehicle in contravention of this section, he shall be guilty of an offence under this Ordinance.

21 of 1946,
s. 5.

85. (1) The Prescribed Authority under this Part of this Ordinance shall have power and be charged with the duty of granting goods transportation licences in respect of goods vehicles used for the purposes referred to in subsection (1) of section 84 of this Ordinance.

Powers of
Prescribed
Authority.
21 of 1946,
s. 5.

(2) Subject to the provisions of subsection (2) of section 88 of this Ordinance, goods transportation licences shall not, except with the prior approval in writing of the Governor in Council, be issued for the carriage of goods for hire or reward—

21 of 1946,
s. 5.

(a) in respect of more than four goods vehicles in the area between Georgetown and Rosignol, or

(b) in respect of more than three goods vehicles in the area between Vreed-en-Hoop and Parika.

21 of 1946,
s. 5.

(3) In this section the expressions "between Georgetown and Rosignol" and "between Vreed-en-Hoop and Parika" shall have the same meanings as they respectively have in the first schedule to this Ordinance.

First
schedule.

Procedure on
applications
for licences.
21 of 1946,
s. 5.

86. (1) A person applying for a goods transportation licence shall submit to the Prescribed Authority a statement in the prescribed form—

(a) containing, as respects motor vehicles proposed to be used under the licence which belong to the applicant or are in his possession under a hire-purchase agreement or which, if the application is granted, he intends to acquire or to obtain possession of under such an agreement, such particulars as may be prescribed, so, however, that the particulars shall not require vehicles subject to hire-purchase agreements to be distinguished from vehicles belonging to the applicant,

(b) setting out the number and type of hired motor vehicles and of trailers proposed to be so used, and

(c) specifying the facilities for the transportation of goods intended to be provided by him under the licence for other persons, including particulars of the district within which, or the places between which, it is intended that the vehicles will normally be used for the purpose of carrying goods for hire or reward.

21 of 1946,
s. 5.

(2) A person applying for a goods transportation licence shall give to the Prescribed Authority any information which he may reasonably require with respect to the business as a carrier of goods for hire or reward carried on by the applicant any time before the making of the application and of the rates charged by the applicant, or of any agreement or arrangement affecting in any material respect the provision within any area of facilities for the transportation of goods for hire or reward, entered into by the applicant with any other person by whom such facilities are provided, whether within or without the area, or particulars of any financial interest whatever which any other person has in the business of the applicant.

Discretion of
Prescribed
Authority as
to grant or
refusal of
licences.
21 of 1946,
s. 5.

87. (1) The Prescribed Authority shall have full power in his discretion either to grant or to refuse an application for a goods transportation licence in respect of a goods vehicle to be used for hire or reward, and also in respect of a goods vehicle to be used for or in connection with any trade or business carried on by the applicant.

(2) The Prescribed Authority in exercising his discretion shall have regard primarily to the interests of the public generally, including those of persons requiring, as well as those of persons providing, facilities for transport.

21 of 1946,
s. 5.

88. (1) The period for which a goods transportation licence may be granted shall be for such period, not exceeding two years, as may be stated in the licence.

Duration of
licences.
21 of 1946,
s. 5.

(2) With a view to enabling goods vehicles to be used temporarily—

21 of 1946,
s. 5.

(a) for the purposes of a seasonal business, or

(b) for the purposes of the execution of a particular piece of work, or

(c) for any other purpose of limited duration,
a goods transportation licence may be granted for a period less than a year.

89. Every goods transportation licence shall be granted subject to the following conditions, namely, that—

Conditions
of licences.
21 of 1946,
s. 5.

(a) the licensed vehicles are maintained in a fit and serviceable condition;

(b) in relation to a goods vehicle licensed under the provisions of sections 84 to 94 inclusive, the applicant has complied with all the provisions of this Ordinance relating to the registration of motor vehicles, identification marks, and certificates of fitness, licence fees, licensing of drivers in respect of competence and otherwise;

(c) any provisions contained in any statute with respect to limits of speed and weight, laden or unladen, and the loading of goods vehicles, are complied with in relation to the licensed vehicles;

(d) the applicant upon the grant of a goods transportation licence shall operate only within the route or routes specified in the condition;

(e) freight rates shall not exceed such rates as may be prescribed, and if no rates are prescribed, the freight rates shall be reasonable; and

(f) any other prescribed condition shall be observed;

and all these conditions shall be endorsed on every goods transportation licence granted by the Prescribed Authority.

90. (1) Subject to the provisions of this section any person who fails to comply with any condition of a goods transportation licence held by him shall be guilty of an offence under this Ordinance.

Penalty for
non-compliance with
conditions of
licence.
21 of 1946,
s. 5.

21 of 1946,
s. 5.

(2) Notwithstanding that a vehicle is a licensed goods vehicle, the conditions of the licence shall not apply while the vehicle is being used for any purpose for which it might lawfully be used without the authority of a goods transportation licence.

Application
of sections
64 and 66.
21 of 1946,
s. 5.

91. In relation to sections 84 to 94 inclusive of this Ordinance, the provisions of sections 64 and 66 of this Ordinance shall take effect as if for the words "road service licence" therein there were substituted the words "goods transportation licence."

Records to
be kept by
licensee.
21 of 1946,
s. 5.

92. The holder of a goods transportation licence shall—

(a) keep or cause to be kept current records showing such particulars as may be prescribed, and he shall preserve every such record for a period of one year commencing on the date on which the record is made and for such further period, not exceeding six months, as may be required by the Prescribed Authority;

(b) if required by the Prescribed Authority, or by any person authorised in that behalf by the Prescribed Authority, produce any record for the inspection of the Prescribed Authority or of the person so authorised.

Transfer of
goods trans-
portation
licences.
21 of 1946,
s. 5.

93. A goods transportation licence shall not be capable of being transferred or assigned except with the approval of the Prescribed Authority.

Power to
appoint
Advisory
Board.
21 of 1946,
s. 5.
Order 49 of
1953.

94. (1) It shall be lawful for the Minister charged by the Governor with the responsibility for motor vehicles licensing and road transport to appoint a Board consisting of five fit and proper persons to advise the Prescribed Authority in respect of all matters and things connected with road service, hire car and goods transportation licences and other matters relating to the provisions of this Part of this Ordinance.

21 of 1946,
s. 5.

(2) The Board, its functions and its proceedings shall be subject to such provisions as may be prescribed.

Exclusive
goods trans-
portation
licence.
21 of 1946,
s. 5.

95. (1) Notwithstanding anything contained in this Part of this Ordinance, it shall be lawful for the Governor in Council to grant to any person or body of persons an exclusive goods transportation licence in respect of any area or route in the Colony upon such terms and conditions as may be specified therein and subject to the provisions of this Ordinance and of any regulations made hereunder.

21 of 1946,
s. 5.

(2) Any such licence shall commence to operate on a day to be specified therein and after that day it shall not be lawful

for any person other than the licensee to operate a goods vehicle in any part of the area or route specified in the exclusive licence for the purpose of carrying goods for hire or reward:

Provided that any goods vehicle operating outside the area or route specified in any such exclusive licence may traverse any part of that area or route solely for the purpose of receiving goods to be transported outside, or of delivering goods brought from outside, the said area or route.

(3) If any person contravenes any of the provisions of this section he shall be guilty of an offence and on conviction thereof under the Summary Jurisdiction Ordinances, shall be liable to a fine not exceeding two hundred and forty dollars.

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s. 5.

96. For the avoidance of doubt, it is hereby declared that this Part of this Ordinance shall apply to motor buses, hire cars and goods vehicles in the City of Georgetown and the Town of New Amsterdam, anything contained in the Georgetown Town Council Ordinance or the New Amsterdam Town Council Ordinance or in any by-law, regulation or other enactment in force thereunder to the contrary notwithstanding.

Application
of Part VIII
to George-
town and
New
Amsterdam.
21 of 1946,
s. 5.
Cap. 152.
Cap. 161.

97. The Prescribed Authority for the purposes of this Part of this Ordinance shall be the Licensing Authority under this Ordinance, and the provisions of Part I of this Ordinance shall, *mutatis mutandis*, apply to proceedings and licences under this Part of this Ordinance.

Prescribed
Authority
for the
purposes of
Part VIII.
21 of 1946,
s. 5.

PART IX.—GENERAL.

98. (1) The fees specified in the first schedule to this Ordinance shall be payable to the Licensing Authority in respect of the several matters to which they are applicable.

Fees.
First
schedule.

(2) All fees received by the Licensing Authority shall be paid to the Financial Secretary on account of the general revenue of the Colony.

(3) The Governor in Council may by regulation amend, vary, add or revoke any of the provisions of the first schedule to this Ordinance:

First
schedule.

Provided that a regulation made under this subsection shall be of no effect unless and until approved by a resolution passed by the Legislative Council.

99. (1) The Governor in Council may by order for the purpose of giving effect to any convention for facilitating the international circulation of motor vehicles provide—

International
circulation of
motor
vehicles.

(a) for the grant and authentication of any travelling passes, certificates or authorities which may be of use to persons resident in the Colony 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 Ordinance and regulations made thereunder relating to the registration of motor vehicles, the licensing of motor vehicles and the licensing of motor vehicle drivers in case of motor vehicles brought temporarily into the Colony by persons resident abroad, and intending to make only a temporary stay in the Colony, and of drivers entering the Colony for the purpose of driving any such vehicles.

(2) Any modifications of this Ordinance, or the regulations made thereunder, made by an order in council under this section shall have effect as if they were contained in and formed Part of this Ordinance or the regulations.

(3) Any order made under this section may at any time be varied or revoked by a subsequent order.

Method of calculating weight.

100. For the purposes of this Ordinance, the weight unladen of any motor vehicle shall be taken to be the weight of the vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road, but exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle, and of loose tools and loose equipment.

Recovery of damage to road or bridge.

101. (1) If by reason of an offence against this Ordinance any injury is caused to any road, or bridge, the road authority may cause such injury to be made good, and may, either before or after the injury is made good, recover the estimated or actual cost thereof from the owner of the motor vehicle by the use of which the offence was committed.

(2) A certificate under the hand of any person duly authorised by the authority in that behalf, of the amount of the cost of making good such injury, shall, without proof of his signature, be *prima facie* evidence of the amount payable by the owner of the vehicle.

Silent zones.

102. The Licensing Authority with the approval of the Governor in Council may by order declare that from and after a date to be fixed by such order no horn or other warning device shall be sounded during such hours, or at or within such place or area of any municipal area as may be specified in the order.

103. (1) The Governor in Council may make regulations for any purpose for which regulations may be made under this Ordinance and for prescribing anything which may be prescribed under this Ordinance, as to the use of motor and other vehicles and trailers on roads, their construction and equipment and the conditions under which they may be used and generally for the purpose of carrying this Ordinance into effect, and in particular, but without prejudice to the generality of the foregoing provisions, may make regulations with respect to any of the following—

Power
make
regulations.

(i) the forms of registers to be kept and other forms to be used and the particulars to be furnished under this Ordinance;

(ii) applications for registration, applications for and the issue of licences and certificates;

(iii) for facilitating the identification of holders of licences and certificates;

(iv) for the use of motor vehicles under a dealer's general licence and for the keeping by the dealer of records pertaining to the use of such vehicles;

(v) the custody, production and cancellation on revocation or expiration of licences and certificates and the return to the Licensing Authority or Prescribed Authority of licences and certificates which have become void, or have been revoked;

(vi) the duties and powers of certifying officers in regard to the inspection of motor vehicles and trailers;

(vii) the documents, plates and licence holders to be carried by motor vehicles and the manner in which they are to be carried;

(viii) the particulars to be marked on motor vehicles and trailers;

(ix) the appliances to be fitted for signalling the approach of a motor or other vehicle, or enabling the person in charge of a vehicle to become aware of the approach of another vehicle from the rear, or for intimating any intended change of speed or direction of a vehicle and the use of any such appliance, and for securing that they shall be efficient and kept in proper working order;

(x) the form of identification marks to be fixed on motor vehicles and trailers and the sizes and colour of the letters and numbers and the manner of displaying such marks;

(xi) the number, nature, and use of brakes on motor and other vehicles, and for securing that brakes and steering

gear shall be efficient and kept in proper working order, and for empowering persons authorised by or under the regulations to test and inspect either on a road or, subject to the consent of the owner of the premises on any premises where the vehicle is, any such brakes or steering gear;

(xii) for controlling the number, position, and kind of lights to be carried on motor and other vehicles and trailers and the hours during which they are to be kept alight, and regulating their use;

(xiii) the conditions under which reflectors in lieu of lights may be used and carried on the rear of vehicles;

(xiv) the towing of or drawing of vehicles by motor vehicles;

(xv) the overall width, height, and length of motor vehicles and trailers and the load carried thereon, the diameter of wheels and the size, nature and condition of tyres, of motor vehicles and trailers; either generally or in relation to any specified roads;

(xvi) for limiting the dimensions of vehicles, other than motor vehicles, for use on roads and for controlling the loads that may be carried thereon;

(xvii) the maximum load carried and the weight unladen of any motor or other vehicle or trailer and the maximum weight to be transmitted to the road or any specified area thereof by a motor or other vehicle or trailer or by any part or parts of such a vehicle or trailer in contact with the road and the conditions under which such weights may be required to be tested;

(xviii) for prescribing the conditions subject to which, and the times at which, articles of exceptionally heavy weight or exceptionally large dimensions may be carried by road;

(xix) conditions governing the use on roads of special motor vehicles or trailers, or special types of motor vehicles or trailers;

(xx) for regulating the relative position in the roadway of traffic of differing speeds or types;

(xxi) the precedence of vehicles and pedestrians respectively and generally with respect to the movement of traffic at and in the vicinity of crossings and the erection of traffic signs in connection therewith;

(xxii) the emission of smoke or visible vapour;

(xxiii) excessive noise owing to the design or condition of motor and other vehicles, or the loading thereof; or unreasonable or unnecessary noise caused by the use of signalling appliances;

(xxiv) the determination of the number of passengers a hire car or motor bus is adapted to carry and the number who may be carried;

(xxv) the carriage of luggage or goods on hire cars or motor buses;

(xxvi) the safe custody and re-delivery or disposal of any property accidentally left in a hire car or motor bus and fixing the charges made in respect thereof;

(xxvii) the equipment to be carried by a hire car or motor bus;

(xxviii) authorising the removal from a hire car or motor bus of any person infringing the regulations by the driver or conductor of the vehicle or on the request of the driver or conductor by any police constable;

(xxix) requiring a passenger in a hire car or motor bus who is reasonably suspected by the driver or conductor thereof of contravening the regulations to give his name and address to a police constable or to the driver or conductor upon demand;

(xxx) requiring a passenger to declare, if so requested by the driver or conductor, the journey he intends to take or has taken in the vehicle, and to pay the fare for the whole of such journey and to accept any ticket provided therefor;

(xxxi) requiring, on demand being made for the purpose by the driver or conductor or other person authorised by the licensee of the vehicle, production during the journey and surrender at the end of the journey by the holder thereof of any ticket issued to him;

(xxxii) requiring a passenger, if so requested by the driver or conductor, to leave the vehicle on the completion of the journey the fare for which he has paid;

(xxxiii) requiring the surrender by the holder thereof on expiry of the period for which it is issued of a ticket issued to him;

(xxxiv) the badges and uniforms to be worn by drivers and conductors of motor buses and as to the custody, production and return of badges and plates;

(xxxv) the conduct, cleanliness and dress of persons licensed to act as drivers and conductors of motor buses and drivers of hire cars and the conduct of passengers carried in such vehicles;

(xxxvi) the conditions under which motor buses may be used in any unauthorised area or route on special occasions for the conveyance of private parties;

(xxxvii) for providing special facilities for granting certificates and licences to persons not resident in the Colony, and for dispensing in the case of any such persons with the requirements of this Ordinance with respect to registration and driving licences;

(xxxviii) requiring all or any specified class of motor vehicles when used on roads either generally or in any specified area or on any specified route to have affixed thereto a device known as a suppressor and intended to eliminate or reduce interference with broadcast receiving apparatus;

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(xxxix) the tariff of fares to be charged for the carrying of passengers in any motor bus or hire car licensed to operate under this Ordinance and the provisions of penalties for the refusal to pay, or the evasion of payment of, any such fare;

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(xl) the quantity of luggage which shall be carried in any motor bus or hire car licensed to operate under this Ordinance without any additional charge and the scales of payment for luggage over and above that quantity;

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(xli) the conduct of passengers in, and of drivers of, any motor bus or hire car operating under a licence granted under this Ordinance;

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(xlii) the forms to be used, and the particulars to be furnished, for the purposes of sections 77 to 97 inclusive of this Ordinance;

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(xliii) the procedure on applications for, and the determination of questions in connection with, the grant of goods transportation licences, for suspending or revoking the same and for making appeals to the Governor in Council;

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s. 6.

(xliv) the issue of licences under Part VIII of this Ordinance and the issue of copies in the case of the loss or destruction thereof; and

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s. 6.

(xlv) any other matter which may be necessary for the purpose of carrying the provisions of sections 77 to 97 inclusive of this Ordinance into effect.

(2) Any regulations made by the Governor in Council under this Ordinance shall be laid before the Legislative Council as soon as may be after they are made, and if a resolution is passed by the Legislative Council within the next subsequent twenty-eight days on which the Council has sat after any such regulation is laid before it that the regulation shall be annulled, it shall thenceforth be void, but without prejudice to the validity of

anything previously done thereunder or to the making of a new regulation.

(3) In any regulation made under the provisions of this Ordinance there may be attached thereto for any breach thereof a penalty not exceeding one hundred dollars.

104. All orders made by the Licensing Authority or by a local authority shall be published in the Gazette and in one or more newspapers and may at any time be varied or revoked by a subsequent order.

Publication of orders of Licensing Authority.

105. Any authority or person having power to issue any certificate or licence under this Ordinance shall, on proof to its or his satisfaction that such certificate or licence has been lost or destroyed, and on payment of the prescribed fee, issue a copy of the certificate or licence to the person entitled thereto.

Duplicate licences and certificates.

106. Whoever fraudulently imitates, alters, mutilates, destroys, or uses, or fraudulently lends or allows to be used by any other person any identification mark, motor vehicle licence, certificate of fitness, certificate of registration, or any driver's or conductor's licence issued or deemed to have been issued under this Ordinance shall be guilty of an offence.

Fraudulent imitation, etc., of documents.

107. If any person in or in connection with an application for a motor vehicle licence or the registration of a motor vehicle, or a driving licence or the endorsement of such a licence or a conductor's licence, or any change or variation in a motor vehicle licence or the registration of a motor vehicle or in giving any information lawfully demanded or required under this Ordinance or any regulations made thereunder makes any statement which to his knowledge is false, or in any material respect misleading, he shall be guilty of an offence, and shall, on summary conviction, be liable to a fine not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

Giving false information.

108. (1) Every person who takes and drives away any motor vehicle without having either the consent of the owner thereof or other lawful authority shall be liable—

Taking motor vehicle without owner's consent or other authority to be an offence.

(a) on summary conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred and fifty dollars;

(b) on conviction on indictment, to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both such imprisonment and fine:

Provided that, if in summary proceedings under this section the court is satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(2) If on the trial of any indictment for stealing a motor vehicle the jury are of opinion that the defendant was not guilty of stealing the motor vehicle but was guilty of an offence under this section, the jury may find him guilty of an offence under this section and thereupon he shall be liable to be punished accordingly.

(3) Where a person is convicted under this section the court, in addition to any punishment inflicted, may order the person convicted to pay to the owner of the vehicle such sum as in the opinion of the court is fair compensation in respect of the use of and any damage done to the vehicle. Any sum ordered to be paid for compensation under this subsection shall be deemed to be a judgment debt and payment thereof shall be enforceable accordingly. An order for compensation shall be a bar to any action to recover damages in respect of the same transaction.

Onus of
proof as to
use of motor
vehicle.

109. (1) In all proceedings under the provisions of this Ordinance every motor vehicle and trailer shall be deemed to be kept for use on a road until the contrary is proved by the owner of the vehicle.

(2) In any proceedings under the provisions of this Ordinance a certificate under the hand of a licensing officer or a certifying officer that on a specified date a person was not the holder of any specified licence or certificate under the provisions of this Ordinance shall be sufficient evidence of the fact.

Power to
convict for
reckless or
dangerous
driving.

110. Upon the trial of a person who is indicted for manslaughter in connection with the driving of a motor vehicle by him, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under section 36 of this Ordinance to find him guilty of that offence, whether or not the requirements of section 45 of this Ordinance have been satisfied as respects that offence, and any person so convicted shall be liable to imprisonment for a term not exceeding twelve months.

111. (1) Where a person is charged before a court of summary jurisdiction with an offence under section 36 of this Ordinance and the court is of the opinion that the offence is not proved, then, at any time during the hearing or immediately thereafter, the court may, without prejudice to any other powers possessed by the court, direct or allow a charge for an offence under section 37 of this Ordinance to be preferred forthwith against the defendant and may thereupon proceed with that charge, so however that he or his 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 court shall, if it considers that the defendant is prejudiced in his defence by reason of the new charge being so preferred, adjourn the hearing.

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

(2) A defendant in whose case the requirements of section 45 of this Ordinance have been satisfied, or do not apply, as respects the alleged offence under section 36 of this Ordinance may be convicted on a charge preferred under the preceding subsection, notwithstanding that those requirements have not been satisfied as respects the alleged offence under section 37 of this Ordinance.

112. (1) If any person is charged with manslaughter arising out of the use of a motor vehicle or with contravening the provisions of section 36 of this Ordinance the Licensing Authority may, with the approval of the Attorney General, order the suspension of the driving licence of the person so charged pending the determination of the charge.

Temporary suspension of driving licence.

(2) Any driving licence so suspended shall on demand by any police constable be surrendered to the police constable who shall forthwith forward the same to the clerk of the court before which the person so charged is to appear.

113. (1) All offences under this Ordinance (except where otherwise provided) or under the regulations shall be prosecuted under the Summary Jurisdiction Ordinances.

Prosecutions and penalties for offences.

(2) Any person who contravenes or fails to comply with the provisions of any order made by the Licensing Authority or by a local authority for which no special penalty is provided shall be guilty of an offence and shall, on summary conviction, be liable in the case of a first conviction to a fine not exceeding twenty-five dollars, and in the case of a second or subsequent conviction, to a fine not exceeding fifty dollars.

(3) Any person who fails to comply with any of the provisions of this Ordinance shall be guilty of an offence and a person guilty of an offence under this Ordinance for which no special penalty is provided shall, on summary conviction, be liable to a fine not exceeding one hundred dollars.

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

114. The provisions of sections 35, 42, 58 and 102 of this Ordinance shall not apply to any motor vehicle on any occasion 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 that vehicle for the purpose for which it is being used on that occasion.

Liability at Common Law.

115. Nothing in this Ordinance shall affect any liability of the driver or owner of a motor vehicle by virtue of any Ordinance or at Common Law.

In the event of a conflict of laws the provisions of this Ordinance to prevail.

116. Whenever the provisions of this Ordinance are in conflict with the provisions of any other Ordinance relating to the control of vehicles and road traffic the provisions of this Ordinance shall prevail.

Repeal. Third schedule.

117. The enactments mentioned in the second column of the third schedule to this Ordinance are hereby repealed to the extent specified in the third column thereof:

Provided that all regulations* and directions made under any enactment hereby repealed and in force at the commencement of this Ordinance shall continue in operation in so far as they are not inconsistent with the provisions of this Ordinance until they have been revoked by regulations or orders made under this Ordinance.

ss. 17 and 98.

FIRST SCHEDULE.

(As amended by 6 of 1941 and 52 of 1950.)

A.—LICENCE FEES IN RESPECT OF VEHICLES.

1. For each motor cycle whether kept for the purpose of private use, trade or hire shall be at the rate of—	\$
(a) having two wheels and not exceeding 200 lbs.	5.00
(b) having two wheels and exceeding 200 lbs.	10.00
(c) having three wheels	12.00
2. For each side car or van attached to a two-wheeled motor cycle	2.00

*All such regulations (but not directions) have been revoked by Regulations 31 of 1948.

3.	For each motor car used solely for private purposes—	\$
	(a) not exceeding 2,240 lbs.	27.00
	(b) exceeding 2,240 lbs. and not exceeding 3,000 lbs. ...	40.00
	(c) exceeding 3,000 lbs.	55.00

4.	For each hire car—	
	(i) where, in the opinion of the Licensing Authority the hire car is similar in construction and design to the vehicle known as the "station waggon," plying for hire—	
	* (a) between Georgetown and Rosignol or between Vreed-en-Hoop and Parika	150.00
	(b) elsewhere in the Colony	100.00
	(ii) not classified under (i)—	
	(a) not exceeding 2,240 lbs.	37.00
	(b) exceeding 2,240 lbs. but not exceeding 3,000 lbs. ...	50.00
	(c) exceeding 3,000 lbs.	65.00
5.	For each trailer used in connection with a motor car—	
	(a) having two wheels	10.00
	(b) having more than two wheels	20.00

Provided that—

- (a) the Governor in Council may, by order, define districts in which the fee shall be one-half of the appropriate amount set out above;
- (b) no licence shall be required for any two-wheeled motor cycle used on official duty with the Chief Secretary's sanction where no maintenance allowance for that motor cycle is granted by the Government.

†6.	(i) For any goods vehicle for hire in Georgetown—	
	(a) not exceeding 10 cwt. payload	75.00
	(b) exceeding 10 cwt. and not exceeding 2 tons payload ...	100.00
	(c) exceeding 2 tons payload	200.00
	(ii) between Georgetown and Rosignol or Vreed-en-Hoop and Parika	500.00
	Elsewhere in the Colony	200.00

Any goods vehicle for hire licensed for any district under this item may be used in any other district solely for the purpose of removing or towing any damaged or disabled vehicle from any place to any other place.

†7.	(i) For any goods vehicle for trade purposes in Georgetown and elsewhere in the Colony, except between Georgetown and Rosignol or Vreed-en-Hoop and Parika—	
	(a) not exceeding 10 cwt. payload	30.00
	(b) exceeding 10 cwt. and not exceeding 2 tons payload ...	50.00
	(c) exceeding 2 tons payload	120.00
	(ii) between Georgetown and Rosignol or Vreed-en-Hoop and Parika—	
	(a) not exceeding 10 cwt. payload	120.00
	(b) exceeding 10 cwt. payload	300.00

All fees for Georgetown for goods vehicles for trade or hire purposes shall cover an area up to and including Turkeyen, east coast, Demerara.

	Any goods vehicles for trade purposes licensed to be kept for use "elsewhere in the Colony" may be used for the carriage to Georgetown (and thence back) of any machinery or part thereof belonging to the licensee of such vehicle for the sole purpose of being replaced, repaired or altered, and the onus of proof of the ownership of such machinery or part thereof or of the purpose for which the vehicle is being used shall be on the licensee.	\$
8.	(i) For any trailer in Georgetown or New Amsterdam—	
	(a) for trade	20.00
	(b) for hire	40.00
	(ii) between Georgetown and Rosignol or Vreed-en-Hoop and Parika—	
	(a) for trade	150.00
	(b) for hire	250.00
	For any trailer fitted with tyres other than pneumatic tyres the fee shall be twice the appropriate amount set out above.	
9.	For any agricultural tractor or trailer used between plantations, lots or farms under cultivation in connection with the transfer of any agricultural machinery or appliance from one plantation, lot or farm to another	2.00
10.	For any goods vehicle kept for use within the bounds of any village district or plantation or within twelve miles of such village or plantation in the areas between Georgetown and Rosignol or Vreed-en-Hoop and Parika, where such vehicle neither delivers nor receives goods at either of the termini of these areas except at a railway station for conveyance or after conveyance by rail—	
	(i) for trade—	
	(a) not exceeding 10 cwt.	60.00
	(b) exceeding 10 cwt.	120.00
	(ii) for hire—	
	of any capacity	150.00
11.	For any motor hearse	20.00
12.	Any goods vehicle for trade purposes used only for the conveyance of milk... ..	60.00
13.	Any goods vehicle not exceeding 5 cwt. and used solely for the servicing of equipment or machinery	60.00
14.	Any motor car used by a huckster in connection with his trade or business anywhere in the Colony	120.00
15.	Any vehicle constructed or adapted and used solely for the purposes of broadcasting anywhere in the Colony	60.00
16.	Any mechanically propelled crane, hoist, compressor, bulldozer or similar vehicle used in connection with construction, which is not in itself designed or constructed to carry any load other than loose tools and equipment	10.00

17.	Any motor tank waggon, used by any petroleum dealer in connection with the conveyance of oil, gasolene or petroleum spirit of any kind—	\$
	(a) between Georgetown and Rosignol or Vreed-en-Hoop and Parika	300.00
	(b) elsewhere in the Colony	120.00
18.	Any articulated vehicle used in the haulage of any goods, merchandise, machinery or building material of any kind or description whatsoever—	
	(i) for trade—	
	(a) in Georgetown or New Amsterdam	120.00
	(b) elsewhere in the Colony	180.00
	(ii) for hire—	
	in Georgetown and elsewhere in the Colony	200.00
19.	For any motor bus for hire—	
	(i) seating not more than 14 persons (including the driver) used—	
	(a) in Georgetown	75.00
	(b) between Georgetown and Rosignol or Vreed-en-Hoop and Parika	200.00
	(c) elsewhere in the Colony	100.00
	(ii) seating more than 14 persons (including the driver) used—	
	(a) in Georgetown	120.00
	(b) between Georgetown and Rosignol or Vreed-en-Hoop and Parika	400.00
	(c) elsewhere in the Colony	200.00
	All fees for Georgetown for motor buses for hire purposes shall cover an area up to and including Turkeyen, east coast, Demerara.	
20.	For any motor bus used solely for private purposes—	
	(a) between Georgetown and Rosignol or Vreed-en-Hoop and Parika	200.00
	(b) elsewhere in the Colony	100.00

Provided that—

- (a) no articulated vehicle shall be granted a licence to operate between Georgetown and Rosignol or Vreed-en-Hoop and Parika;
- (b) no licence fee shall be payable in respect of any invalid carriage;
- (c) no fee shall be charged for any motor vehicle or trailer kept for use exclusively on any road or trail—
 - (i) beyond Hyde Park on the Demerara river and the tributaries thereof;
 - (ii) beyond Bartica and the Essequibo and Mazaruni rivers and the tributaries thereof;
 - (iii) in any district defined by the Governor in Council by order;
- (d) no licence shall be required for any motor vehicle or trailer, if used only within the bounds of any sugar cane plantation, wood-cutting grant, cattle farm,

- lot or farm under cultivation, cocoa estate, rubber estate, private grant, mining or placer claim; and
 (e) in addition to the licence fee prescribed under items 6 and 7 there shall be paid a fee of one hundred and eighty dollars on any goods vehicle for hire or for trade purposes the motive power of which is derived from oil or spirit fuel, other than petroleum spirit as defined in any Customs Duties Ordinance for the time being in force.

B.—OTHER FEES.

Section	Description	\$
Section 5.	For registration—	
	of motor cycle	0.50
	of other motor vehicles	1.00
	of trailer	0.50
	For copy of entry in motor vehicles register	0.50
Section 9.	For transfer of registration—	
	of motor cycle	0.50
	of other motor vehicles	1.00
	of trailer	0.50
Section 14.	For certificate of fitness—	
	for examination of two-wheeled motor cycle	0.24
	for examination of motor car or three-wheeled motor cycle	0.50
	for examination of hire car or motor bus	2.00
	for examination of other motor vehicles or trailer	1.00
Section 22.	For dealer's general licence	20.00
	For each dealer's general identification mark	1.00
Section 26.	For learner's provisional licence	0.50
Section 27.	For driver's test of competence	1.00
Section 29.	For driver's licence	1.00
Section 76.	For conductor's licence	1.00
Section 79.	For licence to drive a hire car	1.00
	(For any period not exceeding seven days)	
Section 79.	For the issue of an identification mark for a hire car being used in the manner contemplated by section 79 (1)... ..	5.00
	This fee shall be refunded upon the return of the identification mark to the licensing officer.	
Section 105.	For duplicate licence or certificate	0.50

For the purposes of this schedule—

*“between Georgetown and Rosignol” means any part of the main road between the eastern boundary of Kitty Village and the railway crossing at Rosignol in Berbice;

*“between Vreed-en-Hoop and Parika” means the main road between Vreed-en-Hoop in the county of Demerara and the railway crossing at Parika in the county of Essequibo, except that portion

extending from Vreed-en-Hoop stelling to the junction of this road with the main road running up the west bank, Demerara river;

†“ goods vehicle for hire ” means a vehicle used by the owner for the carriage of goods of any description for other persons for reward;

‡“ goods vehicle for trade purposes ” means a vehicle used by the owner for the purpose of the carriage of goods in the course of his own business, or for the delivery of goods to his customers; and

‡“ vehicle ” means a motor vehicle, other than a motor car.

SECOND SCHEDULE.

(As amended by 26 of 1950.)

s. 35.

LIMIT OF SPEEDS.

Class or description of vehicle.	Miles per hour. Maximum speed.
1. Motor cars, hire cars and motor cycles in the City of Georgetown or town of New Amsterdam	20
2. Motor buses in the City of Georgetown or town of New Amsterdam	15
3. Motor cars, hire cars and motor cycles, elsewhere than in 1	35
4. Motor cars, hire cars and motor cycles when driven anywhere in the Colony by the holder of a provisional licence	20
5. Motor buses, elsewhere than in 2	20
6. Motor lorries in the City of Georgetown or town of New Amsterdam—	
(a) not drawing a trailer	15
(b) drawing a trailer	10
Motor lorries elsewhere in the Colony—	
(a) not drawing a trailer	20
(b) drawing a trailer	15
7. Motor tractors—whether drawing a trailer or not ...	10
8. Other motor vehicles in the City of Georgetown or town of New Amsterdam—	
(a) not exceeding 14 horse power Royal Automobile Club rating	20
(b) exceeding 14 horse power Royal Automobile Club rating	15
Other motor vehicles elsewhere in the Colony—	
(a) not exceeding 14 horse power Royal Automobile Club rating	30
(b) exceeding 14 horse power Royal Automobile Club rating	20

Provided that the Licensing Authority with the approval of the Governor in Council, may fix the maximum speed of any class of vehicle in any village and such limit may be indicated by notice in such manner as the Licensing Authority may decide.

For the purposes of this schedule, Georgetown shall be that area bounded on the north by the Atlantic Ocean, on the west by the Demerara river, on the south by the northern boundary of Plantation Houston and on the east by the eastern boundary of Plantation Kitty and the prolongation of the line of such eastern boundary in a southerly direction until the same meets the northern boundary of Plantation Houston.

s. 117.

THIRD SCHEDULE.
ENACTMENTS REPEALED.

Chapter or No.	Short title.	Extent of repeal.
No. 43 of 1932 Cap. 13 of the 1929 Edition	The Motor Vehicles Ordinance, 1932 ... The Summary Jurisdiction (Offences) Ordinance	The whole. *Sections 159 (and the words "Traffic and" in the heading thereto), 160, 161, 162, all the words in section 163 after the words "fifty-eight" and section 164, as enacted by section 6 of the Summary Jurisdiction (Offences) (Amendment) Ordinance, 1937.
No. 39 of 1929	The Miscellaneous Licences Ordinance, 1929	†Section 4.
No. 28 of 1931	The Miscellaneous Licences (Amendment) Ordinance, 1931	†Section 3.

*The numbering of sections is that in the 1929 Edition.
†Original numbering.