



TURKS AND CAICOS ISLANDS

CHAPTER 13.01
ROAD TRAFFIC ORDINANCE
and Subsidiary Legislation

Revised Edition
showing the law as at 31 March 2021

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance.

This edition contains a consolidation of the following laws—

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CHAPTER 13.01

ROAD TRAFFIC ORDINANCE

*(Ordinances 16 of 1998, 3 of 2000, 1 of 2003, 4 of 2004,
6 of 2007, 30 of 2011, 16 of 2018 and 13 of 2019)*

AN ORDINANCE TO CONSOLIDATE THE LAW RELATING TO ROAD TRAFFIC.

*Commencement

*[15 September 1999 – Part IV & s. 62
22 October 1999 – Parts I–III, V–IX (except ss. 26–34, 47 and 51 – 57)
25 June 2000 – ss. 47, 51, 52 and 54 – 57
2 July 2018 - ss. 26–34]*

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the Road Traffic Ordinance.

Interpretation

2. In this Ordinance—

“class” includes description;

“Commissioner” means the Commissioner of the Royal Turks and Caicos Islands Police Force;

“community cab” means a motor vehicle constructed and used for the carriage of not more than five passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to carry passengers on a fare paying basis or by private arrangement; *(Inserted by Ord. 16 of 2018)*

“dealer” means a person who stocks motor vehicles or trailers for sale or carries on business as a repairer of motor vehicles or trailers;

“Director” means the Director of Road Safety and Transportation;

“driver’s licence” includes a provisional driver’s licence;

“Governor” means Governor in Cabinet;

* Note: The section numbers inside the square brackets refer to the sections in the revised Ordinance. They were renumbered by the Law Revision of 2009 from the section numbers referred to in the historical notes on the cover page of the Ordinance. Please note that section 25 (Causing death by dangerous driving), which was renumbered from section 24 in the 2009 Revision, came into force on 22 October 1999.

- “luxury motor vehicle” means a motor vehicle such as a Denali, Suburban, Lincoln Town Car or like motor vehicle that, in the Director’s discretion, qualifies as a luxury motor vehicle; *(Inserted by Ord. 30 of 2011)*
- “minibus” means a motor vehicle constructed and used for the carriage of seven to ten passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to carry passengers on a fare paying basis or by private arrangement; *(Inserted by Ord. 16 of 2018)*
- “Minister” means the Minister for the time being responsible for road traffic;
- “motor vehicle” means any mechanically propelled vehicle manufactured or adapted for use on roads;
- “omnibus” means a motor vehicle constructed and used for the carriage of eleven or more passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to carry passengers on a fare paying basis or by private arrangement; *(Amended by Ord. 16 of 2018)*
- “owner”, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement;
- “passenger” does not include the driver of a motor vehicle;
- “prearranged transfer” means a journey by a passenger between any airport or dock and any hotel, resort, or guest house at which the passenger proposes to spend the next night, or between any hotel, resort or guest house at which the passenger has spent the previous night and any airport or dock, being a journey which has been arranged by or on behalf of that passenger before the journey occurs; *(Inserted by Ord. 30 of 2011)*
- “prescribed” means prescribed by this Ordinance or by regulations made under this Ordinance;
- “private charter” means a motor vehicle constructed and used for the carriage of 20 or more passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to transport passengers for hire or reward on sightseeing tour or on prearranged transfer; *(Inserted by Ord. 30 of 2011)*
- “private transfer vehicle (reserved)” means a luxury motor vehicle constructed and used for the carriage of not more than 10 passengers or a stretch-out limousine which, when in the control of a person holding a valid licence under Part IV, is permitted to carry passengers for hire or reward or on prearranged transfer; *(Inserted by Ord. 30 of 2011)*
- “private transfer vehicle (resort)” means a luxury motor vehicle constructed and used for the carriage of not more than seven persons which is licensed to a specified hotel or resort and which, when in control of a person holding a valid licence under Part IV, is permitted to provide complimentary transportation to guests of that hotel or resort from or to any airport or dock or between hotels or resorts belonging to the same group or under the same management; *(Inserted by Ord. 30 of 2011)*

“public place” means any place to which the public has access as of right or upon payment or upon invitation express or implied;

“public service vehicle” means—

- (a) a community cab;
- (b) a minibus;
- (c) an omnibus;
- (d) a taxi;
- (e) a private transfer vehicle(reserved);
- (f) a private transfer vehicle(resort); or
- (g) a private charter;

(Substituted by Ord. 16 of 2018)

“road” means any public place where a vehicle may be driven or parked and such areas adjacent thereto as may be prescribed;

“stretch-out” means a conventional motor vehicle which has been elongated to increase the seating capacity to a maximum of eleven persons; *(Inserted by Ord. 30 of 2011)*

“taxi-cab” means a motor vehicle designed or adapted for the carriage of not more than 10 passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to stand or ply for casual hire for the conveyance of passengers and their personal luggage;

“taxi” means a motor vehicle constructed and used for carriage of not more than ten passengers which, when in the control of a person holding a valid licence under Part IV, is permitted to carry passengers on a fare paying basis or by private arrangement; *(Inserted by Ord. 16 of 2018)*

“taxi-cab or omnibus rank” means a place designated as such by the Director under section 21;

“traffic sign” means an object or device (whether fixed or portable) for conveying to road users on a road warnings, information, requirements, restrictions or prohibitions of any description, and includes road markings and a reference to the erection or placing of a traffic sign includes a reference to the display thereof in any manner whatsoever (whether or not involving fixing or placing);

“traffic signal” means a device by which illuminated signals in red, green or amber, or combinations of any two such colours, are intermittently displayed above a road or at the centre or side of a road at an intersection or junction or other place where it is desired to control traffic, in conjunction with a metallic or white line drawn at right angles to the centreline of the road in the path of vehicles approaching the said device and a reference to the erection or placing of a traffic signal includes a reference to the display thereof in any manner whatsoever (whether or not involving fixing or placing);

“trailer” means a vehicle (other than a caravan designed or adapted for human habitation) having no motive power which is designed to be drawn by a motor vehicle.

PART II

DIRECTOR OF ROAD SAFETY AND TRANSPORTATION

Director of Road Safety and Transportation

3. (1) There shall be a Director of Road Safety and Transportation, whose office shall be a public office and who shall be responsible, subject to the general control of the Minister, for the management and administration of the Department of Road Safety and Transportation and for the performance of the functions assigned to him under subsection (2); and there shall be such other officers under the supervision of the Director who shall assist the Director in performing his functions.

(2) The Director or any person appointed by him in that behalf shall—

- (a) inspect and test vehicles;
- (b) register motor vehicles and maintain the Register;
- (c) issue licences in respect of motor vehicles and drivers;
- (d) conduct driving tests; and
- (e) perform such other functions as may from time to time be prescribed.

PART III

VEHICLE REGISTRATION AND LICENSING

The Register

4. (1) The Director shall keep a Register containing a record of the following—

- (a) the name and address of the registered owner and registration number of all licensed motor vehicles;
- (b) the name and address of the holder and full particulars of every motor vehicle driver’s licence;
- (c) the name and address of the holder and full particulars of every licence for a motor vehicle;
- (d) the name and address of the holder and full particulars of every Test Certificate issued in relation to the testing of motor vehicles.

(2) Any person upon payment of the prescribed fee shall be entitled to be given a copy of any particulars referred to in subsection (1)(a).

(3) The contents of the Register shall for the purpose of all proceedings in any court be *prima facie* evidence of all information contained therein and extracts of the Register purporting to be certified as such by the Director or his delegate shall be receivable in evidence in any court.

Licensing and registration of motor vehicles

5. (1) Every motor vehicle or trailer imported into the Islands before being used otherwise on the road shall be taken from the point of importation direct to an inspector appointed under section 3(2)(a) (hereinafter referred to as a “vehicle inspector”), or direct to a warehouse, for examination, and no such vehicle shall be used further on the road otherwise than by a vehicle inspector for testing purposes until a vehicle inspector has certified the vehicle fit for use on the road and has issued in respect of the vehicle a prescribed certificate of roadworthiness. (Amended by Ord. 1 of 2003)

(2) Any person who uses or permits to be used on a road any motor vehicle or trailer for which any licence under this Part has not been issued or has expired commits of an offence.

(3) A person shall not be liable to a penalty for a breach of subsection (2) if he proves that he has taken all reasonable steps to comply with its requirements and, when the vehicle is in use on a road, that it is on its way for the purpose of being tested or of being registered.

(4) Application for registration of a motor vehicle shall be in the prescribed form and be accompanied by the relevant certificate of roadworthiness issued under subsection (1).

(5) The Director, on being satisfied that the provisions of the Motor Vehicles (Third Party Insurance) Ordinance have been complied with shall, on receipt of payment of the prescribed fee, register the motor vehicle by assigning it a serial registration number, recording the prescribed particulars in the register, and shall issue to the owner an identification plate and a licence in the prescribed form.

(6) A licence sticker shall be issued with every licence issued under this section and shall be affixed to and exhibited on the motor vehicle for which it is issued in the manner and position prescribed.

(7) If the specified use of the motor vehicle at any time changes from that for which it was licensed (except in the case of a public service vehicle being used by the owner, his wife or children for his, her or their personal use) such licence shall immediately become void.

(8) An identification plate of such size, shape and character as may be prescribed and bearing the registration number of the motor vehicle in letters and figures of such size and with such spacing as may be prescribed shall be fixed and at all times exhibited on the back and front of the motor vehicle in the manner and position prescribed. (Amended by Ord. 13 of 2019)

(9) If a motor vehicle does not have affixed to it an identification plate, this fact shall be regarded as *prima facie* evidence that the vehicle has not been

registered, and any police officer may detain that vehicle until enquiries have been made.

(10) Where a licence or identification plate is lost, destroyed or rendered illegible, the owner of the motor vehicle shall obtain from the Director a replacement licence or identification plate.

(11) The Governor may by regulations provide for the display on any trailer of the identification plate of the motor vehicle to which that trailer is attached.

(12) The onus of proving that a motor vehicle has been licensed rests upon the owner of the vehicle.

(13) A person shall not be registered as the owner of a motor vehicle unless he is at least seventeen years of age.

Expiry of licence

6. A licence issued under section 5 shall expire not later than—
- (a) the birthday of the owner of the motor vehicle or trailer occurring in the year after the date of issue of the licence;
 - (b) the anniversary of the date of the first registration of the company occurring in the year after the date of issue of the licence; or
 - (c) in the case of an owner other than an individual or a company, the end of the year commencing on the date of issue of the licence.
- (Inserted by Ord. 3 of 2000)*

Dealer's licence

7. (1) If a person who is registered as a motor vehicle dealer makes an application in the prescribed form to the Director that he may be entitled in lieu of taking out a licence for each motor vehicle kept by him to take out a dealer's licence in respect of all motor vehicles used by him the Director, on payment of the prescribed fee, may issue to him a dealer's licence.

(2) A dealer's licence shall authorise the dealer to use motor vehicles in the course of his trade or business as a motor vehicle dealer and for no personal or other reason whatsoever.

(3) Every dealer's licence shall be in the prescribed form.
(Amended by Ord. 3 of 2000).

(4) A dealer's licence shall not be transferable.

(5) A holder of a dealer's licence may hold more than one dealer's licence.

(6) The licence of a dealer which is a company shall expire on the anniversary of the date of the first registration of the company occurring in the year after the date of issue of the licence.

(7) The licence of a dealer which is not a company shall expire not later than the end of the year commencing on the date of issue of the licence.

Refusal to issue licence

8. (1) The Director may refuse to issue any licence referred to in this Part, giving at the same time his reasons for such refusal.

(2) A person to whom the Director has refused the issue of any such licence may appeal in the manner prescribed to the Minister whose decision shall be final.

Offences in relation to licences, plates and insurance

9. (1) If any person in his application for any licence or replacement of any licence under this Part misrepresents or withholds any material fact he commits an offence.

(2) If any person in respect of any licence under this Part—

- (a) forges, alters or defaces the same or uses or permits the same to be used by any other person;
- (b) makes, assists in the making of or has in his possession any document closely resembling the same; or
- (c) uses or permits the same to be used by any other person for any motor vehicle other than that for which the same has been issued,

he commits an offence.

(3) If any person—

- (a) uses or permits to be used a dealer's licence for any motor vehicle other than a motor vehicle being used under section 7(2);
- (b) uses or permits to be used a dealer's licence at any time for a greater number of vehicles than he is authorised to use by virtue of that licence or those licences;
- (c) does not provide satisfactory evidence that he has successfully completed the customer service training course provided by the Ministry with responsibility for tourism, (*Inserted by Ord. 30 of 2011*)

he commits an offence.

(4) If any identification plate required to be fixed, carried, exhibited or displayed on any motor vehicle or trailer under this Part is not fixed, carried, exhibited or displayed or is in any way obscured or the lettering thereon not distinguishable the driver of the motor vehicle commits an offence.

(5) Where a registered vehicle is sold or otherwise transferred the transferor shall so inform the Director in the prescribed form within seven days after the transfer and shall remove and retain the identification plate of the vehicle, and the transferee shall submit to the Director the application for registration and the vehicle licence. (*Amended by Ords. 1 of 2003 and 13 of 2019*)

(6) The Director shall consider the application for registration of the vehicle as if it were an application, *mutatis mutandis*, under section 5, but shall not issue an identification plate in respect of the vehicle where the transferee has already been issued an identification plate which is not assigned to a registered vehicle, in which case the transferee shall affix that identification plate to the

vehicle in the prescribed manner, and the transferor of the vehicle shall, upon becoming the registered owner of another vehicle, affix the identification plate to that vehicle in the prescribed manner.

(7) Where there is an alteration in the prescribed particulars of a registered vehicle the owner shall so notify the Director in the prescribed form within fourteen days of the alteration.

(8) Where a registered vehicle has been exported from the Islands, broken up for parts, or disposed of as waste the owner shall cause the vehicle registration to be terminated by surrendering the vehicle licence to the Director and satisfying the Director in the prescribed form that the vehicle has been exported, broken up or disposed of, and shall remove and retain the identification plate.

(9) A person who contravenes of subsection (5), (6), (7) or (8) commits an offence.

(10) Where a certificate of motor vehicle insurance has been issued in favour of the person by whom a policy has been effected and the policy is cancelled by mutual consent or by virtue of any provision in the policy, the person to whom the certificate of insurance was issued shall within seven days of the date of cancellation, surrender it to the insurer or, if it has been lost or destroyed, make and deliver to the insurer an affidavit sworn before a Magistrate or Justice of the Peace to that effect and, if he fails so to do, he commits an offence and is liable to be arrested and is liable on summary conviction to a fine of \$1,000.

(Amended by Ord. 1 of 2003)

(11) Where a certificate of insurance is not surrendered or an affidavit not delivered in accordance with subsection (10), the insurer shall immediately give notification of that fact to the Commissioner and the Director.

(12) An insurer who, without reasonable excuse, fails or refuses to comply with subsection (11) commits an offence.

(13) Without prejudice to the operation of subsection (11), every insurer shall give to the Commissioner and Director written notification of—

(a) every policy effected with it that has not been renewed or that has been cancelled; and

(b) every vehicle that it has accepted as a total loss.

(14) Notification—

(a) for the purposes of subsection (13)(a) shall be given within five days after the end of the month in which the expiry or cancellation occurred; and

(b) for the purposes of subsection (13)(b) shall be given within five days after the acceptance of the total loss,

and if the insurer fails to do so, it commits an offence and is liable on summary conviction to a fine of \$1,000.

(Amended by Ord. 1 of 2003)

PART IV

PUBLIC SERVICE VEHICLES

Licences for drivers of public service vehicles

10. (1) A person shall not drive a public service vehicle for hire or reward except under the authority of a valid licence granted in that behalf by the Director.

(2) With respect to licences authorising persons to operate public service vehicles the following provisions shall have effect—

- (a) the application for the grant of a licence shall be made to the Director in the prescribed manner and shall contain the prescribed particulars;
- (b) subject to subsection (3), the Director shall consider every application and may in his discretion either grant a licence, subject to such conditions (if any) as he thinks fit, or refuse to grant a licence;
- (c) without prejudice to the discretionary power of the Director, in any application made to him to grant a licence, the Director, in determining the application, shall take into consideration the total number of public service vehicles already at the time of the application authorised to be used by licensees, and in that regard shall take into consideration such matters as the reasonable need of the public for transport facilities, the character and condition of the roads, the amenities of the Islands and the safety, comfort and convenience of the community.

(3) Notwithstanding subsection (2), the Director shall not consider any application for a licence by or on behalf of a person who—

- (a) does not fulfil the prescribed conditions as to age, driving experience or local knowledge; or
- (b) is not, under the Turks and Caicos Islander Status Ordinance, an Islander.

(4) A licence authorising a person to operate a public service vehicle shall, unless previously revoked or suspended, remain in force for the period of one year next succeeding the date of issue of the licence.

Revocation and suspension of licences

11. (1) The Director may revoke any licence issued under section 10 on being satisfied on reasonable grounds that the licensee has failed to comply with any of the conditions to which the licence is subject.

(2) The Director may suspend any licence issued under section 10 for any period up to six months on being satisfied that any person to whom such a licence has been issued has conducted himself in such a way as to cause annoyance or nuisance to any member of the public, or generally to bring himself, the Islands or the operation of tourism in the Islands into disrepute.

(3) A person whose licence is revoked or suspended by the Director may appeal in the manner prescribed to the Minister whose decision shall be final.

Matters to be taken into account by Director

12. In determining whether a person is a suitable person to be granted a licence under section 10, or whether to revoke or suspend a licence under section 11, the Director shall have regard to—

- (a) the conditions prescribed in regulations for the holding of such a licence; or
- (b) any breach of any regulations controlling the operation of public service vehicles made under section 14.

Conditions for driving passengers for hire or reward and penalties for contravention

13. (1) No vehicle, other than a public service vehicle when driven by a person holding a valid licence in that behalf, may be used or offered for the carriage of passengers for hire or reward.

(2) A person who uses or offers a vehicle for the carriage of passengers for hire or reward contrary to subsection (1) commits an offence.

(3) Public service vehicles shall operate under such conditions as may be prescribed, and notwithstanding the issue of a licence under section 10, a person who uses or offers a vehicle for the carriage of passengers for hire or reward in contravention of any of the prescribed conditions commits an offence.

(4) No public service vehicle other than a taxi-cab shall stand or ply for casual hire, and a person who uses or offers a public service vehicle (not being a taxi-cab) for casual hire commits an offence.

(5) Any person who is convicted of an offence under this section is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months.

Regulations under Part IV

14. (1) The Governor may by regulations provide for—

- (a) the conditions under which public service vehicles may operate, ply for hire or be made available for hire;
- (b) the fares that may be charged for the carriage of passengers and their luggage on public service vehicles;
- (c) the charges that may be made for the hire of public service vehicles;
- (d) the location and marking of bus stops, and the conditions under which they shall be used;
- (e) the safe custody and re-delivery or disposal of any property accidentally left in a public service vehicle, and the charges to be made in respect thereof;

- (f) the equipment of public service vehicles and the manner in which such equipment is to be used;
- (g) the distinctive or other marks, signs, lettering or information to be displayed on public service vehicles;
- (h) conditions (including conditions as to the age and driving experience of applicants) and tests of knowledge in connection with the issue of licences under this Part;
- (i) badges and uniforms to be worn by drivers and other persons having charge of public service vehicles, their conduct of public service vehicles, their conduct and their obligations as carriers;
- (j) the number of hours for which a person may lawfully drive a public service vehicle in each period of twenty-four hours;
- (k) the conduct of persons carried as passengers on public service vehicles;
- (l) the manner and form in which application may be made for the grant and renewal of licences issued under this Part and the fees to be paid upon such applications; and
- (m) generally for the implementation of this Part.

(2) Regulations made under this section may make different provision in relation to different categories of public service vehicles.

PART V

VEHICLE CONSTRUCTION, USE, WEIGHT AND TESTING

Regulation of construction, weight, equipment and use of vehicles

15. (1) The Governor may make regulations generally as to the use of vehicles on roads, their construction and equipment and the conditions under which they may be so used, and in particular may make regulations in respect of any of the following matters—

- (a) the width, height and length of motor vehicles and trailers, the condition and diameter of wheels, and the width, nature and condition of tyres of motor vehicles and trailers;
- (b) the emission or consumption of smoke, fumes or vapour;
- (c) the maximum weight laden or unladen of any vehicle or any class of vehicles and the conditions under which the weights may be required to be tested;
- (d) the towing or drawing of vehicles by other vehicles;
- (e) the number and nature of brakes and for securing that brakes, silencers, tyres, steering gear and lights shall be efficient and kept in proper working order;

- (f) securing that the coachwork or bodywork of any vehicle is not so deteriorated as to become a nuisance to the driver of or passengers in the vehicle or other road users;
- (g) securing that the vehicle can be properly jacked or raised from the ground in the event of an emergency,

and different regulations may be made as respects different classes of vehicles in different circumstances and as respects different times of the day or night and as respects roads in different localities.

(2) The Director may by order authorise, subject to such instructions and conditions as may be specified by or under the order, the use on roads of special vehicles or vehicles carrying loads of exceptional dimension, and an order under this subsection may be varied or revoked by a subsequent order of the Director.

(3) For the purposes of this section the word “vehicle” shall include any motor vehicle, trailer, cart, carriage, bicycle, thing on wheels or hovercraft or any derivative thereof.

Offence where regulations are contravened, and compensation for damage to Government property and roads

16. (1) A person who—

- (a) contravenes or fails to comply with any regulations made under section 15; or
- (b) uses on a road a motor vehicle or trailer which does not comply with any such regulations or causes or permits a vehicle to be so used,

commits an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months.

(2) Upon conviction of a person for an offence under subsection (1), the court shall have power to order the payment of compensation to the Government for damage caused to any public highway or any Crown land or property by the operation of the vehicle in respect of which the conviction occurs.

(3) The order for compensation may be made against the person convicted, or his employer, or the owner of the vehicle, or its operator, or against all of them jointly or severally and in such proportion as the court shall deem appropriate, save that the court shall afford to any such person a reasonable opportunity to be heard before any order is made.

(4) An order for payment of compensation made under this section shall be recoverable as though it were a judgement debt enforceable in the Supreme Court.

(5) The Magistrate shall be entitled to act upon such evidence as he shall consider relevant in deciding whether to make orders for compensation, and the standard of proof to be applied in deciding any issue which arises shall be that applicable to a civil claim.

Testing of motor vehicles

17. (1) Every motor vehicle, except a public service vehicle, shall be subject to inspection as to fitness for use on roads at least once in every year in accordance with regulations made under subsection (5).

(2) A public service vehicle shall be subject to inspection as to fitness for use on roads at least once in every six months in accordance with regulations made under subsection (5).

(3) The Director, on being satisfied on such inspection that the motor vehicle is fit to be used on roads, may issue a certificate of roadworthiness in relation to the motor vehicle.

(4) The certificate of roadworthiness shall remain in force until the motor vehicle concerned is next inspected under this section.

(5) The Governor may make regulations prescribing—

- (a) the standard of fitness to be required for a certificate of roadworthiness;
- (b) the fees for inspecting vehicles as to fitness under subsection (1), and the form of notices and certificates and manner of communicating them; and
- (c) such other matters for the purpose of giving effect to this section as the Director may see fit.

(6) If at any time the Director is of the opinion on a report being made to him by any police officer that a motor vehicle should be inspected under this section he may at any time require the owner of that motor vehicle to submit that motor vehicle for such inspection.

Offences under Part V

18. (1) Any owner of a motor vehicle who fails without reasonable excuse to submit that motor vehicle for inspection in accordance with regulations made under section 17(5) commits an offence.

(2) Any person who drives any motor vehicle on a road without having a certificate of roadworthiness in force, except when driving that motor vehicle to the place of inspection, commits an offence.

(3) Any person who—

- (a) forges, alters, defaces or permits any other person to forge, alter or deface any certificate of roadworthiness; or
- (b) makes, assists in the making of or has in his possession any document closely resembling a certificate of roadworthiness,

commits an offence.

PART VI

CONTROL OF TRAFFIC

Erection of traffic signs and traffic signals

19. (1) The Director may cause or permit traffic signs and traffic signals to be placed, erected or marked on or near a road for the control of traffic.

(2) All traffic signs and traffic signals placed, erected or marked under the authority of subsection (1) shall be of such size, colour and type as the Director shall from time to time prescribe.

(3) The Director may by notice in writing require the owner or occupier of any land on which there is any traffic sign or traffic signal or any object which so closely resembles a traffic sign or traffic signal that it might reasonably be taken to be such a sign or signal to remove it, and if any person fails to comply with such notice the Director may remove the sign or signal, if necessary entering upon the land of the person so in default doing as little damage as possible, and the Director may recover summarily as a civil debt from the person so in default the expense incurred in so doing.

(4) Any person other than a person authorised by the Director so to do who removes, defaces, damages, obscures or otherwise interferes with any traffic sign or traffic signal lawfully placed, erected or marked under the authority of this section commits an offence.

Parking at yellow lines

20. (1) To prevent congestion of traffic in certain areas, the Director may provide for the painting of a yellow line along the edge of the carriageway, parallel to the kerb, and a person shall not park any vehicle between such a line and the road centre.

(2) The Director may provide for the painting of the carriageway, parallel to the kerb, and for the erection adjacent to the carriageway, of a plate of the prescribed form and design, giving details of the waiting and loading restrictions applicable to that area, and a person shall not park any vehicle between such a line and the road centre in contravention of any waiting or loading restrictions shown on such a plate.

Taxi-cab or omnibus ranks

21. The Director may, after consultation with the Minister, designate certain places for the exclusive parking of taxi-cabs and certain places for the exclusive parking of omnibuses and cause such places to be marked accordingly and no vehicles other than taxi-cabs or omnibuses, as the case may be, shall park at such places.

Pedestrian crossings

22. The Director may designate certain road crossings for use by pedestrians in priority to other roads users and all drivers of vehicles shall give way to

pedestrians making use of such crossings and no vehicle shall be parked within 45 feet of the approach to any such crossing.

Restrictions on roads

23. The Director may by order—

- (a) prohibit or restrict, subject to such exceptions and conditions as to occasional user or otherwise as may be specified in the order, the driving of vehicles as defined by section 15(3) or any specified class of vehicle on any specified road in any case in which he is satisfied—
 - (i) that any such vehicles cannot be used or cannot without restriction be used on that road without endangering the safety of the vehicles or the persons therein or of other persons using the road or that the road is unsuitable for use or for unrestricted use by any such vehicles; or
 - (ii) that by reason of works of repair or reconstruction being required or being in progress on the road the use of the road may be prohibited or restricted;
- (b) prohibit the driving of such vehicles on any specified road otherwise than in a specified direction;
- (c) designate a speed limit for motor vehicles on specified roads or parts of roads or areas through which roads pass; and
- (d) designate restrictions on parking motor vehicles on specified roads or parts of roads or areas through which roads pass.

PART VII

DRIVING AND OTHER OFFENCES RELATING TO THE USE OF VEHICLES ON THE ROADS

Rules of the Road and General Conditions

Users of road to observe rules

24. Every user of a road shall observe all rules for the guidance of such users as may be prescribed; failure on the part of any such user to observe such rules shall not of itself be regarded as an offence but any such failure may in any proceedings (whether civil or criminal and including proceedings for an offence under this Ordinance) be relied upon by any party as tending to establish or negative any liability which is in question in such proceedings.

*Driving offences***Causing death by dangerous driving**

25. (1) A person who causes the death of another person by driving a motor vehicle dangerously on a road commits an offence.

(2) For the purposes of subsection (1) a person is to be regarded as driving dangerously if (and, subject to subsection (3), only if)—

- (a) the way he drives falls far below what would be expected of a competent and careful driver; and
- (b) it would be obvious to a competent and careful driver that driving in that way would be dangerous.

(3) A person is also to be regarded as driving dangerously for the purposes of subsection (1) if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.

(4) In subsections (2) and (3) “dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of those subsections what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.

(5) In determining for the purposes of subsection (3) the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.

(6) A person who commits an offence under subsection (1) is liable on conviction on indictment to a fine of any amount or to imprisonment for a term of ten years, or to both and shall be disqualified from holding or obtaining a driver’s licence for a period of not less than twelve months.

(Amended by Ord. 1 of 2003)

Causing death by careless driving when under influence of drink or drugs

26. (1) If a person causes the death of another person by driving a motor vehicle on a road without due care and attention, or without reasonable consideration for other persons using the road, and —

- (a) he is, at the time when he is driving, unfit to drive through drink or drugs;
- (b) he has consumed so much alcohol that the proportion of it in his breath, blood or urine at the time exceeds the prescribed limit; or
- (c) he is, within eighteen hours after that time, required to provide a specimen in pursuance of section 30, but without reasonable excuse fails to provide it,

he commits an offence.

(2) For the purposes of this section a person shall be taken to be unfit to drive at any time when his ability to drive properly is impaired.

(3) A person who commits an offence under subsection (1)(a) is liable on conviction on indictment to a fine of \$5,000 or to imprisonment for a term of five years, or to both and shall be disqualified from holding or obtaining a driver's licence for life.

(4) A person who commits an offence under subsection (1)(b) is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than twelve months.

(5) A person who commits an offence under subsection (1)(c) is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than twelve months.

Driving or being in charge of a motor vehicle when under influence of drink or drugs

27. (1) A person who, when driving or attempting to drive a motor vehicle on a road is unfit to drive through drink or drugs, commits an offence.

(2) Without prejudice to subsection (1), a person who, when in charge of a motor vehicle which is on a road, is unfit to drive through drink or drugs commits an offence.

(3) For the purposes of subsection (2), a person shall be deemed not to have been in charge of a motor vehicle if he proves that at the material time the circumstances were such that there was no likelihood of his driving it so long as he remained unfit to drive through drink or drugs.

(4) The court may, in determining whether there was such a likelihood as is mentioned in subsection (3), disregard any injury to him and any damage to the motor vehicle.

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

(6) A police officer in uniform may arrest a person without warrant if he has reasonable cause to suspect that that person is or has been committing an offence under this section.

(7) For the purposes of arresting a person under the power conferred by subsection (6), a police officer may enter (if need be, by force) any place where that person is or where the police officer, with reasonable cause suspects him to be.

(8) A person who commits an offence under subsection (1) or (2) is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than twelve months.

Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit

28. (1) If a person—

- (a) drives or attempts to drive a motor vehicle on a road; or
- (b) is in charge of a motor vehicle on a road,

after consuming so much alcohol that the proportion of it in his breath, blood, or urine exceeds the prescribed limit, he commits an offence.

(2) It is a defence for a person charged with an offence under subsection (1)(b) to prove that at the time he is alleged to have committed the offence the circumstances were such that there was no likelihood of his driving the motor vehicle whilst the proportion of alcohol in his breath, blood or urine remained likely to exceed the prescribed limit.

(3) The court may, in determining whether there was such a likelihood as is mentioned in subsection (2), disregard any injury to him and any damage to the motor vehicle.

(4) A person who commits an offence under subsection (1)(a) or (b) is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than six months.

Breath tests

29. (1) Where a police officer in uniform has reasonable cause to suspect—

- (a) that a person driving or attempting to drive or in charge of a motor vehicle on a road has alcohol in his body or has committed a traffic offence whilst the motor vehicle was in motion;
- (b) that a person has been driving or attempting to drive or been in charge of a motor vehicle on a road with alcohol in his body and that that person still has alcohol in his body; or
- (c) that a person has been driving or attempting to drive or been in charge of a motor vehicle on a road and has committed a traffic offence whilst the motor vehicle was in motion,

he may, subject to section 32, require him to provide a specimen of breath for a breath test.

(2) If an accident occurs owing to the presence of a motor vehicle on a road a police officer may, subject to section 32, require any person who he has reasonable cause to believe was driving or attempting to drive or in charge of the motor vehicle at the time of the accident to provide a specimen of breath for a breath test.

(3) A person may be required under subsection (1) or subsection (2) to provide a specimen either at or near the place where the requirement is made or, if the requirement is made under subsection (2) and the police officer making the requirement thinks fit, at a police station specified by the police officer.

(4) A person who, without reasonable excuse, fails to provide a specimen of breath when required to do so in pursuance of this section commits an offence.

(5) A police officer may arrest a person without warrant if—

(a) as a result of a breath test he has reasonable cause to suspect that the proportion of alcohol in that person's breath or blood exceeds the prescribed limit; or

(b) that person has failed to provide a specimen of breath for a breath test when required to do so in pursuance of this section and the police officer has reasonable grounds to suspect that he has alcohol in his body,

but a person shall not be arrested by virtue of this subsection when he is at a hospital as a patient.

(6) A police officer may, for the purpose of requiring a person to provide a specimen of breath under subsection (2) in a case where he has reasonable cause to suspect that the accident involved injury to another person or of arresting him in such a case under subsection (5) enter, (if need be, by force) any place where that person is or where the police officer, with reasonable cause, suspects him to be.

(7) In this section, "traffic offence" means an offence under any provision of this Part.

(8) A person who commits an offence under subsection (4) is liable on summary conviction to a fine of \$500 or to imprisonment for a term of three months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than six months.

Provision of specimens for analysis

30. (1) In the course of an investigation into whether a person has committed an offence under section 26, 27 or 28 a police officer may, subject to the following provisions of this section and section 32 require him—

(a) to provide two specimens of breath for analysis by means of a device of a type approved by the Minister; or

(b) to provide a specimen of blood or urine for a laboratory test.

(2) A requirement under this section to provide a specimen of breath can only be made at a police station.

(3) A requirement under this section to provide a specimen of blood or urine can only be made at a police station or at a hospital; and it cannot be made at a police station unless—

(a) the police officer making the requirement has reasonable cause to believe that for medical reasons a specimen of breath cannot be provided or should not be required;

(b) at the time the requirement is made a device or a reliable device of the type mentioned in subsection (1)(a) is not available at the police

station or it is then for any other reason not practicable to use such a device there;

- (c) a device of the type mentioned in subsection (1)(a) has been used at the police station but the police officer who required the specimens of breath has reasonable cause to believe that the device has not produced a reliable indication of the proportion of alcohol in the breath of the person concerned; or
- (d) the suspected offence is one under section 26 and the police officer making the requirement has been advised by a medical practitioner that the condition of the person required to provide the specimen might be due to some drug,

but may then be made notwithstanding that the person required to provide the specimen has already provided or been required to provide two specimens of breath.

(4) If the provision of a specimen other than a specimen of breath may be required in pursuance of this section the question whether it is to be a specimen of blood or a specimen of urine shall be decided by the police officer making the requirement, but if a medical practitioner is of the opinion that for medical reasons a specimen of blood cannot or should not be taken the specimen shall be a specimen of urine.

(5) A specimen of urine shall be provided within one hour of the requirement for its provision being made and after provision of a previous specimen of urine.

(6) A person who, without reasonable excuse, fails to provide a specimen when required to do so in pursuance of this section commits an offence.

(7) A police officer must, on requiring any person to provide a specimen in pursuance of this section, warn him that failure to provide it may render him liable to prosecution.

(8) A person who commits an offence under subsection (6) is liable on summary conviction to a fine of \$500 or to for imprisonment a term of three months, or to both and shall be disqualified from holding or obtaining a driver's licence for a period of not less than six months.

Choice of specimens of breath

31. (1) Subject to subsection (2), of any two specimens of breath provided by any person in pursuance of section 30 that with the lower proportion of alcohol in the breath shall be used and the other shall be disregarded.

(2) If the specimen with the lower proportion of alcohol contains no more than fifty microgrammes of alcohol in 100 millilitres of breath, the person who provided it may claim that it should be replaced by such specimen as may be required under section 30(4) and, if he then provides such a specimen, neither specimen of breath shall be used.

(3) The Minister may by regulations substitute another proportion of alcohol in the breath for that specified in subsection (2).

Protection for hospital patients

32. (1) While a person is at a hospital as a patient he shall not be required to provide a specimen of breath for a breath test or to provide a specimen for a laboratory test unless the medical practitioner in immediate charge of his case has been notified of the proposal to make the requirement; and—

- (a) if the requirement is then made, it shall be for the provision of a specimen at the hospital; but
- (b) if the medical practitioner objects on the ground specified in subsection (2), the requirement shall not be made.

(2) The ground on which the medical practitioner may object is that the requirement or the provision of a specimen or, in the case of a specimen of blood or urine, the warning required under section 30(7), would be prejudicial to the proper care and treatment of the patient.

Detention of persons affected by alcohol or a drug

33. (1) Subject to subsections (2) and (3), a person required to provide a specimen of breath, blood or urine may afterwards be detained at a police station until it appears to the police officer that, were that person then driving or attempting to drive a motor vehicle on a road, he would not be committing an offence under section 27 or 28.

(2) A person shall not be detained in pursuance of this section if it appears to a police officer that there is no likelihood of his driving or attempting to drive a motor vehicle whilst his ability to drive properly is impaired or whilst the proportion of alcohol in his breath, blood or urine exceeds the prescribed limit.

(3) A police officer must consult a medical practitioner on any question arising under this section whether a person's ability to drive properly is or might be impaired through drugs and must act on the medical practitioner's advice.

Interpretation of sections 26 to 33

34. (1) The following provisions apply for the interpretation of sections 26 to 33.

(2) In those sections—

“breath test” means a preliminary test for the purpose of obtaining, by means of a device of a type approved by the Minister, an indication whether the proportion of alcohol in a person's breath or blood is likely to exceed the prescribed limit;

“drug” includes any intoxicant other than alcohol;

“fail” includes refuse;

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

“the prescribed limit” means, as the case may require—

- (a) thirty-five microgrammes of alcohol in 100 millilitres of breath;

(b) eighty milligrammes of alcohol in 100 millilitres of blood; or

(c) 107 milligrammes of alcohol in 100 millilitres of urine,

or such other proportion as may be prescribed by regulations made by the Minister.

(3) A person does not provide a specimen of breath for a breath test or for analysis unless the specimen—

(a) is sufficient to enable the test or the analysis to be carried out; and

(b) is provided in such a way as to enable the objective of the test or analysis to be satisfactorily achieved.

(4) A person provides a specimen of blood if and only if he consents to it being taken by a medical practitioner and it is so taken.

Dangerous driving

35. (1) A person who drives a motor vehicle dangerously on a road commits an offence.

(2) For the purposes of subsection (1) a person is to be regarded as driving dangerously if (and, subject to subsection (3), only if)—

(a) the way he drives falls far below what would be expected of a competent and careful driver; and

(b) it would be obvious to a competent and careful driver that driving in that way would be dangerous.

(3) A person is also to be regarded as driving dangerously for the purposes of subsection (1) if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.

(4) In subsections (2) and (3) “dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of those subsections what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.

(5) In determining for the purposes of subsection (3) the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.

(6) A person who commits an offence under subsection (1) is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of six months, or to both.

Driving without due care or consideration

36. (1) If a person drives a vehicle on a road without due care and attention, or without reasonable consideration for other persons using the road he commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of three months.

(2) Where any person is charged with an offence under section 25, 26, 27 or 28 and the court considers that the evidence is such as to justify a conviction under this section but not respectively under section 25, 26, 27 or 28 the court may convict such person of an offence against this section.

Speeding

37. (1) In this section “emergency vehicle” means a vehicle in the service of the Royal Turks and Caicos Islands Police Force or a Fire Brigade or an ambulance and marked as such and being driven in response to an emergency.

(2) A person who drives or procures or incites another person to drive on a road any kind of vehicle other than an emergency vehicle at a speed exceeding a limit imposed by section 23(c) commits an offence and is liable on summary conviction to a fine of \$2,000.

(Amended by Ord. 1 of 2003)

Evidence

38. The reading of a prescribed radar speed meter shall be admissible in court as evidence of the speed at which a vehicle was travelling at a particular time and place and may be proved by the evidence of a police officer. *(Inserted by Ord. 1 of 2003 and Amended by Ord. 4 of 2004)*

Radar speed meter

39. Regulations may prescribe the type of radar speed meter, which shall be used under section 38.

(Inserted by Ord. 1 of 2003)

Prosecution for speeding offence

40. On the prosecution of a person for a speeding offence, evidence of the reading of a radar speed meter shall not be admissible unless the speed has been measured by a device of a type prescribed under section 39.

(Inserted by Ord. 1 of 2003)

Dangerous vehicles

41. Any person who uses or permits to be used on a road a vehicle in such defective condition as regards its mechanical fittings or otherwise as to be a source of danger to its occupants or the public commits an offence.

Compliance with police officer’s signs, traffic signs and traffic signals

42. In any case where a police officer is for the time being engaged in the regulation of traffic or where any traffic sign or traffic signal, being a sign or signal 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 this Ordinance, any person driving any vehicle or any person riding or driving any animal or any pedestrian who fails to conform with the indication given by the police officer or the traffic sign or traffic signal commits an offence.

Parking and obstruction

43. Any driver or person in charge of a vehicle who—

- (a) contravenes section 23(d); or
- (b) causes or allows any vehicle to remain at rest on any road in such a condition or in such circumstances as to be likely to cause danger to or to obstruct or inconvenience other persons using the road,

commits an offence.

Vehicle may be towed to a vehicle pound

44. (1) Where it appears to a police officer that a motor vehicle has been—

- (a) abandoned;
- (b) parked in an unlawful or unsafe manner;
- (c) left in such a condition as to constitute a danger;
- (d) involved in an accident;
- (e) used for public service without the appropriate licence; or
- (f) driven without the appropriate certificate of insurance,

the police officer may take charge of the vehicle and drive or tow it or cause it to be driven or towed, to a place authorised by the Commissioner to be used as a vehicle pound or to any other place considered by the Commissioner to be appropriate. (*Amended by Ord. 13 of 2019*)

(2) The Commissioner shall as soon as practicable give notice to the owner or person last having control, of a vehicle driven or towed away under subsection (1) that it has been driven or towed away and requiring him, to remove the vehicle.

(3) The owner or person last having control of a vehicle driven or towed away under subsection (1) shall pay to the Commissioner such fee as may be prescribed in respect of the driving or towing away under subsection (1).

(4) The owner or persons referred to in subsection (2) shall in respect of a vehicle detained in a vehicle pound, pay to the Commissioner such fee as may be prescribed in respect of every day or part of a day for which the vehicle remains in the pound.

(5) The Commissioner may retain at a pound a vehicle which has been involved in an accident, but without charge to the owner in respect of the retention, until the conclusion of a police investigation as to the cause of the accident or until the vehicle is ordered to be released by a court.

(6) No action shall lie against the Government or a police officer for damages in respect of damage to a vehicle or loss or damage to property in the vehicle caused as a result of any action taken under this section.

(Inserted by Ord. 1 of 2003)

Loading and overcrowding vehicles

45. (1) Save as provided for in section 15(2), no vehicle shall be so loaded as to cause any load or article to protrude more than six feet behind or in front of the vehicle or as to permit such load or any part thereof to fall or be jolted off or substantially move on the vehicle while such vehicle is in motion and, in the case of a load consisting of stone or asphalt, gravel, sand, cement, soil or other granular or loose matter, the load shall be covered over securely to prevent spillage.
(Amended by Ord. 6 of 2007)

(2) A driver of any vehicle carrying a load protruding from the vehicle shall by day mark the end or ends of the protrusion with red flags and by night mark the protrusion in a similar manner with red lights so that at all times the protrusion is visible from a minimum distance of twenty-five yards as viewed in a direct line.

(3) No vehicle shall carry a greater number of persons than it is licensed to carry.

(4) Any person who contravenes the provisions of this section commits an offence.

Lighting of vehicles

46. (1) Every vehicle, whether stationary or in motion on any road shall, between the hours of sunset and sunrise, carry and exhibit the prescribed lights in the manner and position prescribed.

(2) A vehicle, whether stationary or in motion on any road shall not, between the hours of sunset and sunrise, exhibit any light other than the prescribed lights.

(3) Any person causing or permitting any vehicle to be on any road in contravention of this section commits an offence.

Tinting of windscreens and windows of vehicles

47. Any person who, being the owner of a vehicle, causes or permits anything to be affixed to, or built into, any windscreen or any window of the vehicle whereby the degree of light transmission in either direction is diminished below that which is prescribed commits an offence.

Duty to drive on the left hand side of the road

48. (1) Subject to subsection (2), if a person while driving any vehicle or driving or riding any animal fails to keep as far to the left as possible of the centre of the road as viewed in the direction of his travel and at the same time keeping all the wheels of the vehicle or the feet of the animal on the road, he commits an offence.

(2) A person does not commit an offence under this section while in the course of—

(a) overtaking a vehicle, animal, pedestrian or obstruction in his immediate vicinity on the left-hand side of the road as viewed in the direction of his travel;

- (b) turning right as viewed in the direction of his travel into an intersecting road;
- (c) encountering an intersecting road situate on the left hand side of the road as viewed in the direction of his travel and the necessity for him to turn or bear left does not occur, in which case he shall keep a safe course between the left of the centre of the road upon which he is travelling as viewed in the direction of his travel and the right of the jointure of the intersecting road as viewed in the direction of his travel, and if he fails to comply with this provision he commits an offence; or
- (d) backing a vehicle, when this section shall take effect as if for the words “left” and “right” there are substituted the words “right” and “left” respectively.

Duty to stop in case of accident

49. (1) In any case in which, owing to the presence of a vehicle on a road an accident occurs whereby damage or injury is caused to any person, animal, vehicle or property, the driver of the vehicle shall stop and if required to do so 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 registration number of the vehicle.

(2) If in the case of any such accident the driver of the vehicle for any reason does not give his name and address to such person the driver shall report the accident to a Police Station or to a police officer in uniform as soon as reasonably practicable and in any case within 24 hours of its occurrence.

Failure to produce documents

50. (1) Any person driving a motor vehicle on a road who, on being so required by a police officer in uniform, fails to produce in respect of himself or the vehicle, as the case may be—

- (a) a current driver’s licence or learner’s licence;
- (b) a current certificate of roadworthiness;
- (c) a current licence under Part III or Part IV,

commits an offence:

Provided that a person shall not be convicted of an offence under this section by reason only of failure to produce all or any of such documents if he produces such of the documents as are required within five days at such Police Station as may be specified by the police officer at the time the production was required.

(2) The owner of any vehicle shall on the verbal or written request of a police officer, give to that officer the name and address of the driver of that vehicle at any time specified by the officer and if the owner fails to give such information he commits an offence:

Provided that the owner shall not commit an offence if the vehicle was taken without his knowledge or consent.

Protective Measures: seat belts and helmets

Seat belts: adults

51. (1) The Governor may make regulations requiring, subject to such exceptions as may be prescribed, a person who is driving or riding in a motor vehicle on a road to wear a seat belt of such description as may be prescribed.

(2) Regulations under this section—

- (a) may make different provision in relation to different categories of vehicles, different descriptions of persons and different circumstances;
- (b) shall include exceptions for—
 - (i) the user of a vehicle which is constructed or adapted for the delivery of goods or mail to consumers or addresses, as the case may be, while engaged in making local rounds of deliveries;
 - (ii) the driver of a vehicle while performing a manoeuvre which includes reversing; and
 - (iii) any person holding a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt;
- (c) may make exceptions subject to such conditions as may be prescribed; and
- (d) may prescribe cases in which a fee of a prescribed amount may be charged on an application for any certificate required as a condition of any prescribed exception.

(3) A person who drives or rides in a motor vehicle in contravention of regulations under this section commits an offence; but, notwithstanding any enactment or rule of law, no person other than the person actually committing the contravention commits an offence by reason of the contravention.

(4) If the holder of any such certificate as is referred to in subsection (2) is informed by a police officer in uniform that he may be prosecuted for an offence under subsection (3), he is not in proceedings for that offence entitled to rely on the exception afforded to him by the certificate unless the holder produces it to the police officer at the time he is so informed:

Provided that a person shall not be convicted of an offence under this section by reason only of failure to produce the certificate if he produces it within five days at such Police Station as may be specified by the police officer at the time the production was required.

(5) Regulations under this section requiring the wearing of a seat belt by a person riding in a motor vehicle shall not apply to children under the age of fourteen years.

Seat belts: children

52. (1) Except as provided by regulations, where a child under the age of fourteen years is in the front of a motor vehicle, a person shall not, without reasonable excuse, drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.

(2) It is an offence for a person to drive a motor vehicle in contravention of subsection (1).

(3) Except as provided by regulations, where a child under the age of fourteen years is in the rear of a motor vehicle and any seat belt is fitted in the rear of that vehicle, a person shall not, without reasonable excuse, drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.

(4) It is an offence for a person to drive a motor vehicle in contravention of subsection (3).

(5) Provision may be made by regulations—

- (a) excepting from the prohibition in subsection (1) or (3) children of any prescribed description, vehicles of a prescribed category or the driving of vehicles in such circumstances as may be prescribed;
- (b) defining in relation to any category of vehicle what part of the vehicle is to be regarded as the front of the vehicle for the purposes of subsection (1) or as the rear of the vehicle for the purposes of subsection (3); and
- (c) prescribing for the purposes of subsection (1) or (3) the descriptions of seat belt to be worn by children of any prescribed description and the manner in which such seat belt is to be fixed and used.

(6) Regulations made for the purposes of subsection (3) shall include an exemption for any child holding a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for the child to wear a seat belt.

(7) If the driver of a motor vehicle is informed by a police officer in uniform that he may be prosecuted for an offence under subsection (2) or (4), he is not in proceedings for that offence entitled to rely on an exception afforded to a child by a certificate referred to in subsection (6) unless the driver produces it to the police officer at the time he is so informed:

Provided that a person shall not be convicted of an offence under this section by reason only of failure to produce the certificate if he produces it within five days at such Police Station as may be specified by the police officer at the time the production was required.

(8) In this section—

“regulations” means regulations made by the Governor under this section;

“seat belt” includes any description of restraining device for a child and any reference to wearing a seat belt is to be construed accordingly.

Protective headgear

53. (1) The Governor may make regulations requiring, subject to such exceptions as may be specified in the regulations, persons driving or riding on motor cycles of any group specified in the regulations to wear protective headgear of such description as may be so specified.

(2) Regulations under this section may make different provision in relation to different circumstances.

(3) A person who drives or rides on a motor cycle in contravention of regulations under this section commits an offence.

“Ticket” offences

“Ticket” offences

54. (1) A person commits an offence, and may be punished under section 55, who—

- (a) uses without its proper identification plate any vehicle for which registration is required under this Ordinance;
- (b) holds on to a vehicle on a road for the purpose of being towed thereby;
- (c) throws any object at a vehicle or a person in a vehicle;
- (d) throws any object from a vehicle while the vehicle is in motion on a road;
- (e) uses a vehicle designed to be used with a muffler or silencer without such muffler or silencer or with such muffler or silencer in an unsound condition;
- (f) uses a vehicle with its engine in such a condition that it gives out excessive or obnoxious smoke, fumes, noise or odour;
- (g) uses a horn or other audible warning device on a vehicle excessively or in such a manner as to cause unnecessary discomfort to any person;
- (h) uses a spotlight or flashlight in such a manner as to endanger or dazzle any person;
- (i) obstructs or fails to give way to an emergency vehicle;
- (j) fails to give ample clearance to a school vehicle or overtakes such vehicle while it is engaged in setting down or picking up passengers;
- (k) leaves a motor vehicle unattended with the engine running;
- (l) brings or drives a motor vehicle, other than an invalid carriage, on to any beach or other place intended for the exclusive use of

pedestrians unless specially authorised by the Director in that behalf;

- (m) parks any vehicle other than a bicycle by night on the carriageway of a road unless that vehicle has its rear lights and, in the case of a vehicle other than a motorcycle, its side lights illuminated;
- (n) being the owner or person in control of a vehicle causes or permits it to stand or lie on a road or footpath so as to cause any unnecessary obstruction thereof or any danger to persons using the same;
- (o) being the owner or person in control of a vehicle leaves or permits that vehicle to be left on or in the immediate vicinity of a road in such a manner and for such length of time as to cause complaint from any member of the public or from a police officer to remove the same;
- (p) is in breach of any of the construction and use regulations;
- (q) parks a vehicle other than a taxi-cab or omnibus in a taxi-cab or omnibus rank;
- (r) fails to give way to a pedestrian making use of a pedestrian crossing;
- (s) parks a vehicle within forty-five feet of the approach to any pedestrian crossing designated under section 22;
- (t) parks or unloads a vehicle upon any road in contravention of section 23(d);
- (u) fails to wear head gear while riding a motor cycle; or
- (v) parks in a designated handicap parking space.

(Amended by Ord. 13 of 2019)

“Ticket” procedure

55. (1) When an offence appears to have been committed contrary to sections 5(2), 37, 41 to 43 or 45 to 54, a police officer in uniform may serve upon the alleged offender a traffic ticket in the prescribed form.

(2) If the alleged offender desires to plead guilty to the offence alleged, he may produce such ticket to the Clerk of the court at the place specified on the ticket, and within the suspended period of enforcement specified on the ticket and may pay the prescribed fine into court.

(3) If the alleged offender desires to plead not guilty to the offence alleged or to request the court to mitigate the prescribed fine, the said ticket shall operate as a summons to the alleged offender to appear before the court at the date and time therein prescribed so that, in default of payment of the prescribed fine or so making appearance before the court, the alleged offender shall be treated as if the prescribed fine had been imposed after conviction. *(Amended by Ord. 1 of 2003)*

(4) Where a police officer has reason to believe in the case of any stationary vehicle that an offence under section 54 is being or has on that occasion been

committed in respect of it, he may fix a traffic ticket in respect of the offence to the vehicle.

(5) A person commits an offence if he removes or interferes with any ticket fixed to a vehicle under this section, unless he does so by or under the authority of the driver or person in charge of the vehicle or the person liable for the offence in question.

(6) In this section and in section 56, “suspended period of enforcement” means the period of time specified on a ticket issued under subsection (1), not being more than twenty-eight days from the service of the ticket.

Service of notice if fine is not paid

56. (1) This section applies where a traffic ticket relating to an offence has been fixed to a vehicle under section 55.

(2) If at the end of the suspended period of enforcement the prescribed fine has not been paid in accordance with this Ordinance, a notice under this section may be served by the Commissioner on any person who appears to him to be the owner of the vehicle.

(3) A notice under this section, which shall be referred to in this Part as a “notice to owner”—

- (a) shall give particulars of the alleged offence and of the prescribed fine;
- (b) shall state the period allowed for response to the notice, which shall not be less than twenty-one days from the date on which the notice is served; and
- (c) shall indicate that, if the prescribed fine is not paid before the end of the period referred to in paragraph (b), the person on whom the notice is served is asked to provide before the end of that period to the Commissioner a statement of ownership in the prescribed form.

(4) A person on whom a notice to owner is served may, before the end of the period allowed for response to the notice, either—

- (a) give notice requesting a hearing in respect of the offence; or
- (b) if—
 - (i) he was not the driver of the vehicle at the time of the alleged offence; and
 - (ii) a person purporting to be the driver wishes to give notice requesting a hearing in respect of that offence,

provide, together with the statement of ownership requested in that notice, a statement of facts in the prescribed form, which shall operate as a notice requesting a hearing in respect of the offence given by the driver.

(5) A person who, in response to a notice to owner, provides a statement which is false in a material particular and does so recklessly or knowing it to be

false in that particular commits an offence and is liable on summary conviction to a fine of \$500 or to imprisonment for a term of three months.

Enforcement of proceedings against owner

57. (1) This section applies where—

- (a) a traffic ticket relating to an offence has been fixed to a vehicle under section 55;
- (b) a notice to owner relating to the offence has been served on any person; and
- (c) the prescribed fine has not been paid in accordance with this Ordinance before the end of the period allowed for response to the notice to owner.

(2) Subject to subsection (4), proceedings may be brought in respect of the offence against the person on whom the notice to owner was served.

(3) If the person on whom the notice to owner was served—

- (a) was not the owner of the vehicle at the time of the alleged offence; and
- (b) provides a statement of ownership in the prescribed form to that effect in response to the notice before the end of the period allowed for response to the notice,

he shall not be liable in respect of the offence by the virtue of this section.

(4) Subject to subsection (5)—

- (a) for the purposes of the institution of proceedings by virtue of subsection (2) against any person on whom a notice to owner has been served; and
- (b) in any proceedings brought by virtue of that subsection against any such person,

it shall be conclusively presumed (notwithstanding that that person may not be an individual) that he was the driver of the vehicle at the time of the alleged offence and accordingly, that acts or omissions of the driver of the vehicle at that time were his acts or omissions.

(5) That presumption does not apply in any proceedings brought against any person by virtue of subsection (3) if, in those proceedings, it is proved that at the time of the alleged offence the vehicle was in the possession of some other person without the consent of the accused.

PART VIII

LEGAL PROCEDURE, POWERS OF THE COURT
AND POWERS OF THE POLICE

Penalty

58. Any person who commits an offence under this Ordinance or under any regulation made under this Ordinance for which no special penalty is provided shall on conviction be liable to a fine of \$500 or to imprisonment for a term of three months.

Jurisdiction

59. Every offence against this Ordinance shall (except where otherwise provided) be tried summarily.

Disposal of fines

60. All fines received by the court under this Ordinance shall be paid into the Treasury to the credit of the general revenue.

Police powers of arrest

61. A police officer in uniform may arrest without warrant any person who that officer reasonably suspects to have committed or to be committing an offence under section 25, 26, 28 or 35.

PART IX

GENERAL

Regulations

62. (1) The Governor may make regulations prescribing any matter which by this Ordinance may be prescribed and concerning any matter which appears to him to be necessary or desirable for giving effect to this Ordinance.

(2) The Governor may make regulations concerning the use of vehicles for the carriage of persons, animals or things and such regulations may—

(a) provide for the licensing of persons and vehicles, the conditions to which licences may be subject, the fees payable for licences, the revocation of licences and appeals against refusal or revocation of licences;

(b) prescribe different fees for different periods for which a licence is in force and provide for adjustments in fees consequential on these different periods, to be made on the first renewal of the licence after it has lasted for a period other than a year;

(Inserted by Ord. 3 of 2000)

- (c) create offences in respect of the contravention of regulations and of conditions imposed by their authority; prescribe fines for such offences not exceeding \$2,000 in respect of any one offence, and empower the court to make other orders consequent upon conviction for such offences;
- (d) create offices or positions to which persons may be appointed; and
- (e) contain provisions which create exemptions from the effect of the regulations or which make different provisions for different cases or classes of case or persons or classes of person.

Disposal of fees

63. All fees received by the Director under this Ordinance shall be paid into the Treasury to the credit of the general revenue.

Application to persons in public service

64. Notwithstanding that the Crown shall be exempt from paying any fees prescribed herein, this Ordinance applies to persons in the public service of the Government.

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ROAD TRAFFIC REGULATIONS – SECTION 62*

*(Legal Notices 12/2000, 15/2000, 19/2000, 2/2001,
37/2001, 37/2003, 8/2005, 2/2008, 10/2011, 23/2011,
42/2011, 3/2016, 40/2019 and 50/2019)*

PART I

PRELIMINARY

Citation

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

Interpretation

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

“inspection” in relation to a motor vehicle, means an inspection of the motor vehicle for roadworthiness;

“Ordinance” means the Road Traffic Ordinance;

(Inserted by L.N. 12/2000)

“weighbridge” mean any weighbridge or machine for weighing vehicles, authorised under these Regulations.

PART II

ROADWORTHINESS

Persons authorised to conduct inspections

3. Officers of the Road Traffic and Public Works Departments approved respectively by the Director of Road Safety and Transportation and the Chief Engineer for the purpose are exclusively authorised to conduct inspections of motor vehicles.

Standard of fitness

4. No Certificate of Roadworthiness shall be issued in respect of a motor vehicle unless its equipment and condition, having regard to the items specified hereunder, are found on inspection to be serviceable—

ITEMS TO BE INSPECTED FOR SERVICEABILITY

1. Front and rear lamps
2. Headlamps
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* These Regulations are a consolidation of subsidiary legislation made under the repealed Road Traffic Ordinance 1969 at various times up to 15 May 1998 and from 25 June 2000.

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Form of and fees for Certificate of Roadworthiness

5. Upon satisfactory completion of the inspection the Director shall issue to the owner a Certificate of Roadworthiness in Form 1 of Schedule 3, subject to payment by the owner of the fee specified in Schedule 1.

Special on-site inspections

6. (1) The Director or any person authorised by him under regulation 3 may conduct special on-site inspection for a company.

(2) An inspection pursuant to subregulation (1) shall only be assigned and authorised by the Director upon submission of the form set out in Schedule 3 and upon payment of the fee specified in Schedule 1.

(3) An inspection under subregulation (1) shall only be authorised for a company in possession of a valid licence issued under the Business Licensing Ordinance.

(4) In this regulation “company” means a company with ten or more vehicles.

Special on-site inspection outside working hours

7. (1) Where a company wishes to have a special on-site inspection done under regulation 6, outside of the normal working hours of the Department the following shall apply—

- (a) week days 7:00am to 8:00am \$10 per hour;
- (b) week days 12:30pm to 2:00pm \$10 per hour;
- (c) week days 4:30pm to 6:00pm \$10 per hour;
- (d) Saturdays, Sundays and Public Holidays \$15 per hour.

(2) The fees provided for under subregulation (1) shall be paid at the Treasury and the inspection shall only be authorised by the Director upon proof of payment by producing the receipt from the Treasury. (*Inserted by L.N. 40/2019*)

Proof of inspection to be displayed

8. A motor vehicle in respect of which a Certificate of Roadworthiness has been issued shall bear on its windshield a certificate of inspection in the form directed by the Director.

Prescribed lights

9. The prescribed lights and the manner and position in which they are carried between the hours of sunset and sunrise shall be—

- (a) motor vehicles other than motor cycles to carry fixed to the front two lamps, one on each side, each such lamp showing to the front a white light visible from a reasonable distance. Motor cycles and pedal cycles shall carry one lamp fixed to the front showing such a white light;
- (b) a motor vehicle shall not carry a lamp showing to the front—
 - (i) a blue or red light; or
 - (ii) an amber light other than a trafficator or lamp showing an emergency light;
(Inserted by L.N. 12/2000)
- (c) animal drawn vehicles to carry, fixed to the offside, a lamp showing to the front a white light and to the rear a red light, both lights being visible from a reasonable distance;
- (d) motor vehicles and trailers to carry fixed to the offside, or in the case of motor cycles in the centre line, of each vehicle a lamp showing to the rear a red light visible from a reasonable distance. In addition a lamp shall be so constructed as to show a white light illuminating the letters and numbers on the rear identification plate so that they are readable at a distance of thirty feet;
(Amended by L.N. 12/2000)
- (e) a motor vehicle or trailer shall not carry a lamp showing to the rear—
 - (i) a white light other than a lamp showing a reverse light or the lamp referred to in paragraph (d) and illuminating the letters and number on the rear identification plate; or
 - (ii) an amber light other than a trafficator or lamp showing an emergency light;
(Inserted by L.N. 12/2000)
- (f) pedal cycles to carry on the rear mudguard or on the offside rear fork of the cycle frame a red glass reflector; and
- (g) lamps showing a light to the front shall be so constructed, fitted and maintained that the beam of light emitted therefrom shall either;
 - (i) be permanently deflected down so as to be incapable of dazzling any person in the same horizontal plane standing not less than twenty-five feet away and whose eye level is not less than 3 feet 6 inches above that plane;
 - (ii) be capable of deflection down and to the left at the will of the driver, rendering it incapable of dazzling such person as aforesaid; or
 - (iii) be extinguishable by operation of a device which at the same time causes a beam of light to be emitted which complies with subparagraph (i) of this paragraph.
(Amended by L.N. 12/2000)

Prescribed lights for emergency motor vehicles

10. An emergency motor vehicle, trailer or motor cycle may carry—

- (a) a lamp showing an amber, blue, red or white light;
- (b) a lamp showing a light which is capable of being used while the emergency motor vehicle, trailer or motor cycle is in motion, other than a headlight; or
- (c) a lamp showing a light of more than seven watts other than headlamps, lamps showing stoplights or emergency lights or a trafficator.

(Inserted by L.N. 12/2000)

PART III

WEIGHT RESTRICTIONS

Axle weight

11. (1) In the case of every vehicle whether stationary or in motion on any road, excepting a vehicle authorised under regulation 14, the total weight transmitted to the road surface by any two wheels in line transversely shall not exceed nine tons.

(2) Any person causing or permitting any vehicle to be on any road in contravention of this regulation commits an offence.

(3) For the purposes of this regulation the measured weight of the vehicle and its load shall be deemed to be the weight at the time of the commission of the offence irrespective of whether water, oil or fuel has been added to the vehicle between the time of commission of the offence and the weighing of the vehicle.

Order to weigh

12. (1) The owner, driver or other person in charge of any vehicle whether stationary or in motion on any road may be ordered by any police officer or by any person or member of a class of persons authorised in writing by the Director to permit the vehicle to be weighed and for that purpose to drive him with such vehicle to the nearest weighbridge for the purpose of weighing the vehicle.

(2) Any person who fails to comply with an order given pursuant to subregulation (1) to permit a vehicle to be weighed or for that purpose to proceed with a vehicle to the nearest weighbridge commits an offence.

(3) Any person who has been ordered pursuant to subregulation (1) to permit a vehicle to be weighed or for that purpose to proceed with a vehicle to the nearest weighbridge and who causes or permits any part of the vehicle to be removed from the vehicle before the vehicle is weighed commits an offence.

(4) Where a person has failed to comply with an order pursuant to subregulation (1) to permit a vehicle to be weighed or for that purpose to proceed with the vehicle to the nearest weighbridge the vehicle may be detained at the expense and risk of the owner and taken to a place of safekeeping until such request is complied with.

(5) Where a vehicle is weighed pursuant to subregulation (1) and is found to be in contravention of regulation 3 the excess load shall first be removed from the vehicle before the vehicle is permitted to proceed on its journey.

Weighbridges

13. The Director or any person authorised by him in writing may maintain and operate a weighbridge.

Exceptional loads

14. The Director may in writing permit the use of a vehicle for exceptional loads on any road or roads where the total weight of the vehicle is transmitted to the road surface and any two wheels in line transversely exceeds nine tons.

Penalty

15. Any person convicted of an offence under this Part is liable to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

PART IV

IDENTIFICATION PLATES

Identification plates

16. Every identification plate shall be rectangular in shape bearing upon it the separate number assigned to the vehicle or trailer and the other wording and symbols as specified in Schedule 4.

(Amended by L.N. 12/2000)

Identification plate fee

17. An identification plate shall be issued upon payment of the fee set out in Schedule 1.

(Inserted by L.N. 40/2019)

Position

18. The plate to be fixed on the back of the vehicle shall be affixed at right angles to the longitudinal axis of the vehicle or trailer.

Dimensions of letters and numbers

19. (1) Every letter or figure shall be not less than three and a quarter inches high and every part not less than three eighths of an inch broad. The total width of the space taken up by every letter or figure (except in the case of figure “1”) shall be at least one and three-quarter inches:

Provided in the case of motor-cycle plates the letters and figures shall be not less than two inches high and every part not less than three-eighths of an inch broad. The total width of the space taken up by every letter or one figure (except in the case of the figure “1”) shall be at least one and one-quarter inches.

(2) The space between adjoining letters and adjoining figures shall be not less than half an inch and there shall be a margin between the nearest part of any letter or figure and the top or bottom of the plate of at least half an inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch:

Provided that the space between the letter “C” and the first figure shall be not less than one inch.

Colour and description of identification plates

20. The letters and figures on an identification plate shall be black in colour on a white (reflective) background and each official identification plate as set out in Schedule 4 shall also bear the Coat of Arms with the exception of the identification plate of the Governor and the Deputy Governor. *(Substituted by L.N. 40/2019)*

Legibility

21. Identification plates shall be maintained in such condition that the registration number shall at all times be legible in accordance with the provisions of the Ordinance.

Tinting

22. (1) For the purpose of section 47 of the Ordinance the degree of light transmission in either direction—

- (a) through a windscreen of a vehicle other than an area of the windscreen between a line drawn six inches from the top of the windscreen and that top, shall be not less than the degree of light transmission through transparent glass of a thickness not exceeding one eighth of an inch; and
- (b) through that area and a window shall not be lower than twenty per cent of the light transmission through transparent glass of a thickness not exceeding one eighth of an inch. *(Amended by L.N. 50/2019)*

(2) Measurement of the degree of light transmission through a windscreen or window of a vehicle shall be only by a device—

- (a) designed or adapted for measuring degrees of transmission of light; and
- (b) of a type approved by the Director.

(3) Subregulation (1) shall not apply to any vehicle or class of vehicle approved by the Director, after consultation with the Minister, as set out in Schedule 9. *(Substituted by L.N. 50/2019)*

(4) The degree of light transmission provided for in subregulation (1) shall not apply to a vehicle—

- (a) whose rear window and rear passenger windows have had something built into them by the manufacturer of the vehicle or of these windows, so that the degree of light transmission in either direction through these windows is lower than twenty per cent of the light transmission through transparent glass of a thickness not exceeding one eighth of an inch; and
- (b) that was in the Islands on 20 December 2019.
(Substituted by L.N. 50/2019)

(5) Notwithstanding subregulation (1), the following public service vehicles may have rear windows with the manufacturer’s installed tints at any percentage level—

- (a) a private transfer vehicle (reserved); or
- (b) a private transfer vehicle (resort).
(Substituted by L.N. 50/2019)

PART V

RULES OF THE ROAD

Intersections

23. A driver of a vehicle shall reduce speed upon approaching any crossroads, junction, bend, corner, bridge or sharp turn and shall—

- (a) if driving on a soil road, give way to traffic travelling on a macadamized road;
- (b) if approaching a crossroad, where the roads are all soil or all macadamized and no traffic control sign is evident, give way to traffic approaching from the right;
- (c) if approaching a “T” junction give way to traffic travelling along the road which figuratively crosses the “T”.

Roundabout

24. A driver of a vehicle shall upon approaching any roundabout take note of all traffic signs and lane markings present near the roundabout and shall—

- (a) use mirrors and hand signals;
- (b) adjust speed to suit traffic conditions;
- (c) decide on exit and move into correct lane;
- (d) beware of speed and position of all traffic near the roundabout;
- (e) give priority to traffic approaching from the right unless directed otherwise by signals or road markings;
- (f) look out for vehicles already on the roundabout; and
- (g) consider traffic in front before moving off.

(Inserted by L.N. 8/2005)

Overtaking

25. (1) No vehicle shall be driven so as to overtake other traffic unless the driver of the vehicle sees that the road is clear for a sufficient distance ahead to enable him, after overtaking, to return to his proper side before he encounters any traffic coming from the opposite direction.

(2) No vehicle shall overtake other traffic when rounding a corner or negotiating any crossroads, junction, sharp turn, bridge or brow of a hill.

Following vehicle

26. A motor vehicle being driven behind another motor vehicle shall be driven so that even in the event of an emergency it can be brought to a halt on its correct side of the road without having touched the vehicle in front.

Hand signals

27. In the absence of mechanical means of indicating his intention to other users of the road, the following signals shall be given by a person driving a right hand drive vehicle—

- (a) to slow down or stop: extend the right arm, palm turned downwards, and move the arm slowly up and down, keeping the wrist loose;
- (b) to turn left: extend the right arm and rotate it in an anti-clockwise direction;
- (c) to turn right: extend the right arm and hand, palm to the front and hold rigid in a horizontal position;
- (d) to indicate to following traffic that it may overtake: extend the right arm and hand below the level of the shoulder and move the same backwards and forwards.

Hand signals for police control

28. A person driving a right hand drive vehicle and approaching a police officer engaged in the regulation of traffic shall give the following signals indicating to him the direction in which the driver wishes to proceed—

- (a) to go straight ahead: raise the right forearm vertical, palm of the hand to the front, fingers extended and together. In vehicles having windcreens the signals should be made by placing the forearm on the windscreen;
- (b) to turn to the left: raise the right forearm to a horizontal position in front of the chin, palm of the hand to the front, fingers extended together and pointing to the left. In vehicles having windcreens the signal should be made by placing the forearm on the windscreen;
- (c) to turn to the right: signal as in regulation 24(c).

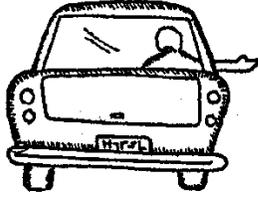
Left hand driver signals

29. A person driving a left hand drive vehicle shall interpret, in a proper manner, the signals prescribed by regulations 27 and 28.

SIGNS AND SIGNALS

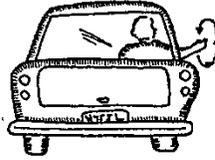
DRIVERS, MOTOR CYCLE AND BICYCLE RIDERS SIGNALS TO OTHER ROAD USERS

These signals should be given to other road users by a driver, motor-cycle and bicycle rider and those in charge of horses. Signal clearly, decisively and in good time. *Fully* extend the arm. After signalling carry out your manoeuvre only when it is safe to do so. If your vehicle is LEFT HAND DRIVE reverse the right and left signals.



“I intend to move out or TURN to my RIGHT.” (Palm of hand to front, fingers straight and rigid).

“I intend to PULL IN or TURN to my LEFT.” (Palm to front, arm rotated in anti-clockwise movement).



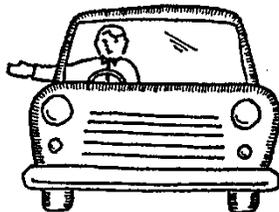
“I intend to SLOW DOWN or STOP.” (Arm full extent, palm down then wave arm up and down).

DRIVERS' AND RIDERS' SIGNALS
TO POLICE OFFICERS CONTROLLING TRAFFIC



“I wish to go STRAIGHT AHEAD.”
(Left hand palm to front placed on
windscreen).

“I want to TURN LEFT.” (Right
elbow and forearm with palm of hand
to front placed against the
windscreen).



“I want to TURN RIGHT.” (Arm fully
extended through window, straight and
rigid, palm to front).

DO NOT RELY ON YOUR FLASHING INDICATORS—
THEY MAY NOT BE WORKING.

ROAD TRAFFIC POLICE SIGNALS

"STOP"



Vehicle approaching from Front.

"COME ON"



Beckoning Vehicle from Front.

"STOP"



Vehicle approaching
from behind

"COME ON"



Beckoning on
vehicle from Behind.

"STOP"



Vehicles approaching from Front
and Behind.

"COME ON"

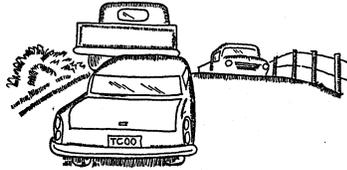


Beckoning on vehicle
from side.

DO NOT OVERTAKE AT
OR WHEN APPROACHING THE FOLLOWING

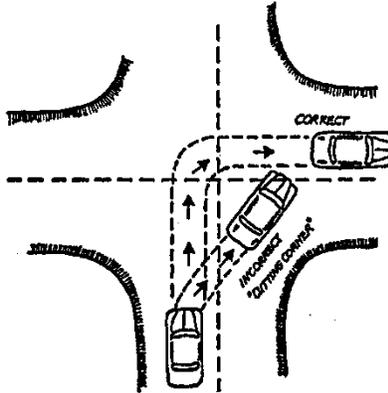
- A road junction.
- A corner or bend.
- The brow of a hill.
- Where the road narrows.

AND DO NOT OVERTAKE WHEN TO DO SO WOULD FORCE ANOTHER VEHICLE TO
SWERVE OR REDUCE SPEED!



DRIVERS—CUT A CORNER AND CUT OFF A LIFE
THE COST TO YOU WILL BE—
TEN YEARS OFF YOUR LIFE!!

CYCLISTS—IF YOU CUT A CORNER
IT MAY COST YOU YOUR LIFE!



PART VI

ONE WAY TRAFFIC GRAND TURK

One way traffic

30. The driving of vehicles on the roads specified hereunder other than in the direction indicated is prohibited—

ROADS	PERMITTED DIRECTION
Duke Street (James Street to Chancery Lane)	Northwards
Queen Street (Chancery Lane to Market Street)	Northwards
Front Street (Market Street to Frederick Street)	Northwards
West Road (Frederick Street to North Folly)	Northwards
Doctors Alley	Eastwards
Chancery Lane	Westwards
Barrack Street	Westwards
Victoria Street	Westwards
Prison Street	Westwards

(Amended by L.N. 3/2016)

PART VII

TRAFFIC SIGNS

Traffic signs

31. Traffic signs shall be of such size as to be legible from sufficiently far away without diverting the gaze through too great an angle and a sign deemed to be so legible during the daytime shall be deemed to be so legible in the night time. The prescribed signs shall be—

A. Mandatory Signs giving definite instructions to road users—

1—HALT	A “T” shaped plate of white colour with black surround having on it in black the words, “HALT AT MAJOR ROAD AHEAD.”
2—STOP AND GIVE WAY	A white circle with red surround faced by an inverted triangle having in the centre the word “STOP.”
3—SPEED LIMITS	A rectangular plate with long sides vertical of off white colour with black surround having on it the words “SPEED LIMIT” and underneath such words the numerals and letters in black denoting such limit.
4—NO ENTRY FOR VEHICULAR TRAFFIC	A circular red plate with white surrounds with a white line in the middle.
5—NO WAITING	A circular plate yellow in colour with red surround having on it in black the words “NO WAITING.”

6—NO PARKING	A circular blue plate with red surrounds with a diagonal red line through it. <i>(Inserted by L.N. 8/2005)</i>
7—ONE WAY STREET	A rectangular plate short sides vertical of white colour with black surround having on it in black the words “ONE WAY STREET” and an arrow denoting the direction of permitted traffic flow.
8—ONE WAY	A rectangular plate short sides vertical white in colour with black surround having on it an arrow sign in black denoting the direction of permitted traffic flow.
9—KEEP LEFT	A circular blue plate with white surround having on it a white arrow point down at 45 degrees to the left of vertical.
10—PRIORITY TO VEHICLES FROM THE OPPOSITE DIRECTION	A circular white plate with red surround having on it two vertical arrows, one in red point up and a larger one in black point down the red arrow denoting traffic flowing in the direction indicated by that arrow to give way to traffic flowing in the direction indicated by the larger black arrow.
11—PRIORITY OVER VEHICLES FROM THE OPPOSITE DIRECTION	A blue rectangular plate with white surround long sides vertical having on it two arrows one in white point up and the other red point down the white arrow denoting traffic flowing in the direction indicated by that arrow to have priority over traffic flowing in the direction indicated by the red arrow.
12—GIVE WAY	A white triangular plate with red surround apex down having on it the words in black “GIVE WAY.”
13—GIVE WAY 50 YDS	A white triangular plate with red surrounds apex down attached to a white horizontal rectangular plate having on it the words “GIVE WAY 50 YDS.” <i>(Inserted by L.N. 8/2005)</i>
14—NO RIGHT TURN	A white circular plate red surround slashed by a red line 45 degrees from vertical running right to left over a black symbol of right 90 degree angle shape pointed on the horizontal.
15—NO LEFT TURN	A white circular plate with red surround slashed by a red line 45 degrees from vertical running left to right over a black symbol of left 90 degree angle shape pointed on the horizontal.
16—NO OVERTAKING	A white circular plate red surround having on it in black the symbols of two cars the right hand one slashed by a red line slightly off the vertical plane.
17—REDUCE SPEED NOW	A red rectangular plate with white surrounds having on the face of it the words “Reduce Speed Now.” <i>(Inserted by L.N. 8/2005)</i>
18—MAJOR JUNCTION TO THE LEFT	A white triangular plate with black vertical line with jutting to the left.
19—MAJOR JUNCTION TO THE RIGHT	A white triangular plate with black vertical line with jutting in the line to the right.
20—LEFT TURN ONLY	A circular blue plate with white arrow pointing to the left.
21—RIGHT TURN ONLY	A circular blue plate with white arrow pointing to the right.

- 22—NO U TURNS A circular white plate with red surrounds having a black upside down U with a stroke across it in red.
- 23—U TURN A circular white plate with red surrounds having a black upside down U in the middle.
- 24—ROUNABOUT A triangular white plate with red surrounds containing a black circle in the middle directed in three places.
- 25—MINI ROUND ABOUT A blue circular plate with three white arrows following each other around the edge of the plate.
- 26—BEND TO THE RIGHT A white triangular plate with red surrounds with a black line in the middle bent towards the right.
- 27—BEND TO THE LEFT A white triangular plate with red surrounds with a black line in the middle bend towards the left.
- 28—ROAD NARROWS ON RIGHT A white triangular plate with red surrounds with two black lines in the middle, the right line narrowing at the top.
- 29—ROAD NARROWS ON LEFT A white triangular plate with red surrounds with two black lines in the middle, the left line narrowing at the top.

(Inserted by L.N. 8/2005)

B. Warning signs giving due warning for road users to exercise caution—

- 30—HOSPITAL UP AHEAD A red vertical rectangular plate having on it in white the letter “H” and a white arrow.

(Amended by L.N. 8/2005)

- 31—BEND A rectangular plate off white in colour long sides vertical black surround having on it the word “BEND” and a curved symbol consisting of a quadrant sector of a circle with notched end pointed head facing to left or right thus denoting the direction of the bend.
- 32—CATTLE GRID A rectangular plate short sides vertical white in colour with black surround having on it in black the words “CATTLE GRID”.
- 33—CHILDREN CROSSING AHEAD A rectangular plate short sides vertical red in colour with white surround having on it in white the words “CHILDREN CROSSING AHEAD.”
- 34—CHILDREN A white triangular plate apex up with red surround having on it in black the figures of a boy and girl hand in hand.
- 35—SLOW SCHOOL ZONE A rectangular plate yellow in colour having on it in black letters “SLOW SCHOOL ZONE”
- 36—LOW FLYING AIRCRAFT OR SUDDEN AIRCRAFT NOISE A white triangular plate apex up with red surround having on it in black the symbol of a jet aircraft.
- 37—AIRPORT UP AHEAD A blue vertical rectangular plate having on it in black the symbol of a jet craft and a white arrow.

(Inserted by L.N. 8/2005)

C. Informatory Signs giving information to road users—

38—PARKING PLACE	A blue square plate with white surround having on it in white a large letter “P.”
39—NO THROUGH ROAD	A blue square plate with white surround having on it a symbol in the shape of a letter “T” the vertical line being white and the horizontal red.
40—UNSUITABLE FOR MOTORS	A blue rectangular plate short sides vertical with white surround having on it in white the words “UNSUITABLE FOR MOTORS.”
41—BUS STOP	A white rectangular plate with black surrounds having on it in black the words “BUS STOP” and the symbol of a bus. <i>(Inserted by L.N. 8/2005)</i>
42—ON APPROACHES TO JUNCTION	A green rectangular plate with white surrounds having on it information about directions. <i>(Inserted by L.N. 8/2005)</i>
43—NO EXIT	A blue rectangular plate short sides vertical with white surround having on it in white the words “NO EXIT.”
44—NO ENTRY	A blue rectangular plate short sides vertical with white surround having on it in white the words “NO ENTRY.”
45—IN	A square blue plate with white surround having on it in white the word “IN.”
46—OUT	A rectangular blue plate with white surround short sides vertical having on it in white the word “OUT.”
Signs 43 to 46 inclusive are mainly for use in respect of private and other premises adjacent to public roads.	
<i>D. Temporary Signs giving definite instructions, due warning and information to road users.</i>	
47—STOP POLICE	A white circular plate with red surround having a black horizontal bar across the centre and the words “STOP POLICE.”
48—ROAD WORKS	A white triangular plate apex at top red surround having on it in black the symbol of a person digging from a pile of solid matter.
49—TEMPORARY ROAD SURFACE	A red rectangular plate short sides vertical with white surround having on it in white the words “TEMPORARY ROAD SURFACE.”

PART VIII

PARKING RESTRICTIONS

Parking restrictions — Grand Turk

32. It shall be an offence for a driver of any motor vehicle to park or cause to stop any such vehicle at the following places—

- (a) on Front Street Grand Turk, between the south end of Grant’s Iron building and the south end of Todd’s Store:

Provided that one commercial vehicle only at any one time may park in this area for the purpose of loading or off loading such vehicle, which shall be completed as expeditiously as possible;

- (b) in Pond Street Grand Turk, between Rigby’s Alley and the Canal Bridge.

(Amended by L.N. 16/1982)

Parking restrictions — Providenciales

33. No person shall park any public service vehicle designed or adapted for the carriage of 10 or more passengers in the parking area adjacent to the Providenciales International Airport terminal.

PART IX

PARKING FOR HANDICAPPED PERSONS

Interpretation

34. In this Part, “parking facility” means a parking lot or a parking structure.

Public road parking

35. (1) The Minister may, by Notice published in the *Gazette*, designate the public roads in the Islands where special reserved parking space shall be made available for use by persons who are handicapped.

(2) A parking space designated under subsection (1) shall be demarcated by blue lines and shall bear on the designated parking space or on a sign erected adjacent to the designated parking space, the following (international) symbol for the handicapped—



Designated parking

36. (1) All Government departments and agencies, statutory bodies, churches and private businesses in the Islands that are open to the general public shall provide designated parking for persons who are handicapped.

(2) Any person who provides a parking facility in the Islands shall provide the minimum number of parking spaces for the handicapped as follows—

Total number of parking spaces in parking facility	Minimum number of required accessible parking spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 and over	5% of the total

(3) A person who contravenes subregulation (1) and (2) commits an offence and is liable on summary conviction to a fine of \$1,000.

Location of parking spaces

37. (1) Any parking spaces provided for the handicapped under this Part shall be located on the shortest accessible route from the parking space to the entrance of the building or facility.

(2) Where a parking facility provides more than one accessible entrance, the parking spaces for the handicapped shall be dispersed and located on the shortest accessible route to the accessible entrances.

(3) Where the parking facilities do not serve a particular building or facility, parking spaces for the handicapped shall be located on the shortest possible route to an accessible pedestrian entrance of the parking facility.

Parking sign requirements

38. (1) Any person who provides parking spaces for the handicapped pursuant to section 35 shall designate the parking space with a sign located at least five feet above the ground.

(2) A person shall ensure that the sign has the “universal symbol of accessibility” which is the standard blue and white image of an individual in a wheelchair as set out in regulation 35(2).

Use of designated parking

39. The designated parking spaces under this Part shall only be used by persons who have been issued a handicapped identification card under the Motor Vehicles (Driving Licences) Ordinance.

(Inserted by L.N. 40/2019)

PART X

VEHICLE LICENSING

Vehicle licensing fees

40. The fees set out in Schedule 1 shall be payable for the licensing and renewal of licences of motor vehicles.

Half-yearly licences

41. The fees payable for half-yearly licences issued under section 5 of the Ordinance expiring on 31 December or 24 June shall be half the fees listed in Schedule 1.

Dealers licence forms

42. The forms for a dealer's licence under section 7 of the Ordinance are set out in Schedule 7.
(*Inserted by L.N. 2/2001*)

Fees for period between expiry and renewal

43. Where there is a period of time between the date not later than which a licence under section 5 or 7 of the Ordinance expires and the date of renewal of the licence, there shall be added on renewal to the fee under this Part and Schedule 1 a proportion of the fee corresponding to the proportion which the period bears to a year.

(*Inserted by L.N. 12/2000*)

Licences running for periods other than a year

44. Where a licence issued under section 5 or 7 of the Ordinance expires and will have run for a period other than a year there shall be added to or deducted from the fee under this Part and Schedule 1 on renewal of the licence a proportion of that fee corresponding to the proportion which the period exceeding or falling short respectively of a year bears to a year.

(*Inserted by L.N. 12/2000*)

Calculation of time

45. In calculating the periods of time under regulations 34 and 35 if the number of days of the period in any one month is more than fifteen they shall be counted as one month and if the number of days is fifteen or less they shall be disregarded.

(*Inserted by L.N. 12/2000*)

Transfer of registration and fee

46. (1) Subject to section 9(4) of the Ordinance, on the change of ownership of a motor vehicle, the registered owner and the new owner shall sign the form set out in Schedule 8 and the transferee shall submit the form to the Director together with the fee of \$20.

(2) In the case of death of the registered owner of a motor vehicle, the legal personal representative of the deceased in the Islands shall be deemed to be the owner for the purposes of a transfer, and in the absence of any legal personal representative, the person into whose possession the motor vehicle shall lawfully come shall, for the purposes of a transfer, be deemed to be the registered owner.

(3) The personal legal representative or other person who comes into possession of the motor vehicle shall notify the Director in writing within one month of the death of the registered owner.

(4) Subject to subregulations (2) and (3) the Director may issue a new licence.

(*Inserted by L.N. 40/2019*)

Transfer of ownership

47. On the transfer of ownership of a motor vehicle, the Director shall amend the register, the registration and the licence. (*Inserted by L.N. 40/2019*)

PART XI SEAT BELTS

Interpretation

48. (1) In this Part—

“adult seat belt” means a seat belt which is—

- (a) a three-point belt;
- (b) a lap belt; or
- (c) a seat belt which falls within the meaning of these Regulations;

“child” means a person under the age of fourteen years;

“disabled person’s belt” means a seat belt which has been specially designed or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;

“front seat”, in relation to a vehicle, means a seat which is wholly or partially in the front of the vehicle;

“lap belt” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;

“medical certificate”, in relation to a person driving or riding in a vehicle, means a valid medical certificate by a medical practitioner to the effect that it is inadvisable on medical grounds for that person to wear a seat belt, and a certificate shall not be regarded as a medical certificate for the purposes of these Regulations unless it specifies its period of validity;

“oversized truck” means a truck weighing more than six tons;

“rear seat”, in relation to a vehicle, means a seat which is not a front seat;

“relevant vehicle” means—

- (a) a motor car;
- (b) an oversized truck manufactured after 1980;
- (c) a special vehicle manufactured after 1980; or
- (d) a truck;

“seat” includes any part of a vehicle designed for the accommodation of one person or a continuing seat designed for the accommodation of more than one person;

“special vehicle” means a vehicle not constructed or adapted for use on a road and includes a track-laying or wheeled vehicle having motive power and designed to be used with or without

accessories for construction, road maintenance, engineering or agricultural work and also includes a forklift and a front loader;

“specified passenger’s seat” means—

- (a) in the case of a vehicle which has one forward facing front seat alongside the driver’s seat, that forward seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat; or
- (b) if the vehicle normally has no seat which is the specified passenger’s seat under paragraph (a), the forward facing front seat for a passenger which is foremost in the vehicle and furthest from the driver’s seat, unless there is a fixed partition separating that seat from the space in front of it alongside the driver’s seat; and

“three-point belt” means a seat belt which—

- (a) restrains the upper and lower parts of the torso;
- (b) includes a lap belt;
- (c) is anchored at not less than three points; and
- (d) is designed for use by an adult.

(2) For the purposes of these Regulations, a seat shall be regarded as fitted with an adult seat belt if it is fixed in such a position that it can be worn by an occupier of that seat.

References to the front of a vehicle

49 Every part of the vehicle forward of the transverse vertical plane passing through the rearmost part of the driver’s seat shall be regarded as the front of the vehicle and, accordingly, no part of the vehicle to the rear of that plane shall be regarded as being in the front of the vehicle.

Seat belts in vehicles

Seat belts in vehicles

50. (1) The following relevant vehicles shall be fitted with a seat belt on the driver’s seat and another on the specified passenger’s seat in the front of the vehicle—

- (a) an oversized truck manufactured after 1980;
- (b) a special vehicle manufactured after 1980; and
- (c) a truck.

(2) A motor car shall be fitted with—

- (a) a seat belt on the driver’s seat;
- (b) a seat belt on the specified passenger’s seat in the front of the vehicle; and
- (c) a seat belt on each of the rear seats.

(3) Seat belts fitted under subregulations (1) and (2) shall be of a type fitted in the vehicle by the manufacturer of the vehicle or approved by the Director.

Adults

Requirement for adults to wear adult seat belts

51. A person who is not a child—
- (a) driving a relevant vehicle;
 - (b) riding in the front seat of a relevant vehicle; or
 - (c) riding in a rear seat of a relevant vehicle,

shall wear an adult seat belt.

Exemptions for adults

52. Regulation 51 shall not apply to—
- (a) a person holding a medical certificate;
 - (b) a person using a vehicle constructed or adapted for the delivery or collection of goods or mail to or from consumers or addresses, while engaged in making local rounds of deliveries or collections;
 - (c) a person driving a vehicle while performing a manoeuvre which includes reversing; or
 - (d) a disabled person who is wearing a disabled person's belt.

Children

Description of seat belts to be worn by children

53. A child travelling in a relevant vehicle shall wear an adult seat belt or a seat belt of a type approved by the Director for use by a child.

Exemptions for children

54. Regulation 53 shall not apply to—
- (a) a child in respect of whom there is a medical certificate;
 - (b) a child under two years of age in a carry cot provided that the carry cot is restrained by a seat belt; or
 - (c) a disabled child who is wearing a disabled person's belt.

PART XII

FINES AND TICKETS

Fine and forms of traffic tickets

55. For the purposes of section 55 of the Road Traffic Ordinance—
- (a) the fines for the offences referred to in that section are the fines in the last column of the table in Schedule 5 specified in relation to the offences listed

in the first column of that table under the sections listed in relation to them in the second column of the table; and

- (b) the forms of traffic tickets are the forms set out in Schedule 6.
(Inserted by L.N. 12/2000)
-

SCHEDULE 1

(Regulations 5, 6, 17, 40, 41 and 43)

FEEs

The following fees are payable —

PART 1

GENERAL

1. Certificates of Roadworthiness – regulation 5

For the issue of a certificate – Full year \$30;

2. Special on-site inspections

10 vehicles \$250

11 to 20 vehicles \$400

20 to 30 vehicles \$540

30 to 40 vehicles \$680

40 plus vehicles \$1,500

3. Identification plate

\$20 per plate

PART 2

VEHICLE LICENSING FEES

A. Vehicles other than Commercial Vehicles

Type of vehicle	Fee payable
1. (a) On a motor car	\$150
(b) On a Golf cart	\$150
(c) On a motor-cycle, motor scooter and three wheeled vehicle	\$75
(d) On a truck, van or jeep	\$190
(e) On an invalid carriage	No charge;

B. Commercial Vehicles

2. (a) On a public service vehicle (i.e. designed or adapted for the carriage of twenty or more passengers): private charter	\$700
--	-------

(b)	On a public service vehicle (i.e. a luxury motor vehicle);private transfer (reserved)	\$555 (luxury motor vehicle) \$750 (Limo)
(c)	On a public service vehicle: private transfer (resort)	\$5,000
(d)	On a motor car whose registered owner is a company or partnership or which is used commercially (i.e. for the carriage for reward of goods)	\$375
(e)	On a hire drive motor-cycle, motor scooter and three-wheeled vehicle	\$150
(f)	On a truck -	
(i)	exceeding 1 but not exceeding 3 tons capacity	\$375
(ii)	exceeding 3 but not exceeding 5 tons capacity	\$375
(iii)	exceeding 5 but not exceeding 10 tons capacity	\$375
(iv)	exceeding 10 but not exceeding 15 tons capacity	\$375
(v)	exceeding 15 but not exceeding 20 tons capacity	\$525
(vi)	exceeding 20 tons capacity	\$1,200
(g)	On a trailer -	
(i)	not exceeding 1 ton capacity	\$150
(ii)	exceeding 1 ton but not exceeding 2 tons capacity	\$150
(iii)	exceeding 2 tons capacity	\$150
(h)	On a forklift truck not exceeding 2 tons capacity	\$150
(i)	On constructional and loading equipment including a forklift truck exceeding 2 tons capacity but not exceeding 20 tons.	\$525

(Substituted by L.N. 10/2011 and amended by L.N. 42/2011)

SCHEDULE 2

(Regulation 5)

CERTIFICATE OF ROADWORTHINESS

OWNERS NAME

.....

MAKE OF VEHICLE

.....

MODEL/NAME/CYLINDER

.....

VEHICLE LICENCE NO.

.....

.....

INSURANCE NO.

.....

VALID FROM:20..... UNTIL 20.....

I hereby certify that the above named vehicle was given an inspection in conformity with the provisions of the Road Traffic Ordinance and is in a roadworthy condition.

DATED the day of 20.....

DIRECTOR OF ROAD SAFETY
AND TRANSPORTATION

SCHEDULE 3

(Regulation 6)

APPLICATION FOR ON-SITE MOTOR VEHICLE INSPECTION	
Company name	
Business licence number	
Address	
Contact person	
Telephone number	
Number of vehicles to be inspected on-site	
Requested date of inspection	
Premises where inspection is to take place	
Official receipt number	
FOR OFFICIAL USE ONLY	
Amount to be paid (US\$)	
Receipt number	
Approval for on-site inspection(Granted/Denied)	
Officer assigned for inspection	
Date.....Signature.....	
(Director of Road Safety)	

(Inserted by L.N. 40/2019)

SCHEDULE 4

(Regulations 17 and 20)

IDENTIFICATION PLATE

VEHICLE LICENCE PLATE

To be issued by the Road Safety and Transportation Department



Licence Plates for the Cabinet and House of Assembly



Governor



Deputy Governor



Premier



Deputy Premier



Speaker



Deputy Speaker



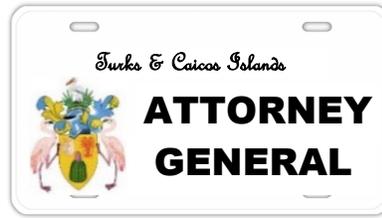
Minister



Member of Parliament



Leader of the Opposition



Attorney General



Counsel

SCHEDULE 5*(Regulation 44)***TICKET OFFENCES AND FINES**

OFFENCES	SECTION	FINE
Using or permitting to be used on road motor vehicle or trailer for which licence has not been issued or has expired	5(2)	\$200
Driving vehicle at excessive speed		
(a) up to 10 miles per hour in excess of speed limit	37	\$350
(b) for every further 10 miles per hour or part thereof		\$350
(c) maximum penalty		\$1,500
Using or permitting to be used on road a dangerous vehicle	41	\$300
Failing to conform with indication given by police officer, traffic sign or traffic signal	42	\$300
Parking and obstruction	43	\$250
Loading and overcrowding vehicle	45	\$300
Causing or permitting vehicle to be on road without carrying and exhibiting prescribed lights	46	\$300
Tinting of windows and windscreen	47	\$250
Driving on incorrect side of road	48	\$350
Failing to stop in case of accident	49	\$350
Failing to produce documents	50	\$200
Driving or riding in motor vehicle in contravention of seat belt regulations	51	\$250
Driving a motor vehicle in contravention of seat belt regulations	52	\$250
Using vehicle without proper identification plate	54(1)(a)	\$300
Holding on to vehicle on road for the purpose of being towed	54(1)(b)	\$300
Throwing object at vehicle or at a person in vehicle	54(1)(c)	\$350
Throwing object from vehicle while vehicle is in motion	54(1)(d)	\$350

Missing or defective muffler or silencer	54(1)(e)	\$200
Using vehicle which gives out excessive or obnoxious smoke, fumes, noise or odour	49(1)(f)	\$250
Using horn or other audible warning device excessively or to cause unnecessary discomfort	54(1)(g)	\$250
Using spotlight or flashlight to endanger or dazzle	54(1)(h)	\$300
Obstructing or failing to give way to emergency vehicle	54(1)(i)	\$350
Failing to give ample clearance to school vehicle	54(1)(j)	\$350
Overtaking school vehicle engaged in setting down or picking up passengers	54(1)(j)	\$350
Leaving vehicle unattended with engine running	54 (1)(k)	\$200
Bringing or driving motor vehicle on to beach or other place intended for exclusive use of pedestrians	54 (1)(l)	\$350
Parking vehicle on carriageway of road at night without rear lights and, in case of vehicle other than motor cycle, sidelights, illuminated	54 (1)(m)	\$300
Causing or permitting vehicle to stand or lie on road or footpath so as to cause unnecessary obstruction or danger	54 (1)(n)	\$300
Leaving or permitting vehicle to be left on or in immediate vicinity of road in such a manner and for such length of time as to cause complaint to remove vehicle	54 (1)(o)	\$300
Breaching any construction and use regulations	54 (1)(p)	\$300
Parking vehicle other than taxi-cab or omnibus in taxi-cab or omnibus rank	54 (1)(q)	\$250
Failing to give way to pedestrian using pedestrian crossing	54 (1)(r)	\$350
Parking vehicle within 45 feet of pedestrian crossing	54 (1)(s)	\$350
Parking or unloading vehicle upon road in contravention of section 23(d) of the Ordinance	54 (1)(t)	\$200
Failing to wear head gear while riding a motor cycle	54(1)(u)	\$250
Parking in a designated handicap parking space	54(1)(v)	\$250

(Substituted by L.N. 23/2011 and Amended by L.N. 40/2019)

SCHEDULE 6

(Regulation 54)

FORMS OF TRAFFIC TICKETS

TRAFFIC TICKET

Tick (✓) one only:

- Ticket served upon driver (*details below*)
- or
- Ticket affixed to stationary vehicle (*details of registered owner below*)

Name:.....

Date of birth: Post office box:

Address:

Phone: (*work*) (*home*)

Work address:

Make, model, identification no. and registration no. of vehicle:
.....

You are summoned to appear in the Magistrate’s Court at (*place*)

at a.m., on the day of, 20.....
or

you can produce this ticket to the Clerk of Court at any time during office hours not later than twenty-eight days beginning with the day after the date of this ticket and pay the Clerk of Court the sum of \$

in respect of the following offences committed by you:

at

on the day of, 20.....

Offence:	Section:	Fine:
.....	\$

Offence:	Section:	Fine:
.....	\$

Offence:	Section:	Fine:
.....	\$

(*use [second ticket] for additional offences*)

Failure to comply with either of the above requirements will render you liable to be arrested and brought before the Court.

Date of issue: Time: am/pm

Reporting Officer’s Signature (*and rank and no*):

Original to alleged offender

First copy to court

Second copy to prosecutor

Third copy to police

SPEEDING TICKET

Ticket to be served on driver only

Name:.....

Date of birth: Post office box:

Address:

Phone: (work) (home)

Work address:

Make, type, identification no and registration no. of vehicle:
.....
.....

You are summoned to appear in the Magistrate's Court at(place)
at a.m., on theday of, 20..... .

or

you can produce this ticket to the Clerk of Court at any time during office hours not later than twenty-eight days beginning with the day after the date of this ticket and pay the Clerk of Court the sum of \$

in respect of the offence of speeding contrary to section 37 of the Road Traffic Ordinance committed by you:

at

on theday of, 20..... .

Recorded speed: m.p.h.

Speed limit: m.p.h.

Fines: \$

Failure to comply with either of the above requirements will render you liable to be arrested and brought before the Court.

Date of issue: Time: a.m./p.m.

Reporting Officer's signature (rank and no):

**up to 10 m.p.h in excess of speed limit \$150*

for every further 10 m.p.h. or part thereof \$150

maximum penalty \$2,000

(Amended by L.N. 12/2000 and L.N.15/2000)

Original to alleged offender

First copy to court

Second copy to prosecutor

Third copy to police

(Inserted by L.N. 12/2000 and amended by L.N.15/2000)

SCHEDULE 7
(Regulation 42)

FORMS FOR DEALER'S LICENCE

FORM MVDL 1
APPLICATION FOR MOTOR VEHICLE DEALER'S LICENCE

Note: a fee of \$190, being \$40 for a dealer's licence and \$150 for a dealer's plates, must be submitted with each application.

1. Is this a first application or an application for renewal?
2. If an application for renewal, state date of expiry of current licence:/...../.....
3. Business licence number:
4. State registration number as a motor vehicle dealer:
Date registered:/...../..... Expiry date:/...../.....
5. Surname of applicant:
6. First name of applicant:
7. Middle name(s) of applicant:
8. Date of Birth:/...../.....
9. Place of Birth:
10. Nationality:
11. Citizenship:
12. Address:
13. Phone number:
14. Name and address of business:
15. Position in the business:
16. Name and address of one character reference:
17. Turks and Caicos Islands Driving Licence number:
Date granted/...../..... Expiry date/...../.....
18. Class(es) of vehicles licensed to drive

19. Please attach to this application form when submitted:
- (a) two passport-sized photographs of applicant;
 - (b) a copy of a valid business licence;
 - (c) proof of Islander status.

UNDERTAKING

20. I undertake to use the licence in respect of which application is made only in the course of trade or business as a motor vehicle dealer and for no personal or other reason.

DECLARATIONS

21. I declare that I am not disqualified from driving a motor vehicle by order of a Court in the Islands and am not under the age of twenty-one (21) years nor above the age of seventy (75) years.
22. I declare that I do not suffer from any physical or mental disability likely to prevent me from driving in a safe and proper manner.

OR

22. I declare that I suffer from the disability on the attached sheet but I apply for the dealer's licence subject to such conditions, as the Director considers appropriate. *(Delete whichever is inapplicable)*

Note: Defect of vision need not be a disability for the purpose of this declaration if corrected by glasses which are worn at all times when driving.

23. I declare that to the best of my knowledge and belief the particulars given in this form are true and correct.

Note: It is an offence to give particulars which are not correct and which you know are not correct or do not reasonably believe to be correct.

24. Signature of applicant: Date:.....

THIS PART TO BE FILLED IN BY DIRECTOR OF ROAD SAFETY AND TRANSPORTATION

25. Licence granted: Licence not granted:
26. State special condition (if any) of licence:
27. Signature of Director of Road Safety and Transportation:

(Amended by L.N. 10/2011)

FORM MVDL 2

MOTOR VEHICLE DEALER'S LICENCE

Licence No.....

Island

Surname

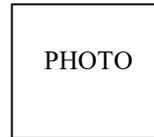
First name

Middle name

Address

Date of grant

Date of expiry.....



The above-named is licensed to use a motor vehicle in the course of his trade or business as a motor vehicle dealer and for no personal or other reason.

.....
Signature of Licensee

.....
Date

.....
Signature of Director

SCHEDULE 8

(Regulation 47)

TRANSFER OF MOTOR VEHICLE

The vendor.....has agreed to
sell to.....the purchaser
One for the sum of
\$

There are no existing or outstanding suits, claims or proceedings that will affect the said transaction.

MAKE

MODEL.....

YEAR

COLOR.....

ID NO./VIN NO.....

REGISTRATION NO.....

CYL.

I hereby certify that the foregoing information is true and correct.

SIGNATURES:

VENDOR

PURCHASER

WITNESS

(Inserted by L.N. 40/2019)

SCHEDULE 9

(Regulation 22(3))

CLASS OF VEHICLES EXEMPTED FROM TINT LEVELS

1. Vehicles of—
 - (a) the Governor
 - (b) the Deputy Governor
 - (c) Government Ministers
 - (d) the Speaker
 - (e) the Attorney General
 - (f) the Chief Justice
 - (g) Judges
 - (h) the Director of the Integrity Commission
 - (i) Consulates and Foreign Heads of States
2. Official Police Vehicles
3. Money Transfer Vehicles

(Inserted by L.N. 50/2019)

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) REGULATIONS

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2. Interpretation

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5. Prescribed examinations and tests
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7. Revocation and suspension of licences

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SCHEDULE 1: Form RT 1: Application for licence to operate a Public Service Vehicle under section 10 of the Road Traffic Ordinance

Form RT2: Licence to operate a Public Service Vehicle under section 10 of the Road Traffic Ordinance

SCHEDULE 2: Form RT3: Medical Examination Report Vision Assessment

Form RT4: Medical Examination Report Medical Assessment

SCHEDULE 3: Public Service Vehicle Operator's Licence Conditions

SCHEDULE 4: Public Service Vehicle Licence Conditions

SCHEDULE 5: Omnibus Routes and Stops

SCHEDULE 6: Public Service Vehicle Fares

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) REGULATIONS
– SECTIONS 14 AND 62

*(Legal Notices 21/1999, 28/1999, 13/2007, 36/2007,
3/2008, 43/2011, 23/2013, 25/2014, 3/2015 and 74/2018)*

Commencement

[15 September 1999]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Road Traffic (Public Service Vehicles) Regulations.

Interpretation

2. In these Regulations—

“bus” means minibus and omnibus; *(Amended by L.N. 74/2018)*

“bus route” means the public roads approved as bus routes by the Governor and referred to in regulation 17;

“bus stop” means a place designated as a bus stop by a sign and referred to in regulation 17;

“licensee” means a person who is licensed to operate a public service vehicle;

“Ordinance” means the Road Traffic Ordinance;

“passenger” includes a person boarding or alighting from a bus, taxi-cab or community cab or intending to do so. *(Amended by L.N. 74/2018)*

PART II

LICENSING OF OPERATORS OF PUBLIC SERVICE VEHICLES

Licensing powers

3. (1) The Director shall have power to grant a licence to operate a public service vehicle (hereinafter in this Part referred to as a “licence”) under section 10 of the Ordinance.

- (2) An application for a licence shall be in Form RT 1 of Schedule 1.

- (3) The Minister may, by Notice published in the *Gazette*, prescribe the fee payable on the grant and renewal of a licence.

- (4) A licence granted under this regulation shall be in Form RT 2 of Schedule 1.

Licensing conditions

4. (1) Subject to subregulation (2), the Director shall not grant a licence to a person unless he is satisfied that that person—

(Amended by L.N. 3/2015)

- (a) complies with the conditions to which the licence would be subject if granted;
- (b) will probably continue to comply with the conditions to which the licence would be subject if granted, for the period of the validity of the licence;
- (c) is not younger than twenty-one years of age;
(Amended by L.N. 3/2008)
- (d) is the holder of a valid driving licence authorising him to drive a vehicle in the same class as the vehicle in respect of which the application is made and has been the holder of such a licence for a period of at least one year;
- (e) has undertaken to use the licence for which application is made only in providing the class of public service specified in the licence, if granted;
- (f) has provided satisfactory evidence that there is in force in relation to the proposed use of the vehicle a policy of insurance of such security—
 - (i) as to comply (in respect of that use) with the requirements of the Motor Vehicles (Third Party Insurance) Ordinance; and
 - (ii) as to provide full compensation for injury to passengers or damage to their personal effects carried with them in or on the vehicle in the event of an accident suffered by the vehicle or the passengers in the course of the carriage;
- (g) has provided satisfactory evidence that he has successfully completed the customer service training course provided by the Ministry with responsibility for tourism; and

(Inserted by L.N. 43/2011)

- (h) is an Islander.

(2) Where a person is over seventy-five years of age, in addition to the conditions specified in subregulation (1), he shall submit together with his application a medical certificate that he has, in the previous three months, undergone medical examinations, including ophthalmologic, hearing and mental fitness tests, conducted by a medical practitioner registered in the Islands, and is certified as being fit to drive passengers for hire or reward.

(Inserted by L.N. 3/2015)

(3) Certification made under subregulation (2) shall be by a medical certificate in Forms RT 3 and RT 4 of Schedule 2.

(Inserted by L.N. 3/2015)

(4) The Director shall have power to make the grant of a licence subject to conditions and thereafter to vary such conditions, but any such conditions shall be valid only if they are—

- (a) set out in the licence or deemed to be incorporated in the licence by virtue of subregulation (3); and
- (b) reasonably required for the proper operation of the licensing system created by these Regulations.

(5) In addition to any specific conditions imposed by the Director in exercise of the power conferred by subregulation (2), the conditions set out in Schedule 3 shall be deemed, subject to subregulation (4), to be incorporated as conditions to which every licence is subject.

(6) The Director may, subject to such conditions as he thinks fit, waive any of the conditions set out in Schedule 3.

Prescribed examination and tests

5. The Director may prescribe the examinations and tests, including any examination and test in respect of first aid and driving skills and knowledge, to which a person may be subject in order to show that he is fit to be licensed under regulation 3, and may prescribe the fees payable for the examinations and tests.

Licence not assignable

6. A public service vehicle operator's licence shall be valid only for the licensee named in it and shall not be assignable, transferable or used in any manner by any person other than the licensee.

Revocation and suspension of licences

7. (1) The Director may revoke a licence on being satisfied on reasonable grounds that the licensee has failed to comply with any of the conditions to which the licence is subject.

(2) The Director may suspend a licence for any period up to six months on being satisfied on reasonable grounds that any person to whom such a licence has been granted has conducted himself in such a way as to cause annoyance or nuisance to any member of the public, or generally as to bring himself, the Islands or the operation of tourism in the Islands into disrepute.

(3) The Director shall communicate in writing to the licensee his decision to revoke or suspend a public service vehicle operator's licence and shall do so as soon as practicable and by such means as may be reasonable having regard to the known or suspected whereabouts of the licensee.

(4) A person whose licence is revoked or suspended by the Director may appeal in the manner prescribed in Part VIII to the Minister whose decision shall be final.

PART III

LICENSING OF PUBLIC SERVICE VEHICLES

Licensing powers in respect of public service vehicles

8. (1) The Director shall have power to grant a public service vehicle licence (hereinafter in this Part referred to as a "licence") authorising a vehicle to be used as a public service vehicle.

(2) An application for a licence shall be in the required form.

(3) The Minister may, by Notice published in the *Gazette*, prescribe the fee payable on the grant and renewal of a licence.

(4) A licence granted under this regulation shall be in the required form.

Licensing conditions in respect of public service vehicles

9. (1) The Director shall not grant a licence authorising a vehicle to be used as a public service vehicle unless he is satisfied that—

- (a) the vehicle concerned is in a physical state which renders it safe for use on the roads and safe for the carriage of passengers;
- (b) the vehicle complies with the conditions to which the licence would be subject, if granted; and
- (c) the vehicle will probably continue to comply with the conditions to which the licence would be subject, if granted, for the period of the validity of the licence.

(2) The Director shall have power to make the grant of a licence subject to conditions and thereafter to vary such conditions, but any such conditions shall be valid only if they are—

- (a) set out in the licence or deemed to be incorporated in the licence by virtue of subregulation (3); and
- (b) reasonably required for the proper operation of the licensing system created by these Regulations.

(3) In addition to any specific conditions imposed by the Director in exercise of the power conferred by subregulation (2), the conditions set out in Schedule 4 shall be deemed, subject to subregulation (4), to be incorporated as conditions to which every licence is subject.

(4) The Director may, subject to such conditions as he thinks fit, waive any of the conditions set out in Schedule 4.

Special licensing conditions relating to community cabs

10. (1) The Director shall not grant a licence for a vehicle to be used as a community cab unless the vehicle—

- (a) is painted in white;
- (b) is a sedan bodied vehicle; and
- (c) has one turquoise colour stripes of five inch thickness on both sides of the vehicle and each stripe is one inch apart from each other. (*Amended by L.N. 40/2019*)

(2) A person who is licensed to operate a community cab is prohibited from—

- (a) picking up passengers at hotels and resorts; and
- (b) picking up passengers for hotels and resorts at the airport.

(3) Notwithstanding subregulation (2), a person operating a community cab may pick and drop off passengers at the airport, other than passengers originating from hotels and resorts. (*Inserted by L.N. 74/2018*)

Special provisions relating to private transfer vehicles

11. (1) Arrangement in respect of the hire of a private transfer vehicle (reserved) shall be made prior to the arrival of the vehicle at the airport or dock to pick up any passenger. (*Inserted by L.N. 43/2011*)

(2) A licence authorising a vehicle to be used as a private transfer vehicle (resort) shall be granted in the name of a hotel or resort.

(3) The number of private transfer vehicle (resort) licences, which may be granted to a hotel or resort, shall be as follows—

- (a) 0 to 24 bedrooms - 0;
- (b) 25 to 199 bedrooms - 1;
- (c) 200 to 399 bedrooms - 2;
- (d) 400 to 599 bedrooms - 3.

(4) A private transfer vehicle (resort) shall have the name or logo of the hotel or resort, as the case may be, clearly indicated on the vehicle. (*Inserted by L.N. 43/2011*)

Special provisions relating to private charter

12. Passengers travelling on a private charter should be travelling together, or have requested the same transfer, or attending a common event or function, or on the same sightseeing tour.

(*Inserted by L.N. 43/2011*)

Exemptions

13. The following classes of vehicle shall not be required to be licensed as public service vehicles notwithstanding that their user would, but for this regulation, require them to be licensed under these Regulations—

- (a) vehicles used by or on behalf of the Government;
- (b) vehicles used or adapted for the carriage of more than ten persons in addition to the driver and which carry passengers who arrive in the Islands on a non-scheduled flight only on behalf of a specific hotel or casino; and
- (c) vehicles used by or on behalf of religious organisations.

Prescribed examinations and tests in respect of public service vehicles

14. The Director may prescribe the examinations and tests, including any examination and test as to fitness for use on roads, to which a vehicle may be subject before it is licensed under regulation 8, and may prescribe the fees payable for the examinations and tests.

Quota of licences

15. (1) The Director shall have power to prescribe a quota of public service vehicle licences applicable to any Island.*

(2) Where the Director prescribes a quota in exercise of the power conferred by this regulation, and for any reason the number of licences granted falls below the quota he shall, as soon as practicable, advertise by Notice in the *Gazette* the fact that the relevant number of licences is available for grant and invite applications to be made for them.

* By G.N. 328/1997 the following taxi-cab quotas were prescribed—
Grand Turk – 15, Providenciales – 70, North Caicos – 10, Middle Caicos – 5, South Caicos – 5 and Salt Cay – 3.

Revocation and suspension of a public service vehicle licence

16. (1) The Director may revoke a licence if he is satisfied on reasonable grounds that the public service vehicle in respect of which it is granted is or has been in a state which does not satisfy the conditions to which the licence is subject.

(2) The Director may suspend a licence for up to six months if he is satisfied on reasonable grounds that the public service vehicle in respect of which it is granted is in such a state as to cause annoyance or nuisance to any member of the public, or generally as to bring the operation of tourism in the Islands into disrepute.

(3) The Director shall communicate in writing his decision to revoke or suspend a public service vehicle licence to the person who made application for it and shall do so as soon as practicable and by such means as may be reasonable having regard to the known or suspected whereabouts of the person concerned.

(4) The person who made application for a licence which is revoked or suspended by the Director may appeal in the manner prescribed in Part VIII to the Minister whose decision shall be final.

PART IV**CARRIAGE OF PASSENGERS****Bus routes and bus stops**

17. (1) The bus routes shall be the routes shown in Schedule 5.

(2) The Director shall assign each bus to operate on a specified bus route and may vary the assignment from time to time as occasion arises.

(3) In determining the route on which to assign a bus to operate, the Director shall have regard to the needs of the public for bus service on the different routes and any preference expressed by the person who made application for the public service vehicle licence in respect of the bus.

(4) The places designated as bus stops shall be such as are marked by an "X" on the bus routes shown in Schedule 5 and no operator of a bus may solicit, pick up or set down passengers at any place other than at a bus stop on the bus route on which the bus is assigned to operate by the Director.

(5) No operator of a vehicle other than—

- (a) a bus assigned to operate on the bus route; or
- (b) an emergency vehicle,

shall, except in an emergency or if required to do so by a police officer in uniform, set down or pick up passengers at a bus stop and a person who contravenes this provision commits an offence.

(6) No operator or other person in charge of a bus shall permit any person to board or get off the bus when it is in motion and a person who contravenes this provision commits an offence.

Hours of bus service

18. The hours of service of a bus shall be from 5 a.m. to midnight.

Maximum driving time

19. An operator of a public service vehicle may operate that vehicle for a maximum period of eight hours during any period of twenty-four continuous hours.

Conduct of Operator

20. (1) A person who is granted a licence by the Director to operate a public service vehicle shall not conduct himself in such a way as to cause annoyance or nuisance to any member of the public, or generally as to bring himself, the Islands or the operation of tourism in the Islands into disrepute.

(2) Without prejudice to the generality of subregulation (1), a person who is granted a licence by the Director to operate a public service vehicle shall carry on the business authorised by the licence in accordance with the following provisions of this regulation.

- (3) The operator of a public service vehicle shall not solicit a passenger—
- (a) by the use of any bell, horn, whistle or other signal or by driving his vehicle back and forth in front of any public place; or
 - (b) on behalf of any hotel or similar business.
- (4) The operator of a public service vehicle—
- (a) shall not divert or attempt to divert any person (whether or not a passenger in his or another person's vehicle) from travelling to any hotel or similar business; and
 - (b) shall not solicit or accept (or agree to solicit or accept) any thing in money or money's worth in relation to—
 - (i) the soliciting of a person for any hotel or similar business; or
 - (ii) the diversion or attempted diversion of a person who is travelling to or is at any hotel or similar business.
- (5) A person who contravenes any provision of this regulation commits an offence.

Refusal to carry or to continue to carry passengers

21. (1) Subject to subregulation (2), an operator of a bus, while the bus has a vacant seat, shall not refuse to accept a passenger for a lawful journey who is waiting at a bus stop and an operator of a taxi-cab, while he is plying for hire, shall not refuse to accept a passenger for a lawful journey; and a person who contravenes this provision commits an offence.

(2) Notwithstanding subregulation (1), the operator of a bus or a taxi-cab may refuse to carry a passenger in any of the following circumstances—

- (a) where the intended passenger appears to be intoxicated or under the influence of drugs to an extent which might interfere with the operation of the bus or the taxi-cab;
- (b) where the intended passenger insists on being accompanied by other persons, or by animals, luggage or articles which the operator cannot reasonably carry having regard to the capacity of his bus or his taxi-cab or his obligations as an operator of a bus or a taxi-cab;

- (c) where the intended passenger is lawfully requested to tender the proper fare and fails to do so;
- (d) where the operator reasonably believes the intended passenger to be incapable of paying the proper fare for the journey he has requested;
- (e) where the intended passenger has avoided or attempted to avoid payment of any proper fare which he has incurred in respect of his carriage in any bus or taxi-cab; or
- (f) where the intended passenger has withheld his true name and address from the operator when the operator is lawfully demanding payment of the proper fare.

(3) Subject to subregulation (4) the operator of a bus or a taxi-cab shall not refuse to continue to carry a passenger whom he has already agreed to carry and a person who contravenes this provision commits an offence.

(4) Notwithstanding subregulation (3) the operator of a bus or a taxi-cab may refuse to continue to carry a passenger by reason of the passenger conducting himself within the bus or the taxi-cab in a manner to which the operator reasonably objects and the passenger fails to heed such objection; and for the purpose of this subregulation objection to the following forms of conduct shall be deemed to be reasonable—

- (a) smoking tobacco products;
- (b) consumption of food or drink;
- (c) the use in any manner of drugs or substances which appear to the operator to be drugs controlled by the laws of the Islands;
- (d) indecent, abusive, noisy or embarrassing words or conduct; or
- (e) the use of a radio, tape recorder or musical instrument.

(5) The operator of a bus or a taxi-cab shall not refuse to carry a passenger in his vehicle solely by reason of the person's race, gender, religion, nationality, age or disability and a person who contravenes this provision commits an offence.

(6) The operator of a taxi-cab shall not carry any person as an additional passenger in his vehicle without the voluntary consent of the passenger he has already agreed to carry in his vehicle and a person who contravenes this provision commits an offence.

PART V

FARES

Prescription of fares

22. (1) The fares set out in Schedule 6 may be charged by the operator of a bus, a community cab or a taxi-cab, as the case may be, for the carriage of passengers, animals and articles. (*Amended by L.N. 74/2018*)

(2) The Minister may, by Notice published in the *Gazette*, add to, delete or otherwise amend such fares.

(3) A fare which is prescribed in a Notice published pursuant to this regulation shall be a fare prescribed by these Regulations.

Limit of fares

23. In respect of any journey made or time engaged by the operator of a taxi-cab in favour of a passenger, the operator shall charge that passenger either the fare prescribed by these Regulations or, if no fare is prescribed, such sum as is reasonable having regard to the distance travelled or time spent.

Display of fares

24. The fares prescribed by these Regulations shall be shown on a document displayed in a conspicuous position inside the bus, community cab or taxi-cab, as the case may be. (*Amended by L.N. 74/2018*)

Taximeters

25. (1) The operator of a taxi-cab shall not carry on any business of plying for hire or carrying passengers for hire or reward unless the taxi-cab is fitted with a taximeter.

(2) No taxi-cab with a taximeter shall be used for plying for hire or carrying passengers for hire or reward unless the taximeter has been tested and approved by or on behalf of the Director.

(3) All fares payable other than under a contract of hire by time shall be shown on the taximeter which shall be put into operation at the start of each journey.

(4) In this regulation “taximeter” means any device for calculating the fare to be charged in respect of any journey in a taxi-cab by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.

PART VI

AIRPORT SERVICES

Application to airports

26. (1) This Part shall apply to such airports in the Islands as may be designated by the Director by Notice published in the *Gazette*.*

(2) Where a person applying for the renewal of his public service vehicle operator’s licence is over seventy-five years of age, he shall submit together with his application a medical certificate that he has, in the previous three months, undergone medical examinations, including ophthalmologic, hearing and mental fitness tests, conducted by a medical practitioner registered in the Islands, and is certified as being fit to drive passengers for hire or reward.

* By G.N. 50/1992 the following airports were designated –
Grand Turk International Airport; Providenciales International Airport; North Caicos International Airport; Middle Caicos International Airport; South Caicos International Airport and Salt Cay International Airport.

(3) Certification made under subregulation (2) shall be by a medical certificate in Forms RT 3 and RT 4 of Schedule 2.

(Amended by L.N. 3/2015)

Appointment of Taxi-Cab Liaison Officer

27. (1) The Director may, by instrument in writing signed by him, appoint a person to control and organise the provision of taxi-cab services at an airport designated under regulation 26.

(2) A person appointed under subregulation (1) shall be known as the “Taxi-Cab Liaison Officer” and shall wear a badge, to be issued to him by the Director of such description as the Director may direct, to identify his status as a Taxi-Cab Liaison Officer.

(3) The Taxi-Cab Liaison Officer shall be deemed to be off duty when he is not wearing his badge.

Powers of Director, police officers and Taxi-Cab Liaison Officer

28. (1) No person shall operate a bus at an airport designated under regulation 26.

(Amended by L.N. 28/1999)

(2) The Director shall have power to control the movement of vehicles, including taxi-cabs, at an airport designated under regulation 26, by giving directions to the operator or person in charge of any such vehicle, by authorising a police officer to give such directions or by causing signs to be erected or markings or signs to be drawn on the ground.

(3) A police officer or the Taxi-Cab Liaison Officer shall have such power as may be reasonably necessary to control the movement of taxi-cabs at an airport designated under regulation 26 for the purpose of ensuring the safety of persons or vehicles and the orderly provision of taxi-cab services at such an airport.

(4) The Director, the Taxi-Cab Liaison Officer or a police officer may stop, inspect and search any taxi-cab or vehicle appearing to be a taxi-cab, for the purpose of ensuring that the requirements of these Regulations are being complied with in relation to that taxi-cab or the taxi-cab operator.

PART VII

DURATION AND RENEWAL OF LICENCES

Duration and renewal of licences

29. (1) A licence granted under regulation 3 or 8 shall commence on the day of its grant and shall expire, unless sooner revoked under regulation 7 or 16 or renewed under this regulation, on the anniversary date of its grant in the calendar year next following the year in which it was granted.

(2) The Director shall not renew a person’s licence to operate a public service vehicle unless he is provided satisfactory evidence that the person has, in that calendar year, successfully completed the customer service training course provided by the Ministry with responsibility for tourism.

(Inserted by L.N. 43/2011)

(3) Upon application being made to him for the purpose, the Director may renew a licence granted under regulation 3 or 8, subject to the same conditions on, or different conditions from, which the licence was originally granted.

(4) An application for the renewal of a licence granted under regulation 3 or 8 shall be made in the same manner and form as an application for the grant of an original licence and shall be made at least sixty days before the expiry of the licence.

(5) The Director shall not renew a licence granted under regulation 3 or 8 unless he is satisfied that in each case an original licence could properly be granted under these regulations at the time of the application for renewal; and, in particular, for that purpose, the Director may require a person who applies for the renewal of his public service vehicle operator's licence or a vehicle in respect of which an application for the renewal of a public service vehicle licence is made to undergo, at the time that the application is made, the examinations or tests prescribed under regulation 5 or 14, as the case may require.

PART VIII

APPEALS

Right of appeal

30. (1) There shall be a right of appeal to the Minister against the—

- (a) refusal to grant;
- (b) refusal to renew;
- (c) revocation of; or
- (d) suspension of,

a licence which may be granted under these Regulations, including a right of appeal against the imposition of a condition upon the grant or renewal of a licence, other than a condition deemed by these Regulations to apply to such a licence.

(2) The Director shall communicate in writing to the person whose application is refused, whose licence is revoked or suspended or whose licence is made subject to a condition, or to the person who made application for the licence in respect of a vehicle, the existence of the right of appeal at the same time that he communicates his decision in respect of the licence.

Procedure for appeal

31. (1) An appeal shall be in writing addressed to the Minister and shall consist of the grounds on which the appeal is based and the evidence in support of the grounds.

(2) An appeal shall be submitted so that it is received at the office of the Minister not later than fourteen days commencing on the day on which the decision under appeal was communicated to the appellant.

(3) The Minister may extend the time for appealing in any case in which he is satisfied that the appellant's failure to abide by the time mentioned in subregulation (2) was for reasons outside the control of the appellant.

Further particulars of appeal

32. The Minister may require the appellant to provide further particulars of the grounds of appeal or further evidence in support of the grounds of appeal, by such means and within such time as he may stipulate, and may dismiss an appeal for failure to provide the particulars or the evidence within the stipulated time.

Decision on appeal

33. (1) The decision of the Minister on the appeal shall be communicated in writing to the appellant.

(2) The decision on the appeal shall be final and shall not be subject to appeal to, or review by, any Court or other tribunal.

(3) The Minister shall not be required to give reasons for his decision.

PART IX**OFFENCES AND PENALTIES****Penalties for offences and ancillary orders**

34. (1) The offences created by these Regulations shall be triable summarily.

(2) In respect of each offence created by these Regulations, the Court shall have power to impose a fine up to a maximum of \$1,000 for a first offence and \$2,000 for a second or subsequent offence.

(3) In respect of each offence created by these Regulations, the Court shall have power, in addition to or in substitution for the imposition of a fine—

- (a) to make an order revoking any licence granted under these Regulations; and
- (b) to order the payment of compensation by the offender to any person who in the opinion of the Court has suffered injury, loss or damage by reason of the commission of the offence, up to a maximum of \$1,000.

Unlicensed public service vehicle

35. A person commits an offence if he uses a vehicle as a public service vehicle while that vehicle is not licensed under these Regulations for use as a public service vehicle.

Unauthorised use of licensed public service vehicle

36. A person commits an offence if he uses a vehicle in respect of which a public service vehicle licence has been granted to provide a class of public service not specified in the licence.

Unlicensed public service vehicle operator

37. (1) A person commits an offence if he is not licensed under these Regulations as a public service vehicle operator of a particular class and he—

- (a) operates a vehicle intending to use it as a public service vehicle in that class; or

(b) carries passengers for reward in a vehicle other than one which is exempt under regulation 13 from being licensed as a public service vehicle.

(2) A person who operates a vehicle which appears to be a public service vehicle of a particular class, by reason of its appearance or by reason of the conduct of any person who operates it, shall be presumed to operate that vehicle with the intention of using it as a public service vehicle in that class unless the contrary is proved.

Breach of public service vehicle operator's licence conditions

38. A person commits an offence if, having been licensed under these Regulations as a public service vehicle operator, he fails to fulfil any of the conditions to which his licence is subject.

Breach of public service vehicle licence conditions

39. A person commits an offence if he operates a vehicle which has been licensed under these Regulations as a public service vehicle and that vehicle does not satisfy the conditions to which that public service vehicle licence is subject.

Unauthorised operation of a bus

40. A person commits an offence if, while operating a bus, he solicits, picks up or sets down passengers at any place other than at a bus stop on the bus route on which the bus is assigned to operate.

Overcharging

41. A person commits an offence if he requests or charges a fare which is more than a fare prescribed under regulation 19 or a fare authorised by regulation 23.

Prolonging journey or time

42. A person commits an offence if, being a licensed taxi-cab operator, he unnecessarily prolongs a journey or the time engaged for a passenger with intent to increase his reward for such journey or time engaged beyond what is reasonable.

Obstruction of airport services

43. (1) A person is guilty of an offence if he causes a vehicle to park in front of an airport terminal building designated under regulation 26.

(2) The prohibition in subregulation (1) shall not apply to emergency service vehicles when a state of emergency is declared by the Governor.

(3) Where any vehicle is parked in contravention of subsection (1), the vehicle may be towed to a designated vehicle pound on the instruction of a taxi-cab liaison officer or a police officer.

(Substituted by L.N. 74/2018)

Failure to comply with instructions at airport

44. A person commits an offence if he is driving or in charge of a vehicle at an airport designated under regulation 26 and he fails to comply with any directions lawfully given, signs lawfully erected or markings or signs lawfully drawn on the ground under regulation 28.

Obstruction

45. A person commits an offence if he obstructs or impedes the lawful exercise of any power conferred on the Director, the Taxi-Cab Liaison Officer or a police officer under regulation 28.

Miscellaneous

46. A person commits an offence if he contravenes any provision of these Regulations in respect of which no specific offence is created.

SCHEDULE 1

(Regulation 3)

FORMS

FORMS RT 1



**Turks & Caicos Islands Government
Road Safety Department**

**APPLICATION FOR THE GRANT OF A LICENCE
FOR A PUBLIC SERVICE VEHICLE
(Under Section 10 of the Road Safety Ordinance)**

NOTE: Please check (✓) the category of public service vehicle licence plate that you are applying for below.

- | | |
|--|--|
| <input type="checkbox"/> Taxi | <input type="checkbox"/> Private Hire (Transfer) |
| <input type="checkbox"/> Minibus | <input type="checkbox"/> Private Hire (Reserved) |
| <input type="checkbox"/> Omnibus | <input type="checkbox"/> Private Charter |
| <input type="checkbox"/> Community Cab | |

All sections must be completed or your application will not be processed.

- First time application
 Renewal application

If an application for renewal, state date of expiry of current licence ___/___/___

1. Your personal details			
Title	Mr Mrs Miss Ms Other (please state)		
Surname			
All Forenames			
Any Previous Names			
Date of Birth	____/____/____ Day Month Year	Place of Birth	
Nationality		Nat. In. No.	

Address and Postcode			
Email Address			
Telephone No.		Mobile No.	
Current occupation:			
Name and Address of Current Employer			
Name and Address of Previous Employer			
Driver's License Number			
Date Granted:	____/____/____	Date Expired:	____/____/____
Height ____ ft ____ ins	Weight ____ lbs	Eye Colour _____	Hair Colour _____
Business License Number			
	State type of vehicle and seating capacity. _____ _____		
2. Your Driving Licence			
How long have you held a driving licence that permits you to drive a public service vehicle designed to carry 7 or more passengers? (must be at least 12 months)			
Have you had any driving offences during the last three years? If 'YES' please complete box below.			Yes/No
OFFENCE	DATE	COURT/POLICE FORCE	SENTENCE

3. Your Vehicle			
Do you currently own a vehicle?			Yes / No
Make of vehicle		Model	
Vehicle Identification No. (VIN)			
Year		Cylinder	
Vehicle licence No.		Vehicle licence expiration date	
Seating capacity			
Insurance No:			
Insurance Valid from			
Insurance Expiration Date			

4. Character Details			
Have you ever been arrested, charged, convicted, investigated or wanted for questioning.			YES / NO
If yes provide details, including approximate date, of the offence and the court or police force which dealt with you.			
OFFENCE	DATE OF CONVICTION (if relevant)	COURT	SENTENCE

All offences **spent or unspent** must be declared when submitting an application for a licence to drive in any of the categories related above. Please continue on a separate sheet if necessary.

The information provided will be used only for the processing of your application and for no other purpose.

5. Impending Prosecutions			
Do you have any impending prosecutions?			YES / NO
If yes provide details below			
OFFENCE	PROSECUTING AUTHORITY	PLEA (GUILTY OR NOT GUILTY)	COURT HEARING DATE (IF ANY)

The information provided will be used only for the processing of your application and for no other purpose.

6. Have you previously held a Public Service Vehicle Licence? If yes please give details.		YES / NO
DATE	COMMENTS	

7. Have you ever had a Public Service Operator's Licence or Licence suspended or revoked.	YES / NO
DATE	REASON(S)

8. References
Please give the name and address of two referees to whom reference can be made as to your character and suitability for a Licence. Referees should have known you for three years and may include your present or last employer or should be a person of some standing within the community and be a person other than a relative or future employer.
Reference 1: Name
Address and Postcode:
Email address:

Capacity known to you:
Reference 2: Name
Address and Postcode:
Email address:
Capacity known to you:

<p>9. Declaration</p> <p>I declare that I am not disqualified from driving a motor vehicle by order of any Court in the Turks and Caicos and I am not under the age of twenty-one (21) years nor above the age of seventy-five (75) years.</p> <p>I have been given a copy of the driver's licence conditions and have read and understood them or have had them read to me and understand them.</p> <ul style="list-style-type: none"><input type="checkbox"/> I declare that I do not suffer from any physical or mental disability likely to prevent me from driving in a safe and proper manner.<input type="checkbox"/> I declare that I suffer from the disability on the attached sheet but I apply for the public service vehicle operator's license subject to each condition (if any) as the Director considers appropriate. <p>Defect of vision need not be a disability for the purpose of this declaration if corrected by glasses which are worn at all times when driving.</p> <p>In the event of a licence being granted I undertake to observe and abide by the conditions applicable to the licence at all times.</p> <p>I understand that my licence application will be valid for only three months from the date the licensing office receives my deposit payment. I understand that if my application is not completed within three months my paperwork may be destroyed, after this I will be treated as a new applicant and my deposit will not be refunded.</p> <p>I also confirm that the signature authorises the Department of Road Safety and Transportation to check all relevant Government agencies to verify details provided in this application.</p> <p>UNDERTAKING:</p> <p>I undertake to use the licence in respect of which application is made only in providing the public service specified in the licence, if granted.</p> <p>It is an offence for any person knowingly or recklessly to make a false statement or omit any material particular in giving information required in this form.</p> <p>Information disclosed on this form may be revealed to other agencies and bodies for the sole purpose of preventing or detecting crimes. (Sign below only if you agree to this).</p> <p>Signature _____ Date _____</p>

The Department of Road Safety and Transportation is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of crime.

Please attach to this application form when submitted:

- a. Two passport-sized photographs of applicant;
- b. A recent police record; and
- c. Proof of Islander status

For Office use only

Applying for:	
Private Hire Only	
Taxi	
Mini bus	
Omni bus	
Community Cab	
Private Transfer (Reserved)	
Private Hire (Resort)	
Private Charter	

Documents/Training Record	Date	Copy Attached
Entitlement to Work		
Driving licence Class		
Public Service Operator Licence Number		
Other -		

Referred to Committee	Yes / No
References Requested	
References Received	
Date of Committee	
Decision	

(Substituted by L.N. 74/2018)

SCHEDULE 2

(Regulations 4 and 26)

FORM RT 3

MEDICAL EXAMINATION REPORT

VISION ASSESSMENT

Important information for doctors

The standard of acuity of vision is considered unsatisfactory if it is below 6/12 with one eye and 6/36 with the other eye, with or without optical aid.

**Before you fill in this report please:
Check the applicant's identity**

NAME OF APPLICANT: (a) First Names

(b) Surname

ADDRESS OF APPLICANT:

DATE OF BIRTH:

AGE:

1. (a) Is there any defect of vision?
If so, please give details. (See Note
above)

(a)

(b) If the reply to (a) is in the affirmative,
give acuity of vision by Snellens Test type
with and without glasses and answer the
following:

(b) RE..... LE.....
without glasses

RE..... LE.....
with glasses (if applicable)

- (i) Was the test conducted with the applicant's own glasses, or
- (ii) Have suitable glasses been prescribed?
- (iii) Do you consider that the applicant should wear glasses when driving?
- (iv) Is the applicant's field of vision by hand test satisfactory?
- (v) Is the colour vision normal?
- (vi) Does the applicant suffer from squint or any other visual defect which could affect his fitness to drive a motor vehicle?
- (vii) Could any visual defect observed be sufficiently corrected to make the applicant fit to drive a motor vehicle?

2. Is there a history of any medical condition that may affect the applicant's binocular field of vision (central and/or peripheral)?

3. Is there diplopia?

Is it controlled?

If yes, please give full details in the box provided

4. Does the applicant on questioning report symptoms of intolerance to glare and/or impaired contrast sensitivity and/or impaired twilight vision?

5. Does the applicant have any other ophthalmic condition?

I hereby authorise my doctor to release medial information about my condition relevant to my fitness to drive to the Director of Road Safety.

Applicant’s Signature:
(Please sign in presence of the medical practitioner who signs this report)

CERTIFICATE

I hereby certify that I have examined the above-mentioned Applicant and that, to the best of my knowledge and belief, the answers to the foregoing questions are true and correct.

In my judgement, this Applicant is FIT/UNFIT to act as the driver of a public service vehicle.

Name of medical practitioner (please print):.....
Signature of medical practitioner:
Date:
Qualification or official stamp:
Registration number:

(Amended by L.N. 3/2015)

FORM RT 4

MEDICAL EXAMINATION REPORT

MEDICAL ASSESSMENT

Important information for doctors

Before you fill in this report please:

Check the applicant's identity

NAME OF APPLICANT:

(a) First Name:

(b) Surname:

ADDRESS OF APPLICANT:

DATE OF BIRTH:

AGE:

1. is the applicant to the best of your judgement subject to epilepsy, vertigo, sudden attacks of disabling giddiness or fainting or any mental disorder or defect likely to affect his/her efficiency as a driver of a public service vehicle?
2. Does he/she suffer from any heart or lung disorder or defect which might interfere with the efficient performance of his/her duties as a public service vehicle driver?
3. Are blood pressure readings – both systolic and diastolic normal, having regard to the applicant's age? If not, do you consider that the abnormal blood pressure would be likely to affect his/her competence as public service vehicle driver?
4. Is there any defect of hearing? If so, do you consider that it would interfere with the efficient performance of the applicant's duties as a public service vehicle driver?
5. Has the applicant any deformity or loss of limbs? If so, could it interfere with the efficient performance of his/her duties as a public service vehicle driver? (Note: special attention is directed to the condition of the arms, hands, legs and feet and particularly to the point of the upper and lower extremities)
6. Is the applicant sufficiently active for the performance of his/her duties?

7. Does the applicant show any evidence of being addicted to the excessive use of alcohol or drugs?

8. Is the applicant, in your opinion, generally fit as regards (a) bodily health and (b) temperament for the duties of a public service vehicle driver?

9. Is there any abnormality present that is not included in the above questions?

I hereby authorise my doctor to release medial information about my condition relevant to my fitness to drive to the Director of Road Safety.

Applicant’s Signature:
(Please sign in presence of the medical practitioner who signs this report)

CERTIFICATE

I hereby certify that I have examined the above-mentioned Applicant and that, to the best of my knowledge and belief, the answers to the foregoing questions are true and correct.

In my judgement, this Applicant is FIT/UNFIT to act as the driver of a public service vehicle.

Name of medical practitioner (please print):
Signature of medical practitioner:
Date:
Qualification or official stamp:
Registration number:

(Amended by L.N. 3/2015)

SCHEDULE 3

(Regulation 4)

PUBLIC SERVICE VEHICLE OPERATOR'S LICENCE CONDITIONS

1. A licensee shall be the holder of a valid driving licence.
2. A licensee shall not drive a public service vehicle unless the vehicle is in a class of vehicle he is entitled to operate according to the terms of his driving licence.
3. A licensee shall have passed such test of fitness to drive as may be prescribed or required by the Director.
4. A licensee shall be of good character. A person who has been convicted by a Court sitting in the Islands of a criminal offence during the five years preceding his application for a licence may be considered by the Director to be not of good character for the purposes of these Regulations.
5. A licensee shall possess a degree of physical and mental fitness which renders him capable of safely operating a vehicle carrying passengers.
6. A licensee shall not operate a public service vehicle at any time when he has consumed alcohol to an extent to which his ability to operate the vehicle may be impaired.
7. A licensee who by any means renders himself affected by any drug shall not operate a public service vehicle while so affected.
8. A licensee shall not at any time have in his possession, or render himself affected by, any substance the possession of which is controlled by the law in force for the time being in the Islands.
9. A licensee shall at all times whilst operating a public service vehicle or seeking to do so be of smart appearance, in his dress and otherwise, and in particular a male licensee shall wear shoes, long trousers, a shirt and tie or a smart bush-jacket, and a cap.
10. A licensee shall not, by word or conduct, act in a manner which may cause embarrassment, annoyance or offence to any passenger he carries or proposes to carry.
11. A licensee shall not, by word or conduct, act in a manner which may bring the system of public service transportation of the Islands or the Islands themselves into disrepute.
12. A licensee shall not do or say anything whilst operating a public service vehicle which if done or said by the passenger would constitute under these Regulations grounds for lawfully refusing to carry such a passenger.
13. A licensee shall deliver any property left in a public service vehicle operated by him to a police station as soon as possible.
14. A licensee shall have an adequate knowledge of the Island on which he operates a public service vehicle, including its history, its geography, its amenities, its government buildings and its medical facilities.
15. A licensee shall, in each calendar year, complete the customer services training course provided by the Ministry with responsibility for tourism.

(Inserted by L.N. 43/2011)

16. A licensee shall be of sufficient mental and educational competence to enable him to fulfill the conditions of his licence and properly to discharge his functions as an operator of a public service vehicle.

17. A licensee shall be sufficiently articulate to enable him to communicate adequately with his passengers, subject to such difficulties such passengers may have by reason of their lack of knowledge of the English language.

18. A licensee shall display his licence on the rear view mirror inside any public service vehicle he operates and shall provide details of his licence to any passenger who requires them. (*Substituted by L.N. 74/2018*)

19. A licensee shall wear such badge as may be prescribed by the Director.

20. A licensee shall maintain a written record of the journeys he undertakes.

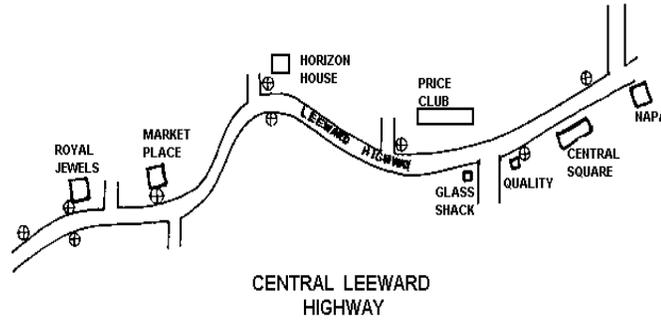
21. A licensee shall observe the requirements of these Regulations and of any law in force pertaining to road traffic.

SCHEDULE 4

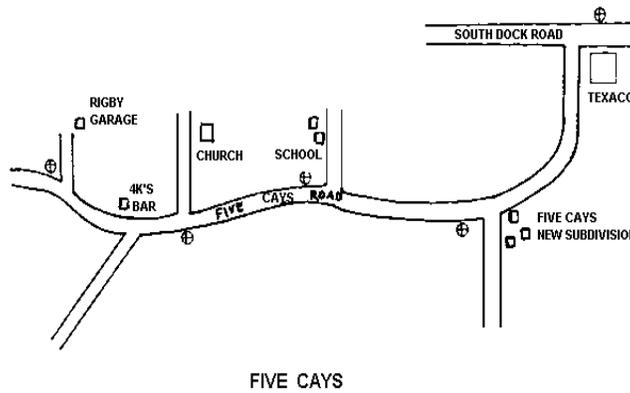
(Regulation 9)

PUBLIC SERVICE VEHICLE LICENCE CONDITIONS

1. Every public service vehicle shall display on its sides a sign showing the class of public service vehicle to which it belongs and such sign shall be clearly visible as a means of identification of the vehicle in daylight and darkness.
2. Every public service vehicle shall have identification plates at the front and at the rear showing that it is a public service vehicle.
3. Every operator of a public service vehicle shall cause to have displayed in a conspicuous position and in a legible form in the vehicle the public service vehicle licence or a copy thereof.
4. A public service vehicle licence shall be valid only for the vehicle specified in it and shall not be assignable or transferable in any manner.
5. The operator of every bus shall, while carrying passengers for reward, display in a conspicuous position and in a legible form on and in the bus destination indicators in a form approved by the Director.
6. Every public service vehicle shall be maintained at all times in a good mechanical and physical state in which it is safe and comfortable for the carriage of passengers.
7. Every public service vehicle shall be kept at all times in a clean and tidy condition, both as to its interior and as to its exterior.
8. No public service vehicle shall be used for the carriage of passengers unless there is in force at the time of such carriage a policy of insurance which would provide full compensation for injury to such passengers or damage to their personal effects carried with them in or on the public service vehicle in the event of an accident suffered by the public service vehicle or the said passengers in the course of such carriage.
9. Every public service vehicle shall be equipped at all times with the following items in full working order and easily accessible for use—
 - (a) an adequate first aid kit;
 - (b) a fire extinguisher;
 - (c) a spare tyre, spare fuses and spare bulbs; and
 - (d) equipment adequate for changing a wheel or tyre.
10. Every public service vehicle shall have space for luggage which is adequate having regard to the number of passengers normally carried in it.



⊕ BUS STOP



⊕ BUS STOP

SCHEDULE 6

(Regulation 22)

PUBLIC SERVICE VEHICLE FARES

OMNIBUS FARES

Each amount is calculated on a per person basis

Five Cays to Town Area - \$1.50

The Bight to Town Area - \$1.50

Blue Hills to Town Area - \$1.50

Town Area to Five Cays - \$1.50

Town Area to The Bight - \$1.50

Town Area to Blue Hills - \$1.50

Town Area to South Dock - \$1.50

Five Cays to Blue Hills - \$2.00

Five Cays to The Bight - \$2.00

Blue Hills to Five Cays - \$2.00

The Bight to Blue Hills - \$2.00

Blue Hills to The Bight - \$2.00

The Bight to Five Cays - \$2.00

Town Area to Grace Bay Area - \$2.00

Grace Bay Area to Town Area - \$2.00

Any stop *en route* to Town Area or Grace Bay Area of Settlements is \$1.50

TAXI-CAB FARES

PART 1

SPECIFIC JOURNEYS

GRAND TURK TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND
OTHER PERSONS THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	Crab Tree Corner	\$5
Airport	Bohio (Guanahani) Hotel	\$8
Airport	North Creek Mouth	\$11
North Base	Crab Tree Corner	\$13
South Base	Crab Tree Corner/Town/ Govt. Office	\$11
South Base	North Creek Mouth/North Base	\$16
South Base	Coral Reef	\$13
North Base	Town/North Creek/Hospital	\$11
Airport	Palm Grove	\$3

PROVIDENCIALES TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND OTHER PERSONS
THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	Kischo/Butterfield Square/Town (Down Town)	\$7
Airport	Town/Airport Inn/Travellers Rest/Post Office	\$7
Airport	Five Cays (Upper)	\$11
Airport	Five Cays (Lower)	\$15
Airport	Pub on the Bay	\$15
Airport	Turtle Cove/Banana Boat/Miramar Resort/Watermark/Third Turtle Club	\$16
Airport	Cable and Wireless	\$16
Airport	Discovery Bay	\$20
Airport	IGA	\$20
Airport	South Dock	\$20
Airport	Road Runner/Blue Hills	\$20
Airport	Taylor Bay	\$23
Airport	Wheeland	\$23
Airport	Gansevoort/West Bay Club/White House/Coral Gardens/Reef Residences/Beach House	\$23
Airport	Track and Field Stadium	\$20
Airport	Beaches/Key West	\$27
Airport	Sibonne Hotel /Alexandra/Sands/The Somerset/The Palms/Village at Grace Bay	\$28
Airport	Trade Winds Condotel/Villa Renaissance/Le Vele/Point Grace/The Sands/Salt Mills/Mansions/The Regent Grand	\$28
Airport	Grace Bay Club/Seven Stars/Comfort Suites/Ports of Call/Ocean Club West/Villa Del Mar/Caribbean Paradise Inn	\$33
Airport	Long Bay (Lower)	\$36

FROM	DESTINATION	FARE
Airport	Long Bay (Upper – Shipyard/Dock)	\$45
Airport	Chalksound (Upper)	\$36
Airport	Ocean Club East/Royal West Indies/The Tuscany/Club Med Turkoise/ Casa Blanca/The Venetian/Leeward Palms	\$38
Airport	Leeward/Conch Farm	\$43
Airport	Chalksound (Lower)/ Silly Creek	\$48
Airport	Leeward Landing/Pelican Point	\$40
Beaches/Key West	Sibonne Hotel	\$8
Beaches/Key West	White House/Windsong Resort/Coral Gardens/ West Bay Club/ Beach House/ Gansevoort	\$10
Beaches/Key West	Salt Mills/Seven Stars/Bella Luna/Regent Village/Comfort Suites	\$14
Beaches/Key West	Grace Bay Clubo	\$16
Beaches/Key West	Ocean Club East/Golf Club	\$18
Beaches/Key West	Central Square	\$20
Beaches/Key West	Long Bay	\$20
Beaches/Key West	Long Bay (Lower)	\$20
Beaches/Key West	Turtle Cove/Banana Boat/Miramar Resort/Watermark/Third Turtle Club	\$18
Beaches/Key West	Long Bay (Upper) Ship Yard	\$23
Beaches/Key West	Discovery Bay	\$24
Beaches/Key West	Leeward/Conch Farm	\$24
Beaches/Key West	Kischo/Butterfield Square/Town (Down Town)	\$24
Beaches/Key West	Airport	\$27
Beaches/Key West	Pub On the Bay (upper)	\$33
Beaches/Key West	Five Cays	\$36
Beaches/Key West	South Dock	\$44
Beaches/Key West	Road Runner/Blue Hills (Lower)	\$36
Beaches/Key West	Taylor Bay	\$48
Beaches/Key West	Northwest Point Resort	\$51
Beaches/Key West	Chalksound	\$32
Northwest Point Resort	Road Runner/Blue Hills	\$16
Northwest Point Resort	Pub on The Bay	\$23
Northwest Point Resort	Kischo/Butterfield Square/Town	\$29

FROM	DESTINATION	FARE
Northwest Point Resort	Airport	\$32
Northwest Point Resort	Central Square	\$36
Northwest Point Resort	Five Cays	\$39
Northwest Point Resort	Turtle Cove	\$40
Northwest Point Resort	Discovery Bay (Upper)	\$44
Northwest Point Resort	White House/Coral Gardens/Reef Residences/Gansevoort/ West Bay Club/Beach House	\$47
Northwest Point Resort	South Dock	\$48
Northwest Point Resort	Taylor Bay	\$51
Northwest Point Resort	Beaches/Key West	\$51
Northwest Point Resort	Sibonne Hotel /Alexandra/The Sands/The Sommerset/The Palms	\$51
Northwest Point Resort	Seven Stars/ Bella Luna/Ocean Club West/Salt Mills/Comfort Suites/Le Vele/ Point Grace/Mansions	\$59
Northwest Point Resort	Grace Bay/Coco Bistro	\$59
Northwest Point Resort	Long Bay (Upper and Lower)	\$60
Northwest Point Resort	Ocean Club East/Golf Club	\$60
Northwest Point Resort	Leeward/Conch Farm	\$64
Northwest Point Resort	Shipyards	\$64
Leeward/Conch Farm	Ocean Club East/Golf Club	\$16
Leeward/Conch Farm	Seven Stars/Comfort Suites	\$18
Leeward/Conch Farm	Grace Bay Club/Coco Bistro	\$18
Leeward/Conch Farm	White House/Coral Gardens/Reef Residences/Gansevoort/ West Bay Club/Beach House	\$20
Leeward/Conch Farm	Long Bay (Upper and Lower)	\$23

FROM	DESTINATION	FARE
Leeward/Conch Farm	Sibonne Hotel /Alexandra/Sands/The Sommerset/The Palms	\$24
Leeward/Conch Farm	Shipyard	\$24
Leeward/Conch Farm	Beaches/Key West	\$27
Leeward/Conch Farm	Central Square	\$35
Leeward/Conch Farm	Turtle Cove/Banana Boat/Miramar Resort/Watermark/Third Turtle Club	\$35
Leeward/Conch Farm	Discovery Bay	\$39
Leeward/Conch Farm	Kischo/Butterfield Square/Town	\$40
Leeward/Conch Farm	Airport	\$43
Leeward/Conch Farm	Five Cays	\$47
Leeward/Conch Farm	Pub On The Bay/ Blue Hills (Upper)	\$47
Leeward/Conch Farm	Road Runner/Blue Hills (Lower)	\$53
Leeward/Conch Farm	South Dock (Upper)	\$53
Leeward/Conch Farm	Taylor Bay	\$56
Leeward/Conch Farm	Northwest Point Resort	\$67
Amanyara	Airport	\$86
Amanyara	Beaches/Key West	\$100
Amanyara	Sibonne Hotel /Alexandra/Sands/The Sommerset/The Palms	\$106
Amanyara	Seven Stars/Comfort Suites/Ocean Club West/Coco Bristo	\$106
Amanyara	Conch Farm	\$110
Turtle Cove	Ocean Club East (Reverse)	\$20
Turtle Cove	The Palms/Alexandra/ Sommerset/Sibonne (Reverse)1-2 Persons	\$16
Turtle Cove	Sands/Point Grace/ Regent Grand/Seven Stars (Reverse)	\$18
Alexandra	Seven Stars/IGA	\$10
The Palms	Seven Stars/IGA	\$10
Sommerset	Seven Stars/IGA	\$10
Sibonne	Seven Stars/IGA	\$10
Sands	Seven Stars/IGA	\$10

FROM	DESTINATION	FARE
Point Grace	Seven Stars/IGA	\$10
Alexandra	Grace Bay Club/Coco Bristo/Casa Blanca (Reverse)	\$12
The Palms	Grace Bay Club/Coco Bristo/Casa Blanca(Reverse)	\$12
Sommerset	Grace Bay Club/Coco Bistro/Casa Blanca (Reverse)	\$12
Sibonne	Grace Bay Club/Coco Bistro/Casa Blanca (Reverse)	\$12
Sands	Grace Bay Club/Coco Bistro/Casa Blanca (Reverse)	\$12
Point Grace	Grace Bay Club/Coco Bistro/Casa Blanca (Reverse)	\$12
Alexandra	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
The Palms	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
Sommerset	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
Sibonne	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
Sands	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
Point Grace	Royal West Indies/Club Med/Tuscany/The Venetian/Ocean Club East (Reverse)	\$14
Alexandra	Leeward (Reverse)	\$20
The Palms	Leeward (Reverse)	\$20
Sommerset	Leeward (Reverse)	\$20
Sibonne	Leeward (Reverse)	\$20
Sands	Leeward (Reverse)	\$20
Point Grace	Leeward (Reverse)	\$20
Tuscany/Ocean Club East	Five Cays Reverse	\$40

FROM	DESTINATION	FARE
Royal West Indies/Grace Bay Club	Five Cays Reverse	\$40
Ocean Club West	Five Cays Reverse	\$38
Ports of Call/Seven Stars	Five Cays Reverse	\$38
Regent Grand	Five Cays Reverse	\$38
Point Grace	Five Cays Reverse	\$38
Sands/Summer Set	Five Cays Reverse	\$36
Sibonne/Regent Palms	Five Cays Reverse	\$36
Alexandra/Key West	Five Cays Reverse	\$36
Village/Beaches	Five Cays Reverse	\$36
Coral Gardens	Five Cays Reverse	\$28
Reef Residences	Five Cays Reverse	\$28
White House	Five Cays Reverse	\$28
Beach House/West Bay	Five Cays Reverse	\$28
Club/Gansevoort	Five Cays Reverse	\$28
Turtle Cove	Five Cays Reverse	\$24
Airport	South Side Marina Venetian Road	\$30
Leeward/Conch Farm	South Side Marina Venetian Road	\$30
Tuscany/Ocean Club East	South Side Marina Venetian Road	\$26
Royal West Indies	South Side Marina Venetian Road	\$26
Grace Bay Club	South Side Marina Venetian Road	\$26
Ocean Club West	South Side Marina Venetian Road	\$24
Ports of Call/Seven Stars/Regent Grand	South Side Marina Venetian Road	\$24
Point Grace	South Side Marina Venetian Road	\$24
The Sands/The Palms	South Side Marina Venetian Road	\$20
Sibonne/Sommerset	South Side Marina Venetian Road	\$20
Alexandra/Key West	South Side Marina Venetian Road	\$20

FROM	DESTINATION	FARE
Beaches/Key West	South Side Marina Venetian Road	\$20
Coral Gardens	South Side Marina Venetian Road	\$16
Reef Residences/White House	South Side Marina Venetian Road	\$16
Beach House/West Bay	South Side Marina Venetian Road	\$16
Gansevoort	South Side Marina Venetian Road	\$16
Turtle Cove	South Side Marina Venetian Road	\$14

(Substituted by L.N. 25/2014)

NORTH CAICOS TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND OTHER PERSONS
THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	Prospect of Whitby Hotel	\$13
Airport	Bottle Creek, North	\$5
Airport	Bottle Creek, South	\$8
Airport	Kew Primary School Area	\$21
Airport	Sandy Point	\$27
Sandy Point	Whitby Area	\$19
Sandy Point	Kew	\$13
Sandy Point	Bottle Creek, North	\$32
Sandy Point	Bottle Creek, South	\$35
Bellfield Landing	Kew	\$8
Bellfield Landing	Whitby Area	\$19
Bellfield Landing	Bottle Creek, North	\$32
Bellfield Landing	Bottle Creek, South	\$35
Kew	Whitby Area	\$11
Kew	Sandy Point	\$13
Kew	Bottle Creek, South	\$29
Kew	Bottle Creek, North	\$27

MIDDLE CAICOS TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND OTHER PERSONS
THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	Town	\$3
Airport	Bambarra	\$21
Airport	Lorimers	\$29
Conch Bar	Bambarra	\$19
Conch Bar	Lorimers	\$27
Bambarra	Lorimers	\$8

SOUTH CAICOS TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND OTHER PERSONS
THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	East Bay Hotel	\$8
Airport	Bell Sound	\$11
Airport	Coast Guard	\$19
Airport	Town	\$5

SALT CAY TAXI-CAB FARES

THE FIRST TWO PERSONS PAY THE FULL RATE AND OTHER PERSONS
THEREAFTER PAY ½ RATE

FROM	DESTINATION	FARE
Airport	Town	\$5
Town	Windmills Hotel	\$5
Airport	Windmills Hotel	\$3

(Legal Notice 25/2013)

PART 2

PRIVATE TRANSFER VEHICLE (RESERVED) FARE

Where the private transfer vehicle (reserved) is hired in respect of a particular journey, the maximum legal charge payable is as follows:

For the first hour or part thereof – \$120

For each subsequent period of ½ hour or part thereof \$60

(Inserted by L.N. 43/2011)

PART 3

COMMUNITY CAB FARE

To any location \$3.00-\$7.00
(Inserted by L.N. 74/2018)

PART 4

MISCELLANEOUS

The maximum fares that may be charged for the conveyance of passengers and their luggage in Taxi-cabs shall be as follows:

1. For the conveyance of each additional passenger over two years old \$
 - Extras: Airport to Town (or reverse) 3
 - Airport to Blue Hills (or reverse) 4
 - Airport to Northwest Point Resort (or reverse) 14
 - Airport to Shipyard (or reverse) 14
 - Airport to Leeward (or reverse) 14
 - Airport to Five Cays (Upper) (or reverse) 3
 - Airport to Five Cays (Lower) (or reverse) 3
 - Airport to Discovery Bay (or reverse) 6
 - Airport to South Dock (or reverse) 6
 - Airport to Turtle Cove (or reverse) 5
 - Airport to Wheeland (or reverse) 8
 - Airport to Beaches (or reverse) 9
2. For the conveyance of children under twelve years if accompanied by an adult 6
3. Taxi-cab tour hourly rate (maximum of 4 persons) 50
4. Taxi-cab waiting time (per minute) 0.60
5. For carriage of more than 2 pieces of luggage (each piece) 4
6. Golf Bag 3

(Substituted by L.N. 36/2007)

ROAD TRAFFIC (RADAR SPEED METER) REGULATIONS

(Legal Notice 2/2019)

Commencement

[14 January 2019]

Citation

1. These Regulations may be cited as the Road Traffic (Radar Speed Meter) Regulations.

Type of radar speed meter

2. For the purposes of section 39 of the Ordinance, the types of radar speed meters which shall be used under section 38 of the Ordinance are—

- (a) Speed Laser B Speedway 2, manufactured by Laser MPH Industries; and
 - (b) MPH Sure Shot Lidar Speed Gun.
-

ROAD TRAFFIC (APPROVED TINT METER) NOTICE

(Legal Notice 69/2018)

Commencement

[30 November 2018]

Citation

1. This Notice shall be cited as the Road Traffic (Approved Tint Meter) Notice.

Type of tint meter

2. The Tint Meter Enforcer 11, manufactured by Laser Labs is approved for measuring degrees of transmission of light through a windscreen or window of a vehicle.

(Substituted by L.N. 69/2018)

ROAD TRAFFIC (MOTOR CYCLES) (PROTECTIVE HEADGEAR) REGULATIONS
– SECTION 53

(Legal Notice 29/2006)

Commencement

[6 November 2006]

Citation

1. These Regulations may be cited as the Road Traffic (Motor Cycles) (Protective Headgear) Regulations.

Interpretation

2. In these Regulations—

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

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed nine cwt.;

“protective headgear” has the meaning given to it by regulation 4.

Requirement to wear protective headgear

3. (1) Subject to subregulation (2), every person—

- (a) driving; or
- (b) riding as a passenger on,

a motor cycle when on a road shall wear protective headgear which complies with regulation 4.

(2) Subregulation (1) does not apply to any person driving, or riding as a passenger on, a motor cycle which is for the time being propelled by a person on foot.

Protective headgear

4. Protective headgear to which regulation 3 applies means a safety helmet which—

- (a) is of a type manufactured for use by persons on motor cycles which by virtue of its shape, material and construction could reasonably be expected to afford to the wearer a proper degree of protection from accidental injury; and
- (b) is securely fastened to the head by means of a strap or other fastening device provided for that purpose.

**ROAD TRAFFIC (PUBLIC SERVICE VEHICLE
OPERATOR) (LICENSING FEES) NOTICE**
- REGULATION 3(3) OF THE ROAD TRAFFIC
(PUBLIC SERVICE VEHICLES REGULATIONS)

(Legal Notices 44/2011 and 73/2018)

Commencement

[16 December 2011]

Citation

1. These Regulations may be cited as the Road Traffic (Public Service Vehicle Operator) (Licensing Fees) Notice.

Fees

2. For the purposes of regulation 3(3) of the Road Traffic (Public Service Vehicles) Regulations, the fee payable in respect of a licence to operate a public service vehicle shall be as follows—

Taxi-cab	\$50.00
Omnibus	\$50.00
Private charter	\$100.00
Private Transfer (reserved)	\$100.00
Private Transfer (resort)	\$100.00
Community Cab	\$150.00
Minibus	\$150.00

(Substituted by L.N.73/2018)

ROAD TRAFFIC (APPROVED DEVICES) NOTICE

(Legal Notice 28/2018)

Commencement

[1 July 2018]

Citation

1. This Notice may be cited as the Road Traffic (Approved Devices) Notice.

Approved devices

2. The following devices are approved pursuant to section 301(1)(a) of the Road Traffic Ordinance for the taking of specimens of breath for analysis whether the proportion of alcohol in a person's breath exceeds the prescribed limit—

NAME AND TYPE OF DEVICE	DESCRIPTION OF THE DEVICE
Alco Sensor FST ®	An automated hand held device for roadside screening purposes
Intox EC/IR ® II	A device for desktop evidential testing

**ROAD TRAFFIC (DEFERMENT OF PUBLIC SERVICE VEHICLE
HALF-YEARLY VEHICLE INSPECTION FEE) REGULATIONS**

(Legal Notice 78/2020)

Commencement

[20 July 2020]

Citation

1. These Regulations may be cited as the Road Traffic (Deferment of Public Service Vehicle Half-yearly Vehicle Inspection Fee) Regulations.

Deferment of half-yearly vehicle inspection fee for public services vehicles

2. The half-yearly fee payable in June 2020 under paragraph 1 of Schedule 1 to the Road Traffic Regulations for the issue of a Certificate of Roadworthiness in respect of a public service vehicle shall be deferred to December 31, 2020.