

CAYMAN ISLANDS



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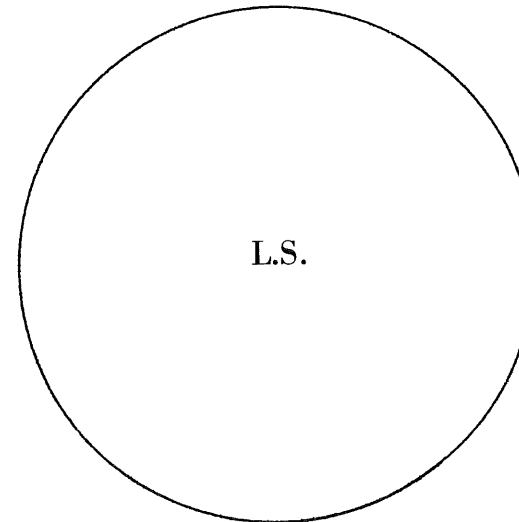
**THE TRAFFIC
(AMENDMENT) LAW, 1976
(Law 4 of 1976)**

MEMORANDUM OF OBJECTS AND REASONS

In the course of putting the Traffic Law into operation some defects and inconsistencies have come to light which it is sought to remedy. These clearly appear in the Bill itself.

CAYMAN ISLANDS

Law 4 of 1976



I assent

T. RUSSELL

Governor

25th March, 1976

**A LAW TO AMEND THE TRAFFIC LAW
(Law 16 of 1973)**

ENACTED by the Legislature of the Cayman Islands.

- Short title.** 1. This Law may be cited as the Traffic (Amendment) Law, 1976.
- Interpretation.** 2. In this Law —
 “Law” means the Traffic Law;
 “section” means a section of the Law; and section 2 applies.
- Section 2 amended.** 3. Section 2 is amended —
 (a) by deleting the definition “omnibus” and substituting —
 “ “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;”
 (b) by inserting the words “having motive power and” between the words “vehicle” and “designed” in the second line of the definition “special vehicle”.
 (c) by inserting a semi-colon (;) after the word “vehicle” appearing in the fourth line of the definition “trailer” and deleting all the words and punctuation appearing thereafter.

- Section 10 amended.** 4. Subsection (3) of section 10 is amended by deleting paragraph “(i)” and substituting —
- “(i) trucks not exceeding 1 ton curb-weight
not exceeding 3 tons do
not exceeding 5 tons do
exceeding 5 tons do
(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)”.
- Section 20 amended.** 5. Section 20 is amended by the addition of a new sub-section (5) as follows —
- “(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.”
- Section 31 amended.** 6. Section 31 is amended by —
- (a) the addition of the bracketed figure (1) at the beginning thereof; and
(b) by the addition of a new subsection as follows —
- “(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.”.
- Section 34 amended.** 7. Section 34 is amended by the addition of a new subsection as follows —
- “(4) Driving licences shall be classified under the following driving licence groups —
- | | |
|---------|--|
| Group 1 | Motor cycles |
| Group 2 | Motor cars, station wagons, except Group 1 |
| Group 3 | Vehicles in Group 2 and trucks not exceeding 3 tons except Group 1 |
| Group 4 | Vehicles in Group 2 and 3 and all other vehicles except Group 1. ” |
- Section 43 amended.** 8. Section 43 is amended by —
- (a) substituting a colon (:) for the full stop (.) at the end thereof and adding a proviso as follows —
- “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.”; and
- (b) adding a new sub-section as follows —

- “(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.”.
- Section 53 amended.** 9. Section 53 is amended by an addition to paragraph (d) of subsection (5) as follows —
- “(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).”.
- Section 56 amended.** 10. Section 56 is amended by —
- (a) substituting for the word “parked” where it occurs in the third line of sub-section (1) the word “stopped”, deleting the full stop (.) at the end thereof and adding “or in an emergency or to conform to the flow of traffic”; and
- (b) substituting for the word “park” where it occurs in the fourth line of sub-section (2) the words “come to a halt”.
- Section 61 amended.** 11. Paragraph (a) of section 61 is amended by inserting the words “or alcohol” between the words “drugs” and “to” appearing in the first line thereof.
- Section 78 amended.** 12. Section 78 is amended by the addition of a new sub-section (3) as follows —
- “(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.”.

Passed in the Legislative Assembly this 11th day of March, 1976.

T. RUSSELL
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly.