

MONTSERRAT
STATUTORY RULES AND ORDERS
S.R.O. 47 OF 2021

ROAD TRAFFIC (AMENDMENT) REGULATIONS 2021

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ROAD TRAFFIC (AMENDMENT) REGULATIONS 2021

THE ROAD TRAFFIC (AMENDMENT) REGULATIONS 2021 MADE BY THE GOVERNOR ACTING ON THE ADVICE OF CABINET UNDER SECTION 78(1) OF THE ROAD TRAFFIC ACT (CAP. 7.06).

1. Citation

These Regulations may be cited as the Road Traffic (Amendment) Regulations, 2021.

2. Interpretation

In these Regulations, “**principal Regulations**” means the Road Traffic Regulations (Cap. 7.06).

3. Regulation 9 amended

Regulation 9(2) of the principal Regulations is amended by inserting “and section 16B” after “section 12(1)(b)”.

4. Regulation 9A inserted

The principal Regulations is amended by inserting the following as regulation 9A:

“9A. Mechanic’s garage mark

- (1) A mechanic’s garage mark issued to a registered mechanic’s garage shall—
 - (a) consist of two licence plates;
 - (b) comprise of a combination of letters and numbers that distinguish it from an identification mark issued under the Act and these Regulations; and
 - (c) be a rectangular shape on a white background with red characters.

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- (2) A motor vehicle bearing a mechanic's garage mark shall not be used for purposes other than those specified under section 16A of the Act."

5. Section 18 amended

Regulation 18 of the Principal Regulations is amended as follows—

- (a) by deleting "18.2" and substituting "18²"; and
- (b) by deleting regulation 18(2)(a) and substituting the following—

"(a) the front windscreen of a motor vehicle, a film, tint or other obscuring device which allows a degree of visual transmission of light, but such film, tint or other obscuring device shall not exceed 10 inches in height when measured from the top of the outside of the windscreen;"

6. Replace Examining Officer with Vehicle Tester

The principal Regulations is amended by—

- (a) deleting "the Examining Officer" and substituting "the Vehicle Tester" and deleting "an Examining Officer" and substituting "a Vehicle Tester" wherever it appears in regulations 15, 16, 24, 30, 31, 32, 38 and 39; and
- (b) deleting "Examining Officer's" in Form 12 of the First Schedule and substituting "Vehicle Tester's".

7. First Schedule amended

The First Schedule of the principal Regulations is amended by inserting the following as Form 13 and Form 14—

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“FORM 13

(Regulation 9)

APPLICATION FOR DEALER’S MARK

Registered Name of Dealer:

Address:

Dealer’s Licence:

Insurer:

Signature of Dealer:

Date of application:

FOR OFFICIAL USE ONLY

Date application received: Application approved Yes No

Received by: Reason for refusal:

Application fee included Yes No

Fee amount: \$..... Signed:
Traffic Commissioner

Receipt No.: Date:

FORM 14

(Regulation 9A)

APPLICATION FOR MECHANIC’S GARAGE MARK

Registered Name of Mechanic’s Garage

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Name of Owner/Manager:

Address:
.....

Employee Name:	Drivers Licence:
.....
Owner/Manager	
.....
.....
.....
.....

Document Check List:

- Proof of Business Registration
- Proof of Insurance
- Owner or Manager's Licence

Signature of Owner/Manager:

Date of application:

FOR OFFICIAL USE ONLY		
Date application received:	Application approved	<input type="checkbox"/> Yes <input type="checkbox"/> No
Received by:	Reason for refusal:
Application fee included	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Fee amount: \$.....	Signed:
	Traffic Commissioner	
Receipt No.:	Date:	”

8. Second Schedule amended

The Second Schedule of the principal Regulations is amended—

(a) by deleting item 8 and substituting the following:

“8. (1) Despite items 1 to 4 and item 6, the owner of a private motor vehicle may apply to the Licensing Officer for a personalised identification mark for the private motor vehicle.

(2) An application for a personalised identification mark shall be made in the following form—

APPLICATION FOR PERSONALISED IDENTIFICATION MARK

Name of Owner:

Address:

Vehicle Make: **Vehicle Model:**

Vehicle Type: **Vehicle Colour:**

Vehicle Identification Number (VIN): **Year of Manufacture:**

Vehicle Usage: private trade public service vehicle passenger freight vehicle other:

Current Vehicle Identification Mark: **Name of Insurer:**

Proposed personalised identification mark (*provide a detailed description below or attach an image of the personalised identification mark*):

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Signature of Owner:

Date of application:

FOR OFFICIAL USE ONLY

Date application received: Application approved Yes
 No

Received by: Reason for refusal:
.....
Application fee included Yes
 No

Fee amount: \$..... Signed:
.....
Licensing Officer

Receipt No.: Date:

(3) An application for a personalised identification mark shall be accompanied by the fee prescribed in Part C of the First Schedule to the Act.

(4) A personalised identification mark—

(a) shall—

- (i) be comprised of at least two characters;
- (ii) contain at least one letter;
- (iii) contain capitalised letters, if any letter is used; and
- (iv) be comprised of a maximum of eight characters;

(b) shall not—

- (i) be comprised of only numbers or only special characters;
- (ii) contain language that is indecent, abusive, derogatory, insulting, profane or offensive or in contravention of the law;

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- (iii) contain consecutive numbers or consecutive special characters;
- (iv) start with the letter “G” “H” or “R”, if the letter is immediately followed by a number;
- (v) be configured so that if a letter is substituted for a number or a number is substituted for a letter, the identification mark becomes similar to an existing personalised plate;
- (vi) be sexually explicit or contain a reference excretory functions;
- (vii) describe intimate body parts or genitals;
- (viii) contain a reference to the use or sale of drugs or the effects of drugs or alcohol;
- (ix) contain religious titles or formal religious designations unless it is for use by a person who carries the title or the designation;
- (x) contain negative or derogatory message or meaning with respect to government;
- (xi) suggest association with a public office, public institution or a disciplined force;
- (xii) be the badge number of a police officer;
- (xiii) promote discrimination or bias against an individual;
- (xiv) promote or condone violence or criminal activity;
- (xv) infringe an intellectual property right;
- (xvi) contain a slang version or an abbreviation of language prohibited by subparagraphs (i) to (xv).

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- (xvii) contain a mirror image of a word or term prohibited by subparagraphs (i) to (xv).
- (c) may contain only one of the following special characters—
 - (i) @
 - (ii) #;
 - (iii) &; or
 - (iv) —.
- (5) A personalised identification mark comprises of a black background and white characters.
- (6) The Licensing Officer shall approve an application for a personalised identification mark, if it complies with this Schedule, these Regulations and the Act.
- (7) The Licensing Officer may reject an application under item 8 if the requested personalised identification mark—
 - (a) is already in use; or
 - (b) fails to comply with this Schedule, these Regulations or the Act.
- (8) The Licensing Officer may recall and cancel a personalised identification mark that was issued if the Licensing Officer subsequently determines or discovers that—
 - (a) the personalised identification mark was not in compliance with this Schedule, these Regulations or the Act at the date of approval; or
 - (b) if, due to changing language usage, the personalized license plate has become non-compliant with this Schedule, these Regulations or the Act.
- (9) A person shall only affix a personalised identification mark to the motor vehicle in respect

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of which approval is granted to affix the personalised identification mark.

(10) A person who is granted a personalised identification mark is the owner of personalised identification mark.

(11) A person who intends to transfer his personalised identification mark to another private motor vehicle owned by him shall submit an application in writing to the Licensing Officer.

(12) An application under sub-item (11) to transfer a personalised identification mark to another motor vehicle shall—

(a) specify the motor vehicle to which the personalised identification mark is to be transferred;

(b) specify the identification mark assigned to the motor vehicle to which the personalised identification mark is to be transferred, if any; and

(c) be accompanied by the fee prescribed in Part C of the First Schedule to the Act.

(13) A person who intends to transfer his personalised identification mark to another person shall notify the Licensing Officer in writing of the person to whom the personalised identification mark is to be transferred.

(14) A person who intends to affix to his private motor vehicle the personalised identification mark transferred to him, shall submit an application in writing to the Licensing Officer.

(15) An application under sub-item (14) shall—

(a) specify the motor vehicle to which the personalised identification mark is to be transferred;

(b) specify the identification mark assigned to the motor vehicle to which the personalised

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identification mark is to be transferred, if any; and

- (c) specify the name of the previous owner of the personalised identification mark;
- (d) specify the motor vehicle to which the personalised identification mark was previously affixed;
- (f) be accompanied by the fee prescribed in Part C of the First Schedule to the Act.

(16)For the purposes of this Schedule, “**character**” means a number, a letter or special character.

Made by the Governor acting on the advice of Cabinet this 15th day of July, 2021.

CLERK OF CABINET

Published by exhibition by the Clerk of Cabinet at the Office of the Legislature, Farara Plaza, Brades this 20th day of July, 2021.

CLERK OF CABINET