

CAYMAN ISLANDS



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THE TRAFFIC LAW (Revised)

**The Traffic Law (Law 16 of 1973) as amended by -
Law 4 of 1976,
Law 11 of 1977,
Law 27 of 1977,
Law 26 of 1978,
Law 4 of 1981,
Law 28 of 1981,
Law 2 of 1982,
Law 16 of 1982, and
Law 2 of 1983.**

THE TRAFFIC LAW (REVISED)
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Application to the Crown.

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in uniform,
shall be guilty of an offence, and liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding four months or both.

(5)(a) On the conviction of any person under subsection (4) the court may in addition to any punishment imposed thereunder adjudge the person convicted to pay a reasonable sum as compensation for any damage caused to any equipment used in conjunction with or in setting up a road block or barrier and such sum may be recovered as a fine under this Law and when recovered shall be paid to the Commissioner for the public revenue.

(b) No action shall lie against the Government or against any member of the Royal Cayman Islands Police Force for damages in any civil court in respect of personal injury or damage to property caused as a result of any act bona fide done pursuant to this section.

86. This Law shall apply to vehicles and people in the public service of the Crown.

87. All fees payable to the Authority under this Law shall be paid by the Authority into the Treasury.

88. Regulations made under -
(a) the Bicycles (Control) Law;
(b) the Motor Vehicles Law (subject to section 10);
(c) the Road Traffic (Lights) Law; or
(d) sub-paragraph (iii) of paragraph (b) of section 8 of the Tax Collection Law,
(all repealed by the Traffic Law (Law 16 of 1973)) shall remain in full force and effect until revoked or replaced by any provision of this Law or any regulation made hereunder.

Published in revised form on the authority of the Governor in Council under the Law Revision Law (Law 19 of 1975) this
day of , 1986.

Clerk of the Executive Council.

CAYMAN ISLANDS

THE TRAFFIC LAW (REVISED)

PART I - INTRODUCTORY

Short title.

Interpretation.

1. This Law may be cited as the Traffic Law (Revised).
2. In this Law unless the context otherwise requires -
“authority” means the licensing authority appointed by the Governor by virtue of subsection (1) of section 10;
“bicycle” means a vehicle propelled only by human energy and includes a tricycle;
“certificate of roadworthiness” means the prescribed certificate issued under subsection (1) of section 3;
“Commissioner” means the Commissioner of Police or any person deputed to act on his behalf;
“driver” and its grammatical derivations includes the driver or rider of any kind of vehicle or animal;
“driving examiner” means a person appointed as such under section 41(1);
“emergency vehicle” means any fire engine, ambulance or police vehicle actually engaged upon its duties as such;
“Governor” means the Governor in Council;
“invalid carriage” means a mechanically propelled vehicle designed exclusively for personal use on the road by a person or persons under physical disability;
“licensed” means licensed under this Law;
“locomotive” means a mechanically propelled vehicle constructed wholly or mainly for the purpose of towing trailers;
“moped” means a vehicle having two road wheels and equipped with a power unit of a cylinder capacity of fifty cubic centimetres or less and capable of being propelled thereby or by human energy or a combination of both;
“motorcar” means a mechanically propelled vehicle having more than two road wheels (not being an invalid carriage) which is designed and used wholly or mainly for the transport of not more than six people excluding the driver;

Erection of road
blocks or barriers.

(d) involved in an accident, such constable may take charge of such vehicle and drive or tow it or cause it to be driven or towed to a place under police supervision authorized by the Commissioner to be used as a vehicle pound or to any other place considered by the Commissioner to be appropriate.

(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 so driven or towed away and requiring him, if appropriate, to remove such vehicle.

(3) The owner or person 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 by the Governor in respect of every day or part of a day that such vehicle remains in the vehicle pound.

(4) 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 by the Governor in respect of such driving or towing away.

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

(6) No action shall lie against the Government or any constable for damages in any civil court in respect of damage to any vehicle or any loss or damage to any property from or in such vehicle caused as a result of any act bona fide done pursuant to this section involving that vehicle.

85. (1) For the purpose of enforcing the provision of this Law or any regulations made thereunder, it shall be lawful for any constable in uniform to erect on any road, whether by day or by night a road block or barrier, at which all vehicles shall be required to stop.

(2) The approaches to such road blocks shall be identified -

- (a) during the daytime by not less than two police notices or signposts being erected at a suitable distance from such road block or barrier, facing oncoming traffic;
- (b) during the night by not less than three warning lights, of a prescribed design, in conjunction with police notices or signposts erected at a suitable distance from such road block or barrier facing oncoming traffic.

(3) Every driver shall on approaching such road block or barrier slow the vehicle down to walking pace and stop, and thereafter obey all direction signals, whether verbal or manual given to him by a constable in uniform, manning such road block or barrier.

(4) Every driver who at a road block or barrier fails -

- (a) to slow down; or
- (b) to bring his vehicle to a halt; or
- (c) to comply with any signal or directions given by a constable

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“motorcycle” means a mechanically propelled vehicle having two road wheels which is used for the transport of people and unless the context otherwise requires includes a moped;

“night” means the period of time from one half hour after sunset on any day until one half hour before sunrise on the day following;

“old law” means the Motor Vehicles Law;

“omnibus” means a mechanically propelled vehicle having accommodation for more than nine persons in addition to the driver which is licensed for the carriage of passengers whether upon a casual fare paying basis or by private arrangement;

“owner” with regard to any vehicle means the person having the right of the immediate disposition of such vehicle whether or not such right is to be exercised subject to any lien over such vehicle or subject to any balance of payment of such vehicle, or subject to the right of any mortgagee or holder of a bill of sale;

“park” with respect to a vehicle means voluntarily to bring the vehicle to rest or, being in control thereof, permitting it to remain at rest for a purpose other than -

- (i) conforming with the flow of traffic;
- (ii) obedience to a traffic sign;
- (iii) compliance with a police signal;
- (iv) compliance with this Law; or
- (v) avoiding an accident;

“prescribed” means prescribed by this Law or any regulation;

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

“register” means the Register of Motor Vehicles established under the old law and continued by this Law;

“registered” means registered under this Law;

“registered owner” means a person registered under this Law as the owner of a registered vehicle;

“regulation” means a regulation made pursuant to this Law;

“rent-a-car” and “rent-a-motorcycle” have reference to a form of hire business carried on by prescribed firms, whereby the hirer or some other person or persons nominated to such firm by the hirer have the right to drive and generally exercise control over the hired vehicle until the termination of the period of hire;

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

“road code” means the written code of conduct for road users published under the authority of this Law;

“road user” means any person using a road whether driving or on foot;

“school crossing patrol” means a person appointed and acting in that behalf under section 58A;

“school vehicle” means any vehicle while it is actually being used for or in connection with the conveyance of school children for hire or reward;

PART IV
MISCELLANEOUS

Offences relating to documents.

79. Whoever, with intent to deceive any person, -
- (a) alters, uses, lends, or allows to be used, or
 - (b) makes or has in his possession anything resembling, or
 - (c) makes any false statement or withholds information in order to obtain, or
 - (d) issues without belief in its authenticity or veracity,

any certificate, coupon, licence, plate or other document or thing prescribed for any purpose of this Law is guilty of an offence and is punishable upon summary conviction with a fine not exceeding two hundred dollars or with imprisonment for a term not exceeding three months or both, or, upon indictment, with a fine not exceeding five hundred dollars or with imprisonment for a term not exceeding two years or both.

Obstruction of police.

80. Whoever obstructs or hinders any constable in the course of doing his duty in enforcing any provision of this Law is punishable on summary conviction with a fine not exceeding two hundred dollars or with imprisonment for a term not exceeding three months or both and if the offence involves the use of any vehicle in the commission or attempted commission of an offence or the attachment to or carriage in any vehicle of any device or thing not being part of such vehicle's normal equipment, which is capable of impeding or balking or frustrating the purpose of any radar speed meter as defined by section 63(3) or the mechanical or running efficiency of any police equipment or vehicle then the vehicle to which such device or thing is attached or in which it is carried may, at the discretion of the Court, be forfeited to the Crown.

Vicarious responsibility.

81. Where any corporation is convicted of any offence under this Law, any director or officer found by reason of his negligence or otherwise to be responsible for the conduct of the corporation giving rise to the conviction shall be punishable with any punishment provided by this Law for such offence.

Regulations.

82. The Governor may make regulations prescribing anything by this Law required to be prescribed.

General penalty.

83. Any person who contravenes any provision of any part of this Law for which no penalty is elsewhere prescribed is punishable on summary conviction with a fine not exceeding two hundred dollars or with imprisonment for a term not exceeding three months or both.

Vehicle pounds.

84. (1) Where it appears to any constable that any vehicle has been -
- (a) abandoned;
 - (b) parked in an unlawful or unsafe manner;
 - (c) left in such a condition as to constitute a danger; or

who refuses or fails to give such information, or knowingly gives false information is guilty of an offence.

(3) A constable may arrest without warrant any person who, having been required by that constable under subsection (1) or (2) to give his name and address, fails or refuses to do so or gives a name and address which the constable believes on reasonable grounds to be false.

(4) Whoever driving a vehicle on the road fails, when so required by a constable to produce his driving licence or permit is guilty of an offence:

Provided that such person shall not be prosecuted if he produces such licence or permit at a Police Station within three days.

Regulations.

77. The Governor may make regulations under this part prescribing-

- (a) standards of roadworthiness required to be maintained in respect of different classes of vehicles;
- (b) the lights, horns, traffic indicators, driving mirrors, wind-screen wipers and other equipment required or forbidden to be carried or annexed to different classes of vehicles;
- (c) speed limits with reference to particular roads and portions of roads;
- (d) types of radar speedometers which may be used for detecting speeds of vehicles on the road;
- (e) rules for the driving and management of emergency vehicles;
- (f) rules to be observed by vehicles towing or under tow;
- (fa) the prohibition of the use of vehicles in more than one direction on specified roads;
- (fb) the installation of traffic lights and other signals and indicators to control traffic;
- (fc) roads or parts of roads on which vehicles are prohibited from parking, waiting or being driven;
- (g) the road code, prescribing traffic and other signs and signals and a code of conduct to be adhered to by drivers of vehicles and by road users in general; and
- (h) any other matters required to be prescribed by this Part.

Trial of offences.

78. (1) Offences against section 64 shall be triable on indictment.

(2) All other offences against this Part may be tried summarily:

Provided that no summary court other than a court presided over by a magistrate shall -

- (a) endorse any licence or disqualify any person from driving unless such endorsement or disqualification is mandatory; or
- (b) impose any sentence otherwise lawful under this Law which is in excess of the general jurisdiction of such court.

(3) Constables may exhibit informations and conduct prosecutions in any matters arising out of this Law in any court of summary jurisdiction and may represent the authority in civil cases in the summary court.

“shipping ton” means a capacity of forty cubic feet;

“special vehicle” includes a track-laying or wheeled vehicle having motive power and designed to be used with or without accessories for construction engineering or agricultural work and also includes vehicles designed for the carriage of liquids in bulk;

“station wagon” means a mechanically propelled vehicle which is designed for the purpose of carrying not more than nine persons or goods in the alternative in addition to the driver;

“taxi” means a motorcar or station wagon which, when in the control of a licensed taxi driver is licensed to be used for casual hire for the conveyance of passengers and their personal luggage;

“ton” means two thousand two hundred and forty pounds avoirdupois;

“traffic sign” means a sign erected by the Commissioner in or in the vicinity of a road for the purpose of controlling and regulating traffic or the parking of vehicles;

“traffic signal” means a device by which illuminated signals in red, green or amber, or combinations of any two such colours are intermittently displayed at the centre or side of a road at an intersection or junction or other place where the Commissioner desires to control traffic, in conjunction with a metallic or white line drawn at right angles to the centre line of the road in the path of vehicles approaching the said device;

“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 mechanically propelled vehicle;

“truck” means a mechanically propelled vehicle constructed primarily for the carriage of goods, with or without passengers and includes a van and a pick-up, and for the purpose of this definition, ‘goods’ includes other vehicles, whether or not operative;

“vehicle” includes every type of wheeled or tracked vehicle capable of being driven or towed on a road, but does not include animal drawn carts or carriages, hand carts, barrows or baby carriages;

“vehicle inspector” means a person appointed by the Commissioner to certify the fitness or otherwise of any vehicle for use on the road.

PART II REGISTRATION OF VEHICLES AND LICENSING AND TESTING OF DRIVERS

Imported vehicles to be inspected and registered before use on the road.

3. (1) Every vehicle imported into the Islands (other than a bicycle) before being used otherwise on the road shall be taken from customs charge direct to a vehicle inspector or direct to a public garage or the residence of the owner and thence direct to a vehicle inspector for examination and no such vehicle shall be used further on the

	<p>road otherwise than by such vehicle inspector for testing purpose until such vehicle inspector has certified such vehicle fit for use on the road and issued under his hand a prescribed certificate of road-worthiness.</p> <p>(2) No vehicle after being certified fit for use on the road under subsection (1) shall, save under the provision of subsection (2) of section 28, be used on the road until it has been registered as hereinafter provided.</p> <p>(3) Vehicle inspectors shall carry out their duties at the places and times prescribed under subsection (1) of section 24.</p>		
Appointment of vehicle inspectors.	<p>4. The Commissioner shall under his hand appoint suitable persons to be vehicle inspectors who shall carry out their duties under the Commissioner’s supervision.</p>		
Issue of certificate of roadworthiness.	<p>5. Before issuing a certificate of roadworthiness the vehicle inspector shall satisfy himself that the said vehicle is mechanically sound and complies with section 53 and with all other requirements of this Law and regulations for the use of such vehicles on the road and with such regulations for the testing of vehicles as may be prescribed from time to time.</p>		<p>(b) particulars of the offences;</p> <p>(c) the punishments awarded;</p> <p>(d) the number of fatal accidents on the roads;</p> <p>(e) the number of road accidents causing injury to people;</p> <p>(f) the number of road accidents involving substantial damage to property;</p> <p>(g) the comparable figures in each case for the equivalent period in the preceding year.</p> <p>(2) The proprietor of every newspaper circulating in the Islands shall publish the above statistics when required by the Commissioner so to do and upon payment of the usual charges of such newspaper.</p>
Inspection fees.	<p>6. Before making application to a vehicle inspector for testing a vehicle under subsection (1) of section 3 or under subsection (1) or (4) of section 24, the applicant shall pay to the Authority the prescribed fee in that behalf and shall surrender the receipt for the prescribed fee to the vehicle inspector.</p>	Accident black spots.	<p>73. Where three or more serious accidents occur at the same locality within a period of six months, the Commissioner shall cause to be displayed at the location black circular signs with white lettering bearing the words “ACCIDENT BLACK SPOT”. Such signs shall be of the prescribed dimensions and shall be sited in pairs so as to be clearly visible to traffic approaching from either direction.</p>
Powers of vehicle inspectors.	<p>7. When any vehicle inspector has cause to believe that any vehicle being driven or being present on the road is not in roadworthy condition or fails to comply with this Law, he may at any reasonable time enter any public garage or public place where such vehicle is to be found and there inspect such vehicle or may stop such vehicle on the road and carry out such inspection or tests as appear to him to be desirable.</p>	Overhanging loads.	<p>74. Whoever drives any vehicle with a load overhanging the profile of the vehicle shall ensure that such overhanging load is marked by day and illuminated at night in the prescribed manner and, if appropriate, escorted by the police as prescribed.</p>
Unroadworthy vehicles not to be used on road.	<p>8. No vehicle found by a vehicle inspector to be unroadworthy or failing to comply with this Law shall be used on any road save for the purpose of being removed to a convenient place off the road at the direction of such inspector given in writing in the prescribed form.</p>	Unlawful use of vehicles.	<p>75. (1) Whoever takes and drives away any vehicle without having the consent of the owner thereof or other lawful authority or knowingly travels in or on a vehicle so taken and driven is guilty of an offence under this part unless he can show (the onus being upon him) that he acted in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor.</p> <p>(2) Any constable may arrest without warrant any person he reasonably suspects of having committed or attempted to commit an offence under this section.</p>
Powers of constables with regard to unroadworthy vehicles.	<p>9. In the absence of a vehicle inspector, any constable who is of opinion that a vehicle is present or is being used on the road when in an unroadworthy state or in non-compliance with this Law shall order such vehicle to be taken off the road and may exercise the powers conferred upon a vehicle inspector under section 8.</p>	Duty to give name and address.	<p>76. (1) Any constable may require a person whom he has seen committing an offence under this Part, or the regulations, or whom he suspects of committing or having committed such an offence, to give his name and address and any such person who refuses to give his name and address or gives a false name or false address is guilty of an offence.</p> <p>(2) The owner of any vehicle shall if so required by a constable give all information which it is in his power to give as to the name, antecedents, and whereabouts of any person who has committed or is alleged or believed to have committed any offence in respect of, or with or by the use of the said vehicle and shall also give similar information regarding any persons who are alleged or believed to have been occupants of the said vehicle at the time of commission or alleged or believed commission of said offence; and such owner</p>
Vehicles registration categories.	<p>10. (1) The Governor may appoint fit and proper persons to be the</p>		

(2) Any constable may arrest without warrant any person driving or attempting to drive a vehicle on a road whom he has reasonable cause to suspect of being disqualified.

Suspension of licence to drive.

70. (1) Every court shall when so required by this law and in any other case, subject to section 78 may in its discretion, in lieu of or in addition to any other punishment inflicted under this law order that an offender under this part shall be disqualified from driving vehicles for such period as the court may think fit from the date of such conviction, and if the offender is the holder of a Caymanian driving licence, shall cause such order to be endorsed in the offender's driving licence and the said driving licence to be forwarded to the licensing authority for safe custody during such period of suspension.

(2) Every holder of a Caymanian driving licence in respect of whom an order is made under subsection (1) shall forthwith surrender his said licence to the court.

(3) No order made under subsection (1) shall be stayed by reason of the fact that the person to whom it is directed has appealed against his conviction.

(4) Every order for disqualification to drive shall apply to every class of vehicle for which a licence to drive is obtainable.

Endorsement of licences and the effect thereof.

71. (1) Every court shall when so required by this Law and subject to section 78 may at its discretion in any other case, in lieu of or in addition to any other punishment inflicted under this part, where the offender is the holder of a Caymanian driving licence, order that the offender's driving licence shall be endorsed with the date and particulars of the offence of which such offender has been convicted.

(2) Every holder of a Caymanian driving licence in respect of whom an order is made under subsection (1) shall forthwith surrender his said licence to the court for endorsement.

(3) Every person whose driving licence has been endorsed on more than two occasions in respect of offences committed during any consecutive period of three years from the first of such endorsements shall be disqualified from driving vehicles as from the date of the third such endorsement and the court causing the third such endorsement to be entered within such three year period shall cause the Clerk of the Court to forward the offender's driving licence to the authority which shall retain the same until the owner thereof ceases to be disqualified from driving by virtue of this section.

(4) Whenever the authority has cause to issue a new licence to any holder of a driving licence it shall enter in the newly issued licence all endorsements less than three years old which appear in the old licence.

Publication of statistics.

72. (1) The Commissioner shall cause to be published in the Islands, once every three months, conviction and accident statistics in brief and collected form showing the following particulars:-

- (a) the number of convictions for motoring offences;

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licensing authority for the whole of the Islands or for any part thereof.

(2) It shall be the duty of the authority to issue licenses and to register vehicles under this Law and to perform such other functions in relation thereto as may from time to time be prescribed by this Law.

(3) The authority shall continue to maintain the "Motor Vehicles Register" established under the old law in a form modified to comply with this Law and for the purpose of this Law, vehicles not previously registered under the old law or (being bicycles) under the Tax Collection Law (Revised) and vehicles whose registration under either law has expired shall be registered with serial numbers under the following

CATEGORIES —

- (a) Bicycles
- (b) motor cars
- (c) motorcycles
- (d) station wagons
- (e) rent-a-cars
- (f) rent-a-motorcycles
- (g) taxis
- (h) omnibuses
- (i) trucks not exceeding one ton curb-weight
 - not exceeding three tons curb-weight
 - not exceeding five tons curb-weight
 - exceeding five tons curb-weight
 - (Curb-weight means the tare weight of the vehicle with fuel, lubrication and water tanks filled to normal capacity and including spare wheel, normal tools and equipment)
- (j) trailers - not exceeding two shipping tons capacity.
 - exceeding two shipping tons capacity
- (k) invalid carriages
- (l) special vehicles
- (m) locomotives
- (n) such other categories as may from time to time be prescribed by regulations.

First registration of vehicles.

11. Before driving any newly imported vehicle on any road, (otherwise than under the provision of subsection (2) of section 28 or for the purpose of section 3), the owner shall cause the said vehicle to be registered according to its category under section 10 and for such purpose shall present to the appropriate licensing authority -

- (a) a form of application as required by section 16;
- (b) a certificate of roadworthiness;
- (c) a certificate of insurance in compliance with the Motor Vehicle Insurance (Third Party Risks) Law;
- (d) the fee prescribed for the registration of the category of vehicle to be registered,

Law 16 of 1964.

and the licensing authority on being satisfied that the application is in order shall register the said vehicle and shall issue to the applicant —

- (i) a receipt for the fee paid;
- (ii) in the case of any vehicle other than a bicycle, a certificate of registration as required by section 18; and
- (iii) front and rear licence plates as prescribed for the appropriate category (rear plate only in the case of a trailer) and a coupon in the prescribed form; or
- (iv) in the case of a bicycle, a numbered licence tag showing the year of issue, to be affixed to the hub or frame of such bicycle in the prescribed manner.

Importation of certain vehicles prohibited.

12. No vehicle of a type known to the trade as “Moke” or “Mini Moke” or any similar vehicle or any vehicle commonly known as a “Beach Buggy” or “Dune Buggy” or any similar vehicle and no parts for any of such vehicles shall be imported into the Islands without the permission of the Governor.

Prohibition on double-decker omnibuses.

12A. No double-decker omnibuses shall be imported into or used in the Islands.

Limitation of power of motorcycles.

13. No motorcycle having a cylinder capacity in excess of ninety cubic centimetres and no parts for any such motorcycle shall be imported into the Islands other than for use by the Royal Cayman Islands Police Force.

Side-cars prohibited.

14. No motorcycle shall be used in the Islands in combination with a side-car and no side-car shall be imported into the Islands.

Unlawfully imported vehicles not to be registered.

15. No vehicle imported into the Islands in contravention of sections 12, 13, or 14 shall be accepted for registration under section 11.

Application for registration of vehicles.

16. The application for first registration of a vehicle under this Law shall be in the form prescribed and shall show, as appropriate -

- (a) the full names of the owner;
- (b) the category of the vehicle;
- (c) the make of the vehicle;
- (d) the colour of the vehicle;
- (e) the chassis or frame number;
- (f) the engine number;
- (g) the cylinder capacity;
- (h) the year of manufacture of the vehicle;
- (i) the designed seating capacity of the vehicle if a passenger vehicle and, if an omnibus, the number of standing passengers it is designed to carry in addition to seated passengers;
- (j) the designed load capacity of the vehicle by weight and volume of a truck;

by the Commissioner in that behalf;

- (w) parks any vehicle other than a bicycle by night on a road more than twenty yards distant from a street lamp unless such vehicle has its rear lights and, in the case of a vehicle other than a motorcycle, its side lights illuminated;
- (x) being the owner or person in control of a vehicle causes or permits it to stand on a road or footpath so as to cause any unnecessary obstruction thereof or any danger to persons using the same,

is guilty of an offence and punishable under the provisions of section 83.

(2) When an offence appears to have been committed contrary to sections 56 or paragraphs (a), (f), (h), (i), (j), (k), (l), (n) (in so far only as that paragraph relates to sections 26, 53, 55, 57 and 58), (o), (q) (in so far only as that paragraph relates to sections 20(5) and 40), (t), (u) or (w) of section 68 (1) a uniformed constable may serve upon the alleged offender a traffic ticket in the form prescribed and, if the offender desires to plead guilty to the offence alleged, he may produce such ticket to the Clerk of the Court at the place, and on or before the date and time therein prescribed (not being more than fourteen days from the service of the said ticket) pay the prescribed fine into court; but 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 liable to be arrested and brought before the court and there charged with the offence alleged.

(3) For the purpose of paragraph (u) of subsection (1) “footpath” and “pedestrian precinct” include pavements, sidewalks and every place intended to be used exclusively for the passage of pedestrians.

(4) Whoever is convicted of an offence under paragraph (e) of subsection (1) shall in addition to any other punishment imposed upon him and without prejudice to the power of the court to order a longer period of suspension, be disqualified for a period of one year from the date of conviction or the expiration of any sentence of imprisonment from holding or obtaining a driver’s licence or driving any vehicle on the road.

Obtaining licence, or driving while disqualified.

69. (1) Whoever drives or attempts to drive or obtains or attempts to obtain a licence to drive any vehicle while under a period of disqualification shall be guilty of an offence and shall on summary conviction be imprisoned with hard labour for a term not exceeding one year and in addition to such punishment shall, without prejudice to the power of the court to order a longer period of suspension, be disqualified from driving any vehicle for a period of two years extending from the termination of his former period of disqualification or from the date of his conviction whichever is the later.

- licence, coupon or plate for any purpose other than that for which it is issued;
- (c) drives, or being the person in control thereof, permits to be driven any vehicle when in an unroadworthy condition;
- (d) without the permission of the owner thereof, interferes with any kind of vehicle or any of the controls or equipment thereof or any animal while saddled or in harness;
- (e) uses any vehicle upon a road for racing or pacemaking;
- (f) holds on to a vehicle for the purpose of being towed thereby;
- (g) throws any object at any vehicle or any person in a vehicle;
- (h) throws any object from any vehicle while in motion on any road;
- (i) uses any 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;
- (j) uses any vehicle with its engine in such a condition that it gives out excessive or obnoxious smoke, fumes, noise or odour;
- (k) uses a horn or other audible warning device on a vehicle excessively or in such a way as to cause unnecessary discomfort to any person;
- (l) uses any spotlight or flashing headlights in such a way as to endanger or dazzle any person;
- (m) while using any road is in breach of his duty under section 52;
- (n) is in contravention of any provisions of section 3(1), 3(2), 8, 11, 12, 13, 14, 19 (1), 24 (1), and (4), 26(1) and (2), 28 (4), 30, 31, 44, 50, 53, 55, 57, 58 and 59;
- (o) obstructs or fails to give way to an emergency vehicle;
- (p) fails to give ample clearance to any school vehicle or omnibus or overtakes such vehicle while it is engaged in setting down or picking up passengers;
- (q) contravenes, fails to comply with or is in breach of any provision or requirement of this Part or of Part II or any regulation for which no penalty is elsewhere provided;
- (r) makes any false declaration in any application made pursuant to this Law;
- (s) knowingly causes or permits any other person to drive or attempt to drive any vehicle while such other person is under a period of disqualification in that behalf;
- (t) leaves any mechanically propelled vehicle unattended with the engine running;
- (u) brings or drives any mechanically propelled vehicle, other than an invalid carriage, on to any footpath, pedestrian precinct or beach, unless specially authorised by the Commissioner in that behalf;
- (v) uses in or upon or in connection with any vehicle other than an emergency vehicle any loud hailer, megaphone, loud speaker, broadcasting apparatus or similar device otherwise than in conformity with a written licence issued and signed

Form of register.

Form of certificate of registration.

Alterations of particulars to be recorded in the register and certificate of registration.

Expiry of registration.

- (k) the weight of the vehicle if a special vehicle;
- (l) the date and number of the certificate of insurance;
- (m) the name of the insurer;
- (n) the date and number of the certificate of roadworthiness;
- (o) the fee tendered;
- (p) the date of application;
- (q) the signature of the applicant.

17. The entry in the register made under section 11 shall record the particulars given in the application made under section 16.

18. The certificate of registration shall be in the form prescribed and shall record -

- (a) the registration number;
- (b) the make of the vehicle;
- (c) the year of manufacture of the vehicle;
- (d) the date of expiry;
- (e) the name and address of the current registered owner;
- (f) a record of registration renewals;
- (g) the designed passenger and load capacity (by weight and volume, as appropriate).

19. (1) Where there is a change of ownership or alteration in the particulars of a registered vehicle it is the duty of the person registered as owner to inform the authority on the prescribed form within fourteen days of such alteration taking effect and to hand in to the authority the form and certificate or registration for any necessary alteration and the authority shall record all such changes in the register.

(2) The authority shall record all renewals and period of suspension, if any, and the termination of the registration under section 22 and shall make such endorsements on the certificate of registration as may be appropriate from time to time.

20. (1) Vehicle registrations shall expire upon the following dates -

Category of vehicle	Date of expiry
(a) bicycles	thirty-first day of December in each year
motor cars	
motorcycles	
station wagons not licensed as taxis	
invalid carriages	

- (b)
station wagons licensed as taxis
rent-a-cars
rent-a-motorcycles
taxis
omnibuses
trucks
trailers
special vehicles
locomotives

}

thirtieth day
of June
in each year

(2) Unless specifically terminated or suspended under this Law vehicle registrations shall be automatically renewed year by year and, subject to subsection (4), the fee in respect of such renewal recoverable by the authority from the registered owner as a civil debt.

(3) Registration renewal fees (except in the case of bicycles) may be paid by four equal quarterly payments as follows -

- (a) in respect of vehicles with registration expiry date on the thirty-first day of December, on the first days of January, April, July and October in each year;

(b) in respect of vehicles with registration expiry date on the thirtieth day of June, on the first days of July and October in each year and the first days of January and April in the following year.

(4) If any quarterly payment of a registration renewal fee remains unpaid for one month after the date on which it became payable the full registration renewal fee, less any payments which have already been made, together with a surcharge of ten per cent thereon shall become immediately payable and recoverable by the authority in the manner provided in subsection (2).

(5) Whoever -

(a) uses; or

(b) causes or permits to be used upon the road a vehicle of which the registration has expired and in respect of which payment for the renewal of registration has not been made within the time specified in subsection (4),

is guilty of an offence.

New and renewed
registration fees payable on pro rata basis.

21. In the case of new registrations of vehicles or the re-registration of vehicles after a period of suspension the registration or re-registration fee shall be payable on a pro rata basis calculated upon the number of quarters (any part of a quarter being treated as a whole quarter) which will elapse before the date of expiry.

Termination of
vehicle registration.

22. A vehicle registration may be terminated upon the registered owner surrendering the licence plates and the certificate of registration to the authority and satisfying the authority in the prescribed form that the relevant vehicle has been -

Causing death by
dangerous or reckless
driving.

64. (1) Whoever drives any kind of vehicle dangerously or recklessly having regard to the manner of driving or to the defective condition of the vehicle and thereby causes the death of another person shall be liable on conviction thereof on indictment to imprisonment for a term not exceeding ten years, and in addition shall, without prejudice to the power of the court to order a longer period of suspension, be disqualified for a period of five years from the date of conviction or the expiration of any sentence of imprisonment from holding or obtaining a driver's licence or driving any vehicle on the road.

(2) A constable in uniform may arrest without a warrant any person whom he has reasonable cause to believe has committed an offence under this section.

Reckless and dangerous
driving.

65. Whoever drives any kind of vehicle or animal dangerously or recklessly, or at a speed or in a manner or in a condition which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road or place and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road or place shall be guilty of an offence and liable -

- (a) on summary conviction to a fine not exceeding three hundred dollars or to a term of imprisonment not exceeding six months or both;

(b) on conviction on indictment to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding two years or both and in addition shall, without prejudice to the power of the court to order a longer period of suspension, be disqualified for a period of two years from the date of conviction or the expiration of any sentence of imprisonment from holding or obtaining a driver's licence or driving any vehicle on the road.

Careless driving.

66. Whoever drives any kind of vehicle or animal without due care and attention or without reasonable consideration for other persons shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars or to a term of imprisonment not exceeding six months or both.

Person charged with
certain offences may
be convicted of a
lesser offence.

67. Whoever is brought before any court indicted or charged with -

(a) manslaughter in connection with the use of a vehicle may be convicted of an offence under section 64 or 65;

(b) an offence under section 64 may be convicted of an offence under section 65;

(c) an offence under section 65 may be convicted of an offence under section 66.

Offences and penalties.

68. (1) Whoever -

(a) uses without its proper licence plates any vehicle for which registration is required under this Law;

(b) uses or connives at the use of any description of certificate,

or of blood or urine for a laboratory test are references to providing a specimen thereof in sufficient quantity to enable the test to be carried out.

Speed limit offences.

63. (1) Whoever drives or procures or incites any person to drive any kind of vehicle other than an emergency vehicle -

- (a) at a speed in excess of the maximum speed prescribed for the Islands generally or for the place where such vehicle is driven; or
- (b) at a speed in excess of the maximum speed prescribed for the class to which such vehicle belongs

is guilty of an offence.

(2) Without prejudice to any other method by which the speed of a vehicle may be measured or assessed for the purpose of providing evidence thereof, any court may reach a conclusion as to the speed at which a vehicle was travelling at a particular time and place from the evidence of any constable as to facts ascertained from the reading of a speedometer over a distance of at least three hundred yards or any single radar speed meter reading made by any constable.

(3) For the purpose of subsection (2) a radar speed meter includes any electronic or other speed measuring device prescribed as such by regulations made from time to time.

(4) No person shall drive any vehicle of any class other than an emergency vehicle anywhere in the Islands at a speed in excess of fifty miles per hour, irrespective of whether or not a traffic speed limit sign is displayed at the place where such vehicle is being driven.

(5) No trucks having a load capacity in excess of three tons shall be driven at a speed more than thirty miles per hour, and every such truck shall have displayed on the back the figures and letters "30 M.P.H." in such dimensions, colour and position as may be ordered by the Commissioner.

(6) The maximum speed at which an invalid carriage or special vehicle may travel shall be fixed by the Commissioner in each case and such speed limit shall be displayed on each such vehicle in such manner as the Commissioner may order.

(7) No trailer or other vehicle shall be towed at a speed in excess of thirty miles an hour.

(8) Any person guilty of an offence under subsection (1) shall on summary conviction be punishable with a fine not exceeding four hundred dollars or with a term of imprisonment not exceeding six months or to both such fine and such imprisonment and the particulars of the conviction shall be endorsed on his driving licence.

(9) Notwithstanding the provisions of this section and of section 68 the Commissioner may authorise the holding of meetings for the racing, testing and competing of drivers and vehicles in sporting and other events within such areas and under such conditions and under such safeguards as the Commissioner may order in writing.

Suspension of vehicle registration.

- (a) exported from the Islands; or
- (b) disposed of to the satisfaction of the Department of Public Health;

and on such termination the authority shall refund to the registered owner any registration fee prepaid in respect of the period from the date of such export or disposal until the expiry date of the registration on a pro rata basis in respect of each clear quarter comprised in such period.

23. Where the registered owner of any registered vehicle intends not to use such vehicle on any road for a period in excess of three months he may lodge the licence plates with the authority with the prescribed form and apply to the authority for a suspension of such registration and for a refund of any fee prepaid in respect of the period of such suspension and, provided the authority is satisfied that the registered owner has made proper provision for the custody of storage of such vehicle during the period of suspension, it shall refund to the registered owner, pro rata on a quarterly basis, any registration fees prepaid in respect of each clear quarter of such period of suspension but, if the registered owner desired to extend the period of suspension beyond the date of expiry of the current registration, he must during the week before that date make further application in that behalf. Suspension of the registration shall not exempt any vehicle from the annual test of roadworthiness as hereinafter provided, save that such vehicles whose registration has been under suspension during a test period shall be submitted for such test within seven days of the termination of the suspension.

Annual inspection of vehicles.

24. (1) Every registered owner of a vehicle, (other than bicycles and other than vehicles newly registered, in respect of which the registration has expired within six months of such registration) shall, within the periods stated in subsection (2) submit or cause to be submitted such vehicle to a vehicle inspector at a place and within the times prescribed, for inspection for roadworthiness and general compliance with this Law and no vehicle shall be used on the road after such inspection until the vehicle inspector has issued a certificate of roadworthiness in respect of such vehicle.

(2) The periods within which vehicles shall be submitted for inspection in accordance with subsection (1) is as follows -

- (a) in respect of vehicles with registration expiry date on the thirty-first day of December - the period beginning with the first day of December in any year and ending on the thirty-first day of January in the year following;
- (b) in respect of vehicles with registration expiry date on the thirtieth day of June - the period beginning with the first day of June and ending on the thirty-first day of July in each year.

(3) If in the opinion of the vehicle inspector any vehicle submitted for inspection is beyond repair for the purpose of becoming a

roadworthy vehicle he shall submit a report of the fact in the prescribed form to the authority who shall not grant any suspension of registration in respect of such vehicle after receiving such report.

(4) Where any vehicle (other than a bicycle) is at the time of the automatic renewal of its registration undergoing repair, the registered owner shall notify a vehicle inspector accordingly on the prescribed form with copy of the notification to the authority; and the vehicle inspector shall as soon as is practicable, and in any event within three months, inspect the said vehicle and either -

- (a) issue a certificate of roadworthiness in respect thereof, or
- (b) fix a date for further inspection, or
- (c) if in his opinion the vehicle is not genuinely undergoing repair, make report to the authority under subsection (3).

Renewal of vehicle registrations.

25. The registered owner of every registered vehicle shall, in respect of such vehicle, not later than one month after the expiry of its registration -

- (a) pay to the authority the re-registration fee;
- (b) surrender to the authority the certificate of roadworthiness and
- (c) produce to the authority -
 - (i) the current certificate of insurance and
 - (ii) the certificate of registration,

or if the vehicle is a bicycle,

- (d) pay to the authority the re-registration fee and surrender to the authority the expired tag in respect of such bicycle;

and the authority shall -

- (e) enter all relevant particulars in the register;
- (f) issue to the registered owner the prescribed licence coupon for the new registration period, or in the case of a bicycle, a numbered tag and, in the case of a vehicle other than a bicycle, endorse the certificate of registration to show the payment made and return the same to the registered owner.

Licence plates and coupon etc. to be displayed on vehicles.

26. (1) There shall be displayed in the prescribed manner on every registered vehicle present or used on any road, (other than a bicycle), its current licence plates and coupon issued under sub-paragraph (iii) of section 11 or under paragraph (f) of section 25 or trade plates issued under subsection (2) of section 28 as the case may be. Such plates shall be carried at the front and rear of the vehicle or, in the case of a trailer, at the rear only in the manner prescribed.

(2) There shall be displayed in the prescribed manner on every bicycle used or present on the road the current licence tag.

Loss or damage to licence plates.

27. Where a licence plate is lost or destroyed a new set of plates, or in the case of a trailer, a new plate shall be obtained by the registered owner from the authority by making application in the prescribed form and paying the prescribed fee. Where a certificate of registration

(5) When requiring any person -

- (a) to provide a specimen of breath for a breath test under paragraph (a) of subsection (2); or
- (b) to provide a specimen for a laboratory test under paragraph (b) of subsection (2),

the constable shall warn him that failure or refusal to do so may make him liable to imprisonment, a fine and disqualification from holding or obtaining a driver's licence.

(6) The constable requiring any person to provide a specimen of blood or of urine under paragraph (b) of subsection (2) for a laboratory test shall, if requested, supply to him, in suitable container, part of the specimen or, in the case of a specimen of blood which it is not practicable to divide, another specimen which he may consent to have taken.

(7) The laboratory test referred to in paragraph (b) of subsection (2) may be carried out by or under the supervision of a government medical officer or such other person as may be authorised by the Chief Medical Officer, and a certificate under the hand of such officer or person as to his findings shall be receivable in evidence by any court and shall be prima facie evidence of the proportion of alcohol in the blood.

(8) A person who, without reasonable excuse, -

- (a) fails or refuses to provide a specimen of breath for a breath test after having been required to do so under paragraph (a) of subsection (2); or
- (b) fails or refuses to provide a specimen of blood or of urine for a laboratory test after having been lawfully required to do so under paragraph (b) of subsection (2),

shall be guilty of an offence and liable on conviction to the same punishment as if he had been found guilty of an offence under section 61.

(9) For the purposes of this Part of this Law -

- (a) one-tenth of one per cent weight/volume blood/alcohol concentration on a reading of an alcohol-in-breath measuring device; or
- (b) one hundred and thirty-four milligrams of alcohol in one hundred millilitres of urine,

shall be treated as equivalent to one hundred milligrams of alcohol in one hundred millilitres of blood.

(10) In this section -

- (a) "breath test" means a test for the purpose of obtaining a measurement of the proportion of alcohol in a person's blood carried out by means of an alcohol-in-breath measuring device in accordance with the instructions of the manufacturer of such device, on a specimen of breath provided by that person;

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

- (b) references to providing a specimen of breath for a breath test

Machine
sup
insufficient

"not drawn to scale."

(2) There shall be noted on such sketch the road and weather conditions prevailing at the time of the accident if these are known to the constable making the sketch.

Driving motor vehicle
when intoxicated etc.

61. Whoever drives or attempts to drive or is in charge of a vehicle on or in a road when -

- (a) he is under the influence of drugs or alcohol to such an extent that his efficiency as a driver is impaired; or
- (b) he has consumed alcohol in such a quantity that the proportion thereof in his blood exceeds one hundred milligrams of alcohol in one hundred millilitres of blood

shall be guilty of an offence and liable -

- (i) on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding six months or both;
- (ii) on a second or subsequent conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months or both,

and a person convicted of an offence against this section shall, unless the court for special reasons thinks fit to order a longer period of suspension, be disqualified for a period of twelve months from the date of conviction or the expiry of any sentence of imprisonment from holding or obtaining a driver's licence or driving any vehicle on the road.

Procedure when a
person is suspected of
having committed an
offence against
section 61.

62. (1) A constable in uniform may arrest without warrant any person whom he has reasonable cause to believe has committed an offence under section 61.

(2) A person who has been arrested under subsection (1) may while at a Police Station, Hospital or other convenient place be required by a constable -

- (a) to provide a specimen of breath for a breath test by an alcohol in-breath measuring device prescribed by the Governor; [in urine]
- (b) to provide -
 - (i) a specimen of blood;
 - (ii) one or more specimens of urine,

for a laboratory test:

Provided that no person shall be required under paragraph (b) to provide a specimen of blood or of urine if he has in respect of the same arrest been required to and has provided a specimen of breath under paragraph (a).

(3) The constable operating an alcohol-in-breath measuring device shall do so in the presence of another constable.

(4) A certificate under the hand of the constable operating an alcohol-in-breath measuring device as to the result of the breath test and counter-signed by the constable in whose presence it was made shall be receivable in evidence by any court and shall be prima facie evidence of the proportion of alcohol in the blood.

Trade plates.

is lost or destroyed the authority may issue a duplicate marked as such.

28. (1) For the purpose of this section "trade plates" means prescribed pairs of licence plates numbered serially with numbers coloured white on a red background which plates shall remain the property of the authority.

(2) Trade plates may be leased by the authority to persons who are licensed under the Trade and Business Licensing Law (Revised) to carry on the business of motor vehicle dealers, agents, repairers or traders, for the purpose of allowing a lessee to take or cause to be taken on the road for the purposes of his business any unregistered mechanically propelled vehicle provided that -

- (a) such vehicle is held by the lessee for sale; or
- (b) such vehicle is held by the lessee for repair or testing; and
- (c) the lessee is fully covered by insurance for all third party risks in respect of every vehicle on which the plates are used, whatever the manner of user;
- (d) the physical condition of the vehicle on which the plates are used complies with this Law.

(3) Trade plates may be leased by the authority to authorised persons who make application for the same on the prescribed form for periods of one year at the prescribed fee but so that no person shall be the lessee of more than three pairs of trade plates at any one time.

(4) Whoever drives any vehicle on the road with trade plates unless authorised in that behalf by the lessee thereof or otherwise than as authorised by this law is guilty of an offence.

Vehicle register not
open to public
inspection.

29. (1) The vehicle register shall not be open to public inspection but, when any vehicle appears to have been involved in an accident the authority shall give all available information to any person or the representative of any person concerned in such accident for tracing the vehicle involved and the owner thereof.

(2) The authority shall supply to the Commissioner a list of all registered owners of vehicles with the relevant vehicle registration numbers and shall keep the Commissioner currently informed of all new registrations and all changes of ownership.

(3) The contents of the register shall for the purpose of all proceedings in any Court be prima facie evidence of all the prescribed information contained therein and extracts of the register purporting to be certified as such by an officer of the authority shall be receivable in evidence in any Court.

Unqualified persons
not to drive.

30. (1) Whoever drives any vehicle on any road while not being qualified to drive such vehicle, the proof of qualification being upon him, is guilty of an offence.

(2) Whoever causes or permits any person to commit an offence

under subsection (1) is guilty of an offence, the onus of proving that such person was at the material time qualified to drive being upon the person charged.

Persons not to drive unless licensed or authorised.

31. (1) Whoever drives any vehicle on any road, not being licensed or authorised by this Law to drive such a vehicle, the proof of his being so licensed or authorised being upon him, is guilty of an offence additional to any offence he may have committed under section 30.

(2) Whoever causes or permits any person to commit an offence under subsection (1) is guilty of an offence, the onus of proving that such person was at the material time licensed and authorised to drive being upon the person charged.

Qualification required.

32. (1) No person is qualified to drive a vehicle unless he -

- (a) is of the prescribed age to drive the class of vehicle driven; and
- (b) is not disqualified from driving by reason of suffering from any prescribed disability or infirmity; and
- (c) is not disqualified from driving, temporarily or otherwise by the order of any court or the operation of any law; and
- (d) has passed the prescribed driving test in respect of the class of vehicle driven or is exempt under section 35 or 36 of this Law from undergoing such test; or
- (e) is the holder of a provisional licence to drive such vehicle under the conditions under which it is being driven.

(2) For the purposes of paragraph (b) of subsection (1) the following are prescribed disabilities -

- (a) total deafness,
- (b) epilepsy,
- (c) insanity,
- (d) defective vision to a degree corresponding to a standard of vision less than 6/12 with spectacles,
- (e) aneurism,
- (f) angina pectoris,
- (g) diseases of the nervous system giving rise to lack of muscular co-ordination, and
- (h) (save in the case of invalid carriages) loss of hand or foot:

Provided that in the case of any of the disabilities specified in paragraphs (e), (f), (g) and (h) a person shall not be disqualified from driving if he produces to the Commissioner a certificate signed by a qualified medical practitioner that such disability will not render him unfit or unsafe to drive a vehicle and will not cause the driving of a vehicle by him to be a source of danger to the public.

Persons who are not licensed or qualified to drive.

33. No person is licensed or authorised to drive a mechanically propelled vehicle unless he -

- (a) is the holder of a current licence issued in the Islands authorising him to drive such a vehicle; or

School crossing patrols.

Duty to stop etc. and furnish particulars, in case of accident.

Police evidence in cases of accident.

of vehicles shall give way to pedestrians making use of such crossings and no vehicle shall be parked within forty-five feet of the approach to any such crossing.

58A. The Commissioner may appoint persons over the age of seventeen years when wearing a prescribed uniform to be school crossing patrols empowered by displaying a prescribed sign to require drivers of all vehicles to come to and remain at a halt and so provide a clear path for children crossing or about to cross any road for the purpose of making their way to or from any school.

59. (1) If in any case, owing to the presence of a vehicle on a road, an accident occurs, the driver of such vehicle shall stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner and the identification marks of the vehicle.

(2) If in the case of any such accident injury is caused to any person or damage is caused to any property then -

- (a) if the driver of the vehicle for any reason does not give his name and address to any such person as aforesaid, he shall report the accident at a police station or to a constable as soon as reasonably practicable, and in any case within twenty-four hours of the occurrence thereof;
- (b) the vehicle shall not be moved from the position where it first stopped unless by the direction of a constable (other than a constable involved in the accident) or unless, having regard to all the circumstances of the case, there is reasonable cause for so moving it;
- (c) the driver of the vehicle shall remain at the scene of the accident until the arrival of a constable, unless, having regard to all the circumstances of the case, there is reasonable cause for leaving.

(3) For the purpose of this section, “property” includes dogs, cattle, horse-kind animals, sheep, pigs and goats, but does not include birds.

60. (1) A sketch made by any constable of the scene of an accident shall be received as evidence in any criminal or civil proceedings relating to such accident. It shall be the duty of any constable as soon as possible after the occurrence of any accident of which a report has been made at a Police Station to make and sign such a sketch and to note the time and date when it was made, the estimated time and date of the accident and, as far as possible, tape measured distances between objects and marks relevant to such accident. Any constable making such sketch shall supply a copy thereof to any person having interest in the outcome of any criminal or civil proceedings likely to arise out of such accident on payment by such person of the prescribed fee. Such sketch need not to be drawn to scale but, if it is not so drawn, it shall be marked with the words

- gency without being involved in a collision;
- (g) to keep a watch on the road behind as well as in front of the vehicle being driven;
- (h) to give prior warning of any intended manoeuvre by means of the prescribed hand or traffic indicator signals;
- (i) to avoid obstructing other vehicles whether the vehicle under control is in movement or stationary;
- (j) so to manage the vehicle as to be able to stop within the limit of vision available at any given time;
- (k) where any intersection or road junction is without a traffic sign or signal giving priority to any road, to drive in such a way as to avoid the possibility of collision with any other road user, irrespective of the relative size or condition of the intersecting or adjoining roads;
- (l) not to park any vehicle in such a place or in such a way as to obscure the view of the road or of any road sign or road intersection or junction from any other road user or to deny to any other road user free passage along any road;
- (m) to give right of way to emergency vehicles;
- (n) to keep illuminated by night the rear light or lights, the front or head light or lights and the registration plate light as prescribed for the class of vehicle driven; and
- (o) to comply with the road code.

Parking at yellow lines.

56. (1) To prevent congestion of traffic in certain areas, the Commissioner may cause a yellow line to be painted at the side of any road and no person shall park any vehicle between such a line and the road centre other than -

- (a) in the case of a truck, for a period not exceeding twenty minutes for the purpose of loading or unloading goods; or
- (b) in the case of any other vehicle -
 - (i) for a period not exceeding eight minutes for the purpose of loading or unloading goods; or
 - (ii) for a period not exceeding five minutes for the purpose of setting down or picking up passengers; or
- (c) in any emergency.

(2) To prevent dangerous obstruction by stationary vehicles, the Commissioner may cause yellow lines to be painted in the centre of any road and, save in an emergency, no vehicle shall at any time park on any part of such road where such lines are painted.

Taxi ranks.

57. The Commissioner may allocate certain places for the exclusive parking of taxis and certain places for the parking of omnibuses and cause such places to be marked accordingly and no vehicles other than taxis or omnibuses as the case may be shall park at such places.

Pedestrian crossings.

58. The Commissioner may allocate and mark certain road crossings for use by pedestrians in priority to other road users and all drivers

Persons who may be licensed.

- (b) is the holder of a provisional licence to drive such vehicle under the conditions under which he is driving it; or
- (c) is exempted by section 35 or by subsection (2) of section 42 from holding a driving licence issued in the Islands.

34. (1) No person shall be issued with a driving licence in respect of any class of vehicle unless he is qualified under paragraphs (a) to (d) of section 32(1) to drive the relevant class of vehicle.

(2) No person shall be issued with a provisional driving licence in respect of any class of vehicle unless he is not disqualified under paragraphs (a) to (c) of section 32 (1) to drive the relevant class of vehicle.

(3) The Commissioner may require any person applying for a licence or authorization to drive to provide a medical certificate in the prescribed form showing that he is not disqualified under paragraph (b) of section 32 (1) from driving a motor vehicle.

(4) Driving licences shall be classified under the following driving licence groups -

- Group 0 Mopeds
- Group 1 Motor cycles including mopeds
- Group 2 Motor cars, station wagons and trucks not exceeding three tons curb weight except Groups 0 and 1
- Group 3 Vehicles in Group 2, trucks exceeding three tons curb weight and omnibuses not exceeding a seating capacity of twenty-five persons in addition to the driver
- Group 4 Vehicles in Groups 2 and 3 and all other vehicles except Groups 0 and 1.

Certain visitors may be authorised to drive.

35. Any person lawfully visiting the Islands, who is qualified to drive any class of vehicle for the purposes of paragraphs (a) to (c) of section 32(1) and is the holder of a current driving licence issued in the country of his residence in respect of such class of vehicle may be issued with a permit in the prescribed form to drive such class of vehicle in the Islands on production of his said licence and payment of the fee prescribed. Such permission shall extend for a period of six months or the duration of such person's visit to the Islands whichever is the shorter and such person shall produce his permit and licence and proof of payment of fee to any uniformed constable upon demand:

Provided that nothing in this section or any part of this Law shall derogate from any privilege accorded to any person by virtue of the Geneva Convention on Road Traffic, 1949.

Persons exempt from driving test.

36. (1) Any person qualified under paragraphs (a), (b) and (c) of section 32 (1) to drive any class of vehicle who holds a valid driving licence issued in the United Kingdom, United States of America, Canada or Jamaica or by the United Kingdom Armed Forces shall be exempt from taking the prescribed driving test for the purpose

Saving of licences and tests under the old law.

Cap. 106.

Who must pass a driving test.

Provisional licences.

Conditions under which learners may drive.

of paragraph (d) of section 32(1).
(2) A licence is valid for the purpose of this section if it is a current licence or was a current licence within three months of its production to a driving examiner and no impediment exists to its renewal in its country of origin.

37. Subject to section 49 whoever -
- (a) is the holder of a current Caymanian driving licence; or
 - (b) has within three years of applying for a new Caymanian driving licence been the holder of a current Caymanian licence; or
 - (c) has passed the driving test prescribed under the old law, is, subject to any court order to the contrary, exempted for the purpose of section 32(1) (d) from passing a driving test as a condition of holding, renewing or taking out a driving licence in respect of the class of vehicle which he is currently or was formerly licensed to drive or in respect of which he passed such test.

38. Whoever is not exempted from so doing under section 36 or 37 must pass the driving test required by section 41 in the prescribed class of vehicle before he may be issued with a Caymanian licence to drive a mechanically propelled vehicle of that class.

39. (1) Any person to whom section 38 applies, if qualified under paragraphs (a), (b) and (c) of section 32(1) to drive any class of mechanically propelled vehicle may, on making application in the prescribed form and paying to the authority the prescribed fee, be granted a provisional licence in the prescribed form to drive such class of vehicle and the holder of such provisional licence shall be called a learner driver.
- (2) A provisional driving licence is valid for six months only and may on payment of a fee equivalent to the initial fee be renewed for a further period of six months. Thereafter no renewals will be permitted unless the applicant therefor has taken at least one driving test under section 41 since the last renewal.

40. A learner driver in respect of any class of mechanically propelled vehicle may drive any vehicle of that class on any road where vehicles may lawfully be driven:
- Provided that -
- (a) there is displayed on the front and rear of the vehicle being driven a white plate with the letter “L” in red in the prescribed manner and form;
 - (b) the learner driver of any vehicle other than an invalid carriage or motorcycle shall at all times when driving be accompanied and supervised by a licensed and qualified driver of at least one year’s standing who shall be seated next to the learner driver;

Vehicles which may be subject to special conditions.

Duties of drivers.

- (e) front and rear bumpers (unless specially exempt under this Law or any regulation); and
 - (f) a power unit in good repair and properly enclosed.
- (3) Every motor cycle shall in addition to the requirements of subsection (1) be so equipped with -
- (a) a silencer or muffler of a prescribed type in good repair and sufficient to prevent unnecessary noise;
 - (b) a power unit in good repair.
- (4) Every driver and passenger of a motor cycle shall wear a crash helmet of a prescribed pattern.
- (5) No person shall drive any vehicle which might be a danger to any person by reason of -
- (a) the driver’s vision being obscured by dirt, mascots or other obstructions;
 - (b) subject to section 74 fittings or loads obtruding beyond the designed profile of the vehicle;
 - (c) damaged or disintegrated body work; or
 - (d) its being overloaded or unsafely loaded with passengers or goods (in the case of a bicycle this offence is committed if it is ridden while so loaded as to create a risk that the driver’s control thereof may thereby be impaired).
- (6) Mechanically propelled vehicles capable of exceeding fifteen miles per hour under their own power shall be equipped with a prescribed speedometer.
- (7) “Overloaded” for the purpose of this section means, with respect to any particular vehicle, carrying a greater number of persons or weight or volume of goods than such vehicle is designed to carry.

54. Notwithstanding the provisions of section 53, special conditions may be prescribed for the use on the road of emergency vehicles, special vehicles and invalid carriages.

55. It is the duty of every person driving any kind of vehicle upon a road -
- (a) to drive in such a manner as to have full control of the vehicle at all times;
 - (b) to keep to the left half of the road except when travelling in a one-way street or overtaking, making a right hand turn or when otherwise directed by a traffic sign or signal or a police signal;
 - (c) before making a right hand turn, to give right of way to all approaching vehicles;
 - (d) save in the case of emergency vehicles, to comply with all traffic signs and signals;
 - (e) to comply with all signals and other lawful directions given by constables in uniform and school crossing patrols;
 - (f) to drive at such a speed and in such a manner and at such a distance from other vehicles as to be able to stop in an emer-

- (e) requirements to be met in and conditions of testing vehicles and drivers;
- (f) age qualifications for the purpose of paragraph (a) of section 32 (1);
- (g) disabilities and infirmities for the purpose of paragraph (b) of section 32 (1);
- (h) for the driving of vehicles under International Driving Permits:
- (i) generally for implementation of this Part;
- (j) for controlling the operation of omnibuses and taxis.

**PART III
THE CONTROL OF ROAD USERS ETC.,**

General duty of road users.

52. It is the duty of every road user to exercise care and attention when using the road and to have due regard to the safety and comfort of other road users and the preservation and protection of public and private property.

Conditions of user of road vehicles.

53. (1) No person shall bring or cause to be brought on to a public road for the purpose of being parked or driven thereon any vehicle unless it is equipped and fully maintained in roadworthy condition and in particular every such vehicle shall be so equipped with -

- (a) sound pneumatic tyres of such type and in such condition as may be prescribed on all road wheels (unless specially exempted under this or any other law);
- (b) undamaged road wheels or tracks properly secured and aligned;
- (c) an efficient steering and transmission system;
- (d) two prescribed independent means of braking, both in working order;
- (e) irrespective of the time of day or night the lighting and reflector system prescribed for vehicles of its class;
- (f) a horn, or other means of giving audible warning of its approach permitted by the Regulations; and
- (g) except in the case of a bicycle, a driving mirror of a permitted pattern:

Provided that, where appropriate, a trailer and the vehicle by which it is towed shall be deemed to be one unit.

(2) Mechanically propelled vehicles other than motor cycles and invalid carriages so brought on to a public road shall in addition be so equipped with -

- (a) traffic indicators showing to front and rear;
- (b) two mechanically operated windscreen wipers, unless the fitting thereof is precluded by the design of the vehicle;
- (c) a silencer or muffler of a prescribed type in good repair and sufficient to prevent unnecessary noise;
- (d) safety glass in all screens and windows;

- (c) no holder of a provisional licence in respect of a motor cycle or moped may carry a passenger unless such passenger is the holder of a full licence to drive a vehicle of the type in question.

Driving tests.

41. (1) Driving tests shall be carried out by a driving examiner who shall be appointed under his hand by the Commissioner from among vehicle inspectors or other suitable persons under his control or command.

(2) Any person not being licenced but otherwise qualified to drive may apply to undergo a driving test on making application to the Commissioner in that behalf on the prescribed form together with a receipt showing that he has paid the prescribed fee to the Authority.

(3) The form of the driving test and the requirements for passing it shall be prescribed from time to time and shall include a written examination for the purpose of insuring that the applicant is familiar with the Road Code and provisions of this Law.

The certificate of competence and the driving licence.

42. (1) A learner driver who has been declared by a driving examiner to have passed the driving test shall surrender to the Commissioner his provisional licence and receive in exchange a certificate, in the prescribed form, of competence to drive.

(2) The certificate of competence shall for the day of its issue and the three days following its issue exempt its owner from holding a driving licence for the purpose of paragraph (c) of section 33.

(3) Upon proof of exemption under sections 36 or 37 or upon production of a certificate of competence, payment of the prescribed fee and making application in the prescribed form and on production by the applicant of a photograph of himself in duplicate of the prescribed form and dimensions to the licensing authority, an applicant for a driving licence shall be issued with such licence in the prescribed form which shall not be valid until it has been signed by the person to whom it is lawfully issued.

(4) If the authority is at any time satisfied on enquiry that the holder of a driving licence or permit is suffering from a prescribed disability, the authority may serve notice on the licence or permit holder revoking the licence or permit at the expiration of a period specified in the notice, which shall not be less than seven nor more than thirty days and shall begin with the date of service of the notice; and it shall be the duty of a person whose licence or permit is revoked under this subsection to deliver up the licence or permit to the authority forthwith after revocation:

Provided that in the case of any of the disabilities specified in paragraphs (e), (f), (g) and (h) of subsection (2) of section 32 a licence or permit shall not be revoked if the licence or permit holder produces to the authority a certificate signed by a qualified medical practitioner that such disability will not render the holder unfit or unsafe to drive a vehicle and will not cause the driving of a vehicle by him

Special provisions for licences for omnibus and taxi drivers.

to be a source of danger to the public.

43. (1) No person shall drive an omnibus or a taxi for hire or reward unless licensed in that behalf by the Commissioner who, if satisfied that an applicant for such a licence -

- (a) is over the age of eighteen years;
- (b) has been licensed to drive a motorcar for at least one year or, in the case of an applicant for a licence to drive an omnibus, two years; and
- (c) has not during the past five years been convicted in any court for -
 - (i) an offence under paragraphs (a) or (b) of section 61;
 - (ii) any offence connected with dangerous drugs; or
 - (iii) any offence involving fraud or dishonesty; or
 - (iv) any offence against the person; or
 - (v) dangerous driving, whether or not causing death,

shall, if satisfied that the applicant is otherwise a suitable person to be licensed in that behalf and subject to any other provisions of this Law, on production by the applicant of a photograph of himself in duplicate, of the prescribed form and dimensions, an application in the prescribed form and a receipt by the Authority for the prescribed fee, issue to the applicant an omnibus or taxi driver's licence in the prescribed form:

Provided that paragraph (a) has no application to any person who, at the time of coming into operation of this Law was lawfully licensed to drive an omnibus or a taxi, as the case may be, for hire or reward.

(2) The Commissioner may revoke any licence issued under subsection (1) on being satisfied that any person to whom such a licence has been issued has been convicted of any of the offences mentioned in subsection (1) (c).

(3) The holding of an omnibus or taxi driver's licence is not an authorisation to drive a vehicle outside the Group under subsection (4) of section 34 for which the holder is licensed.

Conditions for driving passengers for hire or reward.

44. (1) No vehicles, other than taxis and omnibuses when driven by persons licensed in that behalf, may be used or offered for the carriage of passengers for hire or reward.

(2) Taxis and omnibuses shall display such special signs and illumination and shall operate under such conditions as may be prescribed.

Rent-a-Car firms may issue receipts for the purpose of section 35.

45. (1) Rent-a-Car and rent-a-motor-cycle firms gazetted as such may purchase in bulk from the Authority blank forms of the permits prescribed in section 35 for issue, against payment, to visitors having foreign driving licences who desire to hire motorcars on contracts of self-drive.

(2) Such permits shall be made out in duplicate, the original being issued to the motorcar hirer and the duplicate being held by

the firm and kept available for inspection by the Commissioner at any reasonable time.

(3) Such permits shall not be issued to any person until the prescribed particulars are entered on the form and such person has signed the same.

(4) Unused permits may be returned to the Authority which shall in such case refund the payment made therefor.

Renewal of driving licences.

46. Driving licences shall expire on the third next anniversary of the birth of the licensee following the date of the first issue or re-issue thereof, and thereafter may be renewed for consecutive periods of three years at a time.

Constables may take possession of certain licences.

47. Any constable may take possession of any driving licence which has expired or appears to have been unlawfully written or marked upon.

Powers of arrest.

48. Any constable may without a warrant arrest any person who, in the opinion of such constable, is driving or attempting to drive any vehicle when not qualified so to do.

Effect of suspension of a driving licence by any court.

49. (1) The suspension of any person's driving licence by any court shall prohibit such person from holding a driving licence or provisional licence in respect of any class of vehicle.

(2) If the court so orders, any person whose driver's licence has been suspended may be required, at the end of such period of suspension, to take out a provisional licence and thereafter pass or re-pass a driving test before again being licensed to drive any class of vehicle.

(3) Where any court has discretionary power to suspend the driving licence of any person it shall have power to order that, in lieu of such suspension, such person's driving licence shall be and remain in abeyance until such person has taken out a provisional licence and thereafter passed or repassed a driving test.

Licences not to be predated.

50. Every person responsible for the issue of a driving licence or certificate of vehicle registration shall endorse on such licence or certificate the time and date at which it is issued and it shall be an offence for any such person to pre-time or pre-date any such licence or certificate.

Regulations.

51. The Governor may make regulations under this Part prescribing -

- (a) forms of licences, certificates and reports and forms for application therefor as appropriate;
- (b) varying or adding to the categories of vehicles for the purpose of subsection (3) of section 10;
- (c) fees payable;
- (d) forms of licence plates and learner driver plates and mode of display thereof;