

CAYMAN ISLANDS



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**THE TRAFFIC (AMENDMENT) LAW, 1981  
(LAW 4 OF 1981)**



(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, 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 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."

Amendment of section 64 of the principal Law

5. Section 64 of the principal Law is hereby amended by renumbering it as subsection (1), and by adding the following new subsection –

"(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."

Amendment of section 66 of the principal Law.

6. Section 66 of the principal Law is hereby amended by substituting "and" for "or" in the first place where that word appears in the second line.

Amendment of section 68 of the principal Law.

7. Subsection (2) of section 68 of the principal Law is hereby amended by deleting the words and figures "53, 55, 56 or paragraphs (a), (i), (j), (k), (l), (o) or (t) of section 68(1)" and substituting the following words and figures therefor –

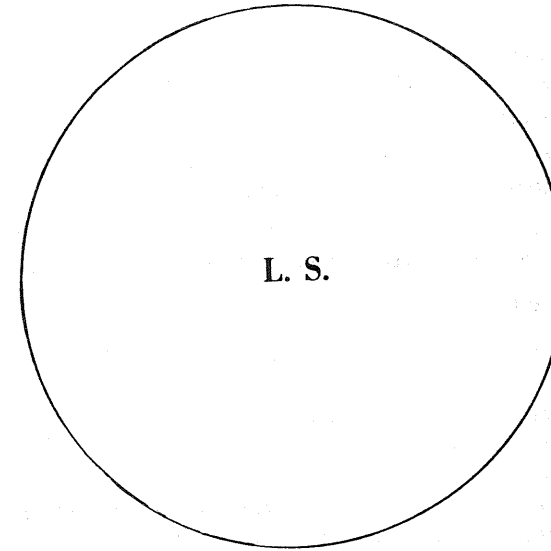
"56 or paragraphs (a), (f), (h), (i), (j), (k), (l), (n) (in so far only as that paragraph relates to sections 26, 53, 55, 57 and 58), (o), (q) (in so far only as that paragraph relates to sections 20(5) and 40(a)), (t), (u) or (w) of section 68(1)".

Passed the Legislative Assembly this 20th day of February, 1981.

**T. RUSSELL**  
President.

**SYBIL McLAUGHLIN**  
Clerk of the Legislative Assembly.

CAYMAN ISLANDS



**LAW 4 OF 1981**

I assent

**T. RUSSELL**  
Governor

**30th March, 1981**

**A BILL 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, 1981.

Amendment of section 34 of the Traffic Law (Law 16 of 1973).

2. Section 34 of the Traffic Law (hereinafter called the principal Law) is hereby amended by deleting subsection (4) thereof and substituting the following new subsection therefor –

"(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 3 tons curb weight except Groups 0 and 1
- Group 3 Vehicles in Group 2, trucks exceeding 3 tons curb weight and omnibuses not exceeding a seating capacity of 25 persons in addition to the driver
- Group 4 Vehicles in Groups 2 and 3 and all other vehicles except Groups 0 and 1."

Amendment of section 56 of the principal Law.

3. Subsection (1) of section 56 of the principal Law is hereby repealed and replaced by the following new subsection –

“(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.”.

Substitution of section 62 of the principal Law.

4. Section 62 of the principal Law is hereby repealed and substituted by the following –

“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;
- (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 face evidence of the proportion of alcohol in the blood.

(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 a 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 purpose of this Part of this Law –

(a) one-tenth of one per cent per 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 –