

MONTSERAT

ROAD TRAFFIC (AMENDMENT) ACT

No. 1 of 2015

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I ASSENT

(Sgd.) Adrian Davis
GOVERNOR

DATE:30.1.15

M O N T S E R R A T

No. 1 of 2015

AN ACT TO AMEND THE ROAD TRAFFIC ACT (CAP. 07.06).

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows—

1. Short title

This Act may be cited as the Road Traffic (Amendment) Act, 2015.

2. Interpretation

In this Act, “**principal Act**” means the Road Traffic Act (Cap. 7.06).

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3. Section 2 amended

Section 2 of the principal Act is amended by inserting the following definition in the correct alphabetical sequence—

“**“school bus”** means any motor vehicle constructed or adapted for use and used for the transportation of students;”.

4. Section 7 amended

Section 7 of the principal Act is deleted and the following is substituted—

“7. Fees

- (1) The fees set out in the First Schedule are payable to the Licensing Officer for the registration and grant of a motor vehicle and trailer licence, the conduct of driving tests and the inspection of motor vehicles and trailers.
- (2) The fees set out in—
 - (a) Part B of the First Schedule are payable from 1 April 2015; and
 - (b) Parts C of the First Schedule are payable from 1 January 2015.
- (3) Fees received by the Licensing Officer shall be paid into the Consolidated Fund.
- (4) A person who owns a motor vehicle or trailer with an identification mark ending in the number set out in Column 1 of Part A of the Schedule shall licence his motor vehicle or trailer before the end of the corresponding month set out in Column 2 of Part A of the Schedule.
- (5) The Governor acting on the advice of Cabinet may by order amend, vary, suspend or revoke the provisions of the First Schedule.”.

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5. Section 22 amended

Section 22 of the principal Act is deleted and the following is substituted—

“22. Application, duration, expiration, and renewal of licence

- (1)** Commencing 1 April 2015, a person who owns a motor vehicle or trailer with an identification mark ending in a number set out in Column 1 of Part A of the First Schedule shall apply for a motor vehicle or trailer licence before the end of the corresponding month set out in Column 2 of Part A of the First Schedule.
- (2)** An application for a motor vehicle or trailer licence shall be made to the Licensing Officer in the prescribed form.
- (3)** An application for the renewal of a licence shall be made in the prescribed form, in person or by letter addressed to the Licensing Officer.
- (4)** Subject to subsection (5), a motor vehicle or trailer licence unless suspended, cancelled or revoked, which is issued after 31 March 2015 expires twelve months after the date on which the licence takes effect.
- (5)** If a motor vehicle or trailer licence is issued in a month that doesn't correspond with the last number of the identification mark of a motor vehicle or trailer as set out in Part A of the First Schedule, the licence expires at the end of the month next corresponding with the last number of the identification mark.
- (6)** A licence issued under this section takes effect immediately after the date of expiry of the previous licence.

- (7) A Licensing Officer shall renew a motor vehicle or trailer licence only if—
- (a) he is satisfied that the motor vehicle or trailer does not differ in any respect from the particulars in the register of motor vehicles;
 - (b) the motor vehicle or trailer has been examined by an Examining Officer and a certificate of fitness in respect the motor vehicle or trailer is produced to the Licensing Officer;
 - (c) there is in force in respect of the motor vehicle or trailer a policy of insurance that complies with the requirements of the Motor Vehicle Insurance (Third Party Risks) Act (Cap. 7.08); and
 - (d) he is satisfied that this Act, and any regulations made under this Act have been complied with.”.

6. Section 27 amended

Section 27 of the principal Act is deleted and the following is substituted—

“27. Licence fees, exemptions, rebates

- (1) A Licensing Officer shall issue a motor vehicle or trailer licence in the prescribed form on being satisfied that the requirements of section 22(7) are met in respect of the motor vehicle or trailer and on the payment of the prescribed fee.
- (2) If the Licensing Officer is satisfied, on the presentation of proof, that the motor vehicle or trailer—
 - (a) has been unusable and has not used on a road for a continuous period of at least three months;

- (b)* has changed ownership; or
 - (c)* has not previously been registered,the percentage set out in subsection (3), of the annual licence fee, is payable for a motor vehicle or trailer licence.
- (3)** If a motor vehicle or trailer licence is issued—
 - (a)* in the second quarter of the year of licencing of that motor vehicle or trailer, 75% of the annual licence fee is payable in respect of the vehicle;
 - (b)* in the third quarter of the year of licencing of that motor vehicle or trailer, 50% of annual licence fee is payable in respect of the vehicle;
 - (c)* in the last quarter of the year of licencing of that motor vehicle or trailer, 25% of the annual licence fee is payable in respect of the vehicle.
- (4)** A person who owns—
 - (a)* a vehicle which is exempt from registration; or
 - (b)* a motor vehicle to which section 12 applies,is exempted from the payment of a motor vehicle or trailer licence.
- (5)** The Traffic Commissioner may authorise a rebate of a proportion of the licence fee paid in respect of a motor vehicle or trailer which—
 - (a)* has not been used for a continuous period of at least three months;
 - (b)* has been rendered permanently unserviceable; or

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(c) has been permanently removed from
Montserrat,

in the year of licencing of the motor vehicle
or trailer.

(6) The rebate under subsection (5) shall not
exceed 1/12 of the annual licence fee
applicable to the motor vehicle or trailer for
each complete month during which the
vehicle was not in use.

(7) The Accountant General shall—

(a) on surrender of the licence by the
licence holder to the Traffic
Commissioner; and

(b) on receipt of the certificate of the
Traffic Commissioner authorising the
rebate,

refund to the person named in the certificate
the amount certified for rebate.”.

7. Section 46A amended

Section 46A of the principal Act is deleted and substituted
by the following —

**“46A. Speed-measuring and time-measuring
devices: admissibility of evidence**

In proceedings for an offence under
section 46 or any other law, if the speed
at which a vehicle travelled on the
occasion of the alleged offence is
relevant, evidence of the speed of the
vehicle, as indicated or determined on
that occasion by means of a prescribed
speed-measuring or time-measuring
device, is admissible as evidence of the
speed of the vehicle on that occasion if
the prescribed speed-measuring or time-
measuring device is used—

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- (a) in the prescribed manner; and
- (b) in accordance with the prescribed conditions.”.

8. Section 74 amended

Section 74 (1) of the principal Act is amended by inserting the following as paragraph (wa)—

“(wa) the marking of a school bus and the regulation of the school bus service;”.

9. Transition – Licensing between 31 December 2014 and 1 April 2015

- (1) Between the period 31 December 2014 and 1 April 2015, a person who owns a motor vehicle or a trailer shall apply for a motor vehicle or trailer licence.
- (2) Between the period 31 December 2014 and 1 April 2015, the fees set out in—
 - (a) subsection (7) are payable by a person who owns a motor vehicle or trailer with an identification mark ending in the number 1, 2, or 3; and
 - (b) subsection (8) are payable by a person who owns a motor vehicle or trailer with an identification mark ending in the number 4, 5, 6, 7, 8, 9, or 0.
- (3) Between the period 31 December 2014 and 1 April 2015, a person who owns a motor vehicle or trailer with an identification mark ending in the number—
 - (a) 1, shall pay a licence fee for the period 1 year and 1 month;
 - (b) 2, shall pay a licence fee for the period 1 year and 2 months;
 - (c) 3, shall pay a licence fee for the period 1 year and 3 months;

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- (d)* 4, shall pay a licence fee for 4 months;
 - (e)* 5, shall pay a licence fee for 5 months;
 - (f)* 6, shall pay a licence fee for 6 months;
 - (g)* 7, shall pay a licence fee for 7 months;
 - (h)* 8, shall pay a licence fee for 8 months;
 - (i)* 9, shall pay a licence fee for 9 months;
and
 - (j)* 0, shall pay a licence fee for 10 months.
- (4)** A motor vehicle or trailer licence, unless suspended, cancelled or revoked, which is issued—
- (a)* before 1 January 2015 expires 31 December 2014;
 - (b)* between the period 31 December 2014 and 1 April 2015 expires, in the case of a motor vehicle or trailer with an identification mark ending in the number,—
 - (i)* 1, on 31 January 2016;
 - (ii)* 2, on 29 February 2016;
 - (iii)* 3, on 31 March 2016;
 - (iv)* 4, on 30 April 2015;
 - (v)* 5, on 31 May 2015;
 - (vi)* 6, on 30 June 2015;
 - (vii)* 7, on 31 July 2015;
 - (viii)* 8, on 31 August 2015;
 - (ix)* 9, on 30 September 2015; and
 - (x)* 0, on 31 October 2015.
- (5)** Before the end of the period of expiry under subsection (4)(b), a person shall apply for a

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motor vehicle or trailer licence under section 22(1).

- (6) A person who applies for a motor vehicle or trailer licence before the end of the period of expiry under subsection (4)(b)(iv), (v), (vi), (vii), (viii), (ix) or (x) shall not pay an inspection fee as set out in item 6 of Part C of the First Schedule.

(7)

No.	CLASS AND DESCRIPTION OF LICENCE	FEES			
		JANUARY	FEBRUARY	MARCH	
1.	Motor Cycle with or without side car—				
	(a)	having engine capacity not exceeding 50ccs	\$59.58	\$64.17	\$68.75
	(b)	having engine capacity in excess of 50ccs but not exceeding 150ccs	\$81.25	\$87.50	\$93.75
	(c)	having engine capacity in excess of 150ccs	\$108.33	\$116.67	\$125
	(d)	having engine capacity in excess of 250ccs	\$216.67	\$233.33	\$250
2.	Private Passenger carrying Motor Vehicle to include Car, Jeep, Land Rover and other similar vehicles—				
	(a)	having engine capacity not exceeding 1600ccs	\$216.67	\$233.33	\$250.00
	(b)	having engine capacity in excess of 1600ccs but not exceeding 2000ccs	\$379.17	\$408.33	\$437.50
	(c)	having engine capacity in excess of 2000ccs	\$487.50	\$525	\$562.50

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3.	Commercial Load carrying Motor Vehicle to include Tractor, Grader and Road Roller—				
	(a)	having engine capacity not exceeding 3000ccs	\$433.33	\$466.67	\$500
	(b)	having engine capacity in excess of 3000ccs but not exceeding 4000ccs	\$650	\$700	\$750
	(c)	having engine capacity in excess of 4000ccs but not exceeding 10,000ccs	\$1,083.33	\$1,166.67	\$1,250
	(d)	having engine capacity in excess of 10,000ccs	\$1,354.17	\$1,458.33	\$1,562.50
4.	Bull dozer and Front End Loader		\$1,354.17	\$1,458.33	\$1,562.50
5.	Omnibus—				
	(a)	up to nine (9) seats	\$297.92	\$320.83	\$343.75
	(b)	over nine (9) seats	\$433.33	\$466.67	\$500
6.	Trailer—				
	(a)	container carrying and similar trailers	\$758.33	\$816.67	\$875
	(b)	other (lighter) trailers	\$216.67	\$233.33	\$250
7.	Public Service Vehicle— In addition to the fee payable under the above mentioned classes—				
	(a)	vehicle with 'H' No.	\$162.5	\$175	\$187.5
	(b)	vehicle with 'R' No.	\$216.67	\$233.33	\$250

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(8)

No.	CLASS AND DESCRIPTION OF LICENCE	FEES							
		APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	
1.	Motor Cycle with or without side car—								
	(a)	having engine capacity not exceeding 50ccs	\$18.33	\$22.92	\$27.50	\$32.08	\$36.67	\$41.25	\$45.83
	(b)	having engine capacity in excess of 50ccs but not exceeding 150ccs	\$25	\$31.25	\$37.50	\$43.75	\$50	\$56.25	\$62.50
	(c)	having engine capacity in excess of 150ccs	\$33.33	\$41.67	\$50	\$58.33	\$66.67	\$75	\$83.33
	(d)	having engine capacity in excess of 250ccs	\$66.67	\$83.33	\$100	\$116.67	\$133.33	\$150	\$166.67
2.	Private Passenger carrying Motor Vehicle to include Car, Jeep, Land Rover and other similar vehicles—								
	(a)	having engine capacity not	\$66.67	\$83.33	\$100	\$116.67	\$133.33	\$150	\$166.67

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		exceeding 1600ccs							
	(b)	having engine capacity in excess of 1600ccs but not exceeding 2000ccs	\$116.67	\$145.83	\$175	\$204.17	\$233.33	\$262.50	\$291.67
	(c)	having engine capacity in excess of 2000ccs	\$150	\$187.50	\$225	\$262.50	\$300	\$337.50	\$375
3.	Commercial Load carrying Motor Vehicle to include Tractor, Grader and Road Roller—								
	(a)	having engine capacity not exceeding 3000ccs	\$133.33	\$166.67	\$200	\$233.33	\$266.67	\$300	\$333.33
	(b)	having engine capacity in excess of 3000ccs but not exceeding 4000ccs	\$200	\$250	\$300	\$350	\$400	\$450	\$500
	(c)	having engine capacity in excess of 4000ccs but not exceeding 10,000ccs	\$333.33	\$416.67	\$500	\$583.33	\$666.67	\$750	\$833.33

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	(d)	having engine capacity in excess of 10,000ccs	\$416.67	\$520.83	\$625	\$729.17	\$833.33	\$937.50	\$1041.67
4.	Bull dozer and Front End Loader		\$416.67	\$520.83	\$625	\$729.17	\$833.33	\$937.50	\$1,041.67
5.	Omnibus—								
	(a)	up to nine (9) seats	\$91.67	\$114.58	\$137.50	\$160.42	\$183.33	\$206.25	\$229.17
	(b)	over nine (9) seats	\$133.33	\$166.67	\$200	\$233.33	\$266.67	\$300	\$333.33
6.	Trailer—								
	(a)	container carrying and similar trailers	\$233.33	\$291.67	\$350	\$408.33	\$466.67	\$525	\$583.33
	(b)	other (lighter) trailers	\$66.67	\$83.33	\$100	\$116.67	\$133.33	\$150	\$166.67
7.	Public Service Vehicle—								
	In addition to the fee payable under the above mentioned classes—								
	(a)	vehicle with 'H' No.	\$50	\$62.50	\$75	\$87.50	\$100	\$112.50	\$125
	(b)	vehicle with 'R' No.	\$66.67	\$83.33	\$100	\$116.67	\$133.33	\$150	\$166.67

”

10. First Schedule amended

The First Schedule of the principal Act is deleted and the following is substituted—

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“FIRST SCEHDULE
(sections 7, 22 & 32)

1. Part A
 - (a) This Part applies from 1 January 2015.
2. Part B—
 - (a) applies from 1 April 2015; and
 - (b) sets out the fees payable for a motor vehicle or trailer licence, for a motor vehicle or trailer with an identification mark ending in the number 1, 2, 3, 4, 5, 6, 7, 8, 9 or 0.
3. Part C—
 - (a) applies from 1 January 2015; and
 - (b) sets out the fees payable for licencing, testing and inspection, as listed in that Part.

PART A

COLUMN 1	COLUMN 2
IDENTIFICATION MARK LAST NUMBER	MONTH
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

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PART B

No.	CLASS AND DESCRIPTION OF LICENCE	FEES	
1.	Motor Cycle with or without side car—		
	(a)	having engine capacity not exceeding 50ccs	\$55
	(b)	having engine capacity in excess of 50ccs but not exceeding 150ccs	\$75
	(c)	having engine capacity in excess of 150ccs	\$100
	(d)	having engine capacity in excess of 250ccs	\$200
2.	Private Passenger carrying Motor Vehicle to include Car, Jeep, Land Rover and other similar vehicles—		
	(a)	having engine capacity not exceeding 1600ccs	\$200
	(b)	having engine capacity in excess of 1600ccs but not exceeding 2000ccs	\$350
	(c)	having engine capacity in excess of 2000ccs	\$450
3.	Commercial Load carrying Motor Vehicle to include Tractor, Grader and Road Roller—		
	(a)	having engine capacity not exceeding 3000ccs	\$400
	(b)	having engine capacity in excess of 3000ccs but not exceeding 4000ccs	\$600
	(c)	having engine capacity in excess of 4000ccs but not exceeding 10,000ccs	\$1,000
	(d)	having engine capacity in excess of 10,000ccs	\$1,250
4.	Bull dozer and Front End Loader	\$1,250	
5.	Omnibus—		
	(a)	up to nine (9) seats	\$275
	(b)	over nine (9) seats	\$400
6.	Trailer—		

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	(a)	container carrying and similar trailers	\$700
	(b)	other (lighter) trailers	\$200
7.	Public Service Vehicle— In addition to the fee payable under the above mentioned classes—		
	(a)	vehicle with 'H' No.	\$150
	(b)	vehicle with 'R' No.	\$200

PART C

No.	LICENCING, TESTING AND INSPECTION		FEES
1.	Driver's Licence—		
	(a)	Motor Cycle Driver's Licence	\$125
	(b)	Private Driver's Licence	\$150
	(c)	Public Service Vehicle Driver's Licence	\$250
	(d)	Visitor's Driver's Licence	\$50
	(e)	Learner's Permit	\$30
	(f)	Heavy Equipment Driver's Licence	\$300
2.	Transfer or Amendment of Registration of Motor Vehicle or Trailer Licence		\$50
3.	Driver's Licence Processing Fee		\$100
4.	Driving Test		
	(a)	Written Driving Test	\$20
	(b)	Driving Test (Road)	\$50
5.	Duplicate Licence		\$100
6.	Inspection Fee—		
	(a)	Motor Cycle	\$20
	(b)	Car	\$25
	(c)	Other Vehicle	\$50
7.	Personalised Licence Plate		\$500 ² .

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(Sgd) Shirley Osborne
SPEAKER

Passed by the Legislative Assembly this 23rd day of January, 2015.

(Sgd.) Shivonne White
CLERK OF LEGISLATIVE ASSEMBLY (Ag)