

VIRGIN ISLANDS

ROAD TRAFFIC (MOTOR VEHICLE REGISTRATION AND OPERATION, AND DRIVER AND VEHICLE LICENSING) REGULATIONS, 2009

ARRANGEMENT OF REGULATIONS

Regulation

Preliminary

1. Citation and commencement.
2. Interpretation.
3. Forms.

Establishment of types of motor vehicle registration plates and application for registration

4. Prohibition from operating unregistered and unlicensed motor vehicles.
5. Established registration plates.
6. Customised motor vehicle registration plates.
7. Application for registration.
8. Verification of application.
9. Identification mark.
10. Car dealers.
11. Private, taxi and livery service motor vehicle registration plates personal to owners.
12. House of Assembly motor vehicle registration plates.
13. Issuance of House of Assembly motor vehicle registration plates.
14. Limitation on number of motor vehicle registration plates to be issued to livery or taxi service operators.
15. Position of identification mark.
16. Identification mark to be legible.
17. Illumination of identification mark.
18. Cancellation of registration.
19. Exemptions from registration and payment of registration fees.
20. Transfer of registration.

Licensing of motor vehicles and drivers

21. Licences.
22. Weighing of motor vehicles.
23. Entering particulars of licence in register.
24. Conditions for the issue of a licence.
25. Renewal of licence.
26. Effect of transfer of ownership on a licence issued.

- 27. Application for the issue or renewal of driver's licence.
- 28. Issue of driver's licence.
- 29. Learner driver's licence.

Application for and issue of, driving permits

- 30. Taxi driver's permit.
- 31. "B", "L", "S" or "T" motor vehicle driver's permit.
- 32. Issue of "B", "L", "S" or "T" motor vehicle driver's permit.
- 33. Duration of "B", "L", "S" or "T" motor vehicle driver's permit.
- 34. Signing of licence or permit.
- 35. "B", "L", "S" or "T" motor vehicle driver's permit to be produced on demand.
- 36. Surrender of "B", "L", "S" or "T" motor vehicle driver's permit.
- 37. Issue of duplicate "B", "L", "S" or "T" motor vehicle driver's permit.

Livery transport services

- 38. Persons entitled to own livery transport service businesses.
- 39. Operating a community transit bus service.
- 40. Operating a limousine service.
- 41. Operating a shuttle service.
- 42. Operating a tour service.
- 43. Expatriate driver.

Roadworthiness and operation of motor vehicle

- 44. Special provision for Sister Islands.
- 45. Transportation service voucher.
- 46. Conditions on which certificate of fitness may issue.
- 47. Lights.
- 48. Rules to be observed by drivers.
- 49. Requirement for riding a motor cycle.
- 50. Putting petrol into motor vehicles.
- 51. Reflecting mirror.
- 52. Noisy motor vehicles.
- 53. Tyres.
- 54. Removal of broken down motor vehicle.

Miscellaneous

- 55. Penalty for offences.
- 56. Consequential amendments.
- 57. Revocations.
- 58. Transitional provisions.

VIRGIN ISLANDS

STATUTORY INSTRUMENT 2009 NO. 29

**ROAD TRAFFIC ACT
(CAP. 218)**

**Road Traffic (Motor Vehicle Registration and Operation, and Driver and
Vehicle Licensing) Regulations, 2009**

[Gazetted 30th July, 2009]

The Minister, in exercise of the power conferred by section 56(1) of the Road Traffic Act (Cap. 218), makes these Regulations.

Preliminary

1. These Regulations may be cited as the Road Traffic (Motor Vehicle Registration and Operation, and Driver and Vehicle Licensing) Regulations, 2009, and shall commence on a date the Minister, may by a Notice published in the *Gazette*, appoint.

Citation and commencement.

2. In these Regulations, unless where the context otherwise requires

Interpretation.

“Act” means the Road Traffic Act;

Cap. 218

“at night” means half an hour after sunset until half an hour before sunrise or a period designated by the Licensing Officer by public notice, for the lighting of motor vehicles;

“bus” means a community transit bus;

“business entity” means a company, partnership or a sole proprietorship business;

“examining officer” means a person appointed by the Licensing Officer to examine a motor vehicle and issue a certificate in respect of the examination for purposes of licensing the motor vehicle;

“lateral overhang” means

- (a) the distance measured from the outer face of the tyre on the rear wheel on the same side of the motor vehicle, and

- (b) in the case of dual tyres for the outer surface of the outer tyre,

to a vertical line let fall from the extreme limit of the body;

“Limousine” means a

- (a) luxury passenger vehicle of any make, customised by stretching or lengthening for the purpose of luxury transportation and having a seating capacity of not more than twelve people excluding the driver, or
- (b) luxury sedans or Sports Utility Vehicles (SUV’s) normally used for “Town Car Service”

and used for hire to chauffeur passengers;

“livery service” means a limousine transport service, tour transport service, shuttle transport service and a community transit bus transport service;

“longitudinal overhang” means the distance measured from the centre of a hub of a rear wheel to a vertical line let fall from the extreme rear limit of the body;

“House of Assembly motor vehicle” means a motor vehicle

- (a) owned by the Government of the Territory and assigned to a member of the House of Assembly as the member’s official vehicle, or
- (b) registered in the first instance as a private motor vehicle in the name of a member of the House of Assembly as a sole or joint owner of the motor vehicle

and in respect of which special registration plates have been assigned in accordance with these Regulations;

“Minister” means the Minister for Communications and Works;

“overall length” means the length of a motor vehicle exclusive of the starting handle or bumpers and the hood when down;

“overall width” means the width measured between parallel planes passing through the extreme projecting points of the motor vehicle exclusive of a driving mirror;

“person” includes the corporations (whether aggregate or sole) and unincorporated bodies of persons;

“plates” means motor vehicle registration plates;

“Register” means register of motor vehicles;

“shuttling” means travelling regularly between two places and a shuttle motor vehicle shall be construed accordingly;

“Sister Islands” means Anegada, Jost Van Dyke and Virgin Gorda; and

“specialty vehicle” includes a motor vehicle that is modified and used for a car show, racing or as a collectible.

3. For purposes of the Act and these Regulations, the forms set out in the Schedules or forms to like effect shall be used in cases to which they refer. Forms.

Establishment of types of motor vehicle registration plates and application for registration

4. (1) A person shall not operate a motor vehicle in the Territory unless the motor vehicle is registered and licenced in accordance with these Regulations. Prohibition from operating unregistered and unlicenced motor vehicles.

(2) Notwithstanding subregulation (1), a specialty vehicle shall be registered only, but not be licenced to operate on public roads.

5. (1) There is established by these Regulations, the “B”, “CM”, “DL”, “GV”, “L”, “MC”, “PA”.....“PZ”, “RT”, “S”, “T”, “Temporary”, “TX” motor vehicle registration plates and special motor vehicle registration plates for vehicles used by members of the House of Assembly. Established registration plates.

(2) A Licensing Officer shall issue

(a) to a person who has applied to register a motor vehicle, “B” motor vehicle registration plates, if the motor vehicle is to be operated in the Territory for the purpose of providing a passenger-paid community transit bus service;

(b) to a person who has applied to register a motor vehicle specifically designed or constructed and fitted with the kind of equipment required for the person’s business operation,

“CM” motor vehicle registration plates, on the registration of that vehicle to be operated in the Territory, such equipment including a crane, excavator, backhoe, bulldozer, motor grader, articulated truck, concrete truck, trailer, a tipper truck, sanitation truck, tractor, a tanker vehicle and other similar vehicle;

- (c) to a garage dealer, “DL” motor vehicle registration plates to be put on a motor vehicle which is imported into the Territory for sale, for the purpose of being tested by a customer prior to sale, registration and licensing;
- (d) to the Government when the Government applies to register motor vehicle, “GV” motor vehicle registration plates, on the registration of a motor vehicle owned by the Government and intended to be operated in the Territory by a public officer for an official duty of the Government;
- (e) to a person who has applied to register a motor vehicle, “L” motor vehicle registration plates, on the registration of a Limousine motor vehicle to be operated in the Territory for purpose of providing a Limousine livery service;
- (f) to a person who has applied to register a motor cycle or motor bicycle, “MC” motor vehicle registration plates, on the registration of a motor cycle or motor bicycle to be operated in the Territory for private use;
- (g) to a person who has applied to register a motor vehicle, “PA”, “PB” or other similar motor vehicle registration plates, on the Registration of a motor vehicle owned by the person, which vehicle is to be operated in the Territory by the person
 - (i) for personal use, or
 - (ii) for transporting an employee of the person in the discharge of the employee’s duties;
- (h) to a person who has applied to register a motor vehicle, “RT” motor vehicle registration plates, on the registration of a motor vehicle to be operated in the Territory as a rental vehicle;
- (i) to a person who has applied to register a motor vehicle, “S” motor vehicle registration plates, on the registration of a motor vehicle to be operated in the Territory for the purpose

providing a shuttle livery service;

- (j) to a person who has applied to register a motor vehicle, “T” motor vehicle registration plates, on the registration of a motor vehicle to be operated in the Territory for the purpose of providing a tour livery service;
- (k) to a person, “Temporary” motor vehicle registration plates, on the application of the person for a re-issue of the person’s lost, damaged or stolen motor vehicle registration plates originally assigned to the person; and
- (l) a “TX” motor vehicle registration plate on the registration of a motor vehicle to be operated in the Territory for the purpose of providing a taxi service.

(3) A vehicle registered with a “PA”, “PB” or other similar registration shall not be used to transport persons for hire.

6. (1) Notwithstanding regulation 5, a person may apply to the Licensing Officer to be issued with customised motor vehicle registration plates to be used on a vehicle which otherwise would have been registered with a “PA”, “PB” or other similar motor vehicle registration plates.

Customised motor vehicle registration plates.

(2) Subject to approval of the Minister, customised motor vehicle registration plates may be issued by the Licensing Officer on application, if the alpha-numeric sequence requested by the applicant, is available.

(3) Notwithstanding subregulation (2), customised motor vehicle registration plates shall not be issued if the alpha-numeric sequence requested by the applicant

(a) spells an offensive word or depicts profanity; or

(b) is a socially unacceptable word or abbreviation.

7. (1) The owner of a motor vehicle imported into the Territory shall register or cause to be registered, the motor vehicle, within fifteen days of its importation.

Application for registration.

(2) Subregulation (1) does not apply to motor vehicles imported by a car dealer and intended for sale.

(3) An application for the registration of a motor vehicle shall be made by

the owner of the motor vehicle, by filling Form 1 set out in Schedule 1 and submitting it to the Licensing Officer accompanied by the prescribed registration fee.

(4) The owner of the motor vehicle shall furnish the Licensing Officer with

(a) the name and address of a person having a lien over the motor vehicle to be registered, and

(b) evidence of the consent of the lien holder permitting the registration of the motor vehicle, and the consent shall be in a form acceptable to the Licensing Officer,

and the Licensing Officer shall enter the particulars of the lien holder in the Register.

(5) The Licensing Officer shall, on being satisfied that the Act and Regulations have been complied with, enter particulars of the motor vehicle into the Register and shall assign to the motor vehicle a registered letter or letters and number which shall be the identification mark for the vehicle.

(6) A certified copy of the entry in the Register shall be given to the owner of the motor vehicle, and the certified copy shall be evidence that the motor vehicle to which it refers is registered.

(7) The Licensing Officer shall not amend an entry made pursuant to sub-regulation (2), unless the Licensing Officer is satisfied that the owner of the vehicle has obtained the consent of the lien holder permitting that entry to be amended and the consent shall be in a form acceptable to the Licensing Officer.

(8) The Licensing Officer shall not register and issue “B”, “L”, “S” or “T” motor vehicle registration plates, unless the owner has a valid Trade Licence to undertake livery transportation service in the category for which the registration is required.

(9) The Licensing Officer shall not register a motor vehicle as a taxi and issue a “TX” registration plate, unless the owner has a valid Trade Licence to undertake the business of Taxiing.

(10) A motor vehicle which does not bear an identification mark assigned under subregulation (5) in the form of a motor vehicle registration plate, may be considered as an unregistered vehicle, and a police officer may detain the vehicle until enquiries with respect to that vehicle have been made.

(11) The owner of a motor vehicle shall notify the Licensing Officer of circumstances or events which affect the accuracy of the entries in the Register

and shall consequently send the certified copy of the registration to the Licensing Officer for an amendment.

(12) The Licensing Officer may at any time request the owner of a motor vehicle to furnish information for the verification of the entries relating to that vehicle, in the Register.

(13) A person shall not be registered as the owner of

(a) a motor vehicle unless the person is eighteen years of age or over; and

(b) a motor cycle unless the person is sixteen years of age or over.

(14) The Minister may on the advice of the Cabinet determine the maximum number of livery motor vehicle registration plates to be issued in a year.

8. (1) The Licensing Officer shall

Verification of application.

(a) verify the particulars entered in the form for application and may where considered necessary, cause the motor vehicle to be examined to ensure its construction and condition fits the purpose for which it is sought to be registered; and

(b) ascertain in the manner prescribed, the maximum gross weight or the maximum number of passengers which the vehicle is authorised to carry before it is registered.

(2) Particulars of the maximum gross weight or maximum number of passengers shall be entered in the Register and on the certificate of registration.

9. (1) The identification mark to be carried by a motor vehicle pursuant to regulation 7(5) shall consist of two motor vehicle registration plates, which conform as to size, lettering, numbering and otherwise, with the provisions set out in Schedule 2.

Identification mark.

Schedule 2

(2) An existing registration plate in respect of a motor vehicle, the registration of which expires after the 29th day of February, 1996 shall be changed to conform to the requirements of Schedule 2.

Schedule 2

(3) The Ministry of Communications and Works is the institution authorised to manufacture and issue to the Department of Motor Vehicle, motor vehicle registration plates in accordance with Schedule 2.

Schedule 2

10. (1) A person shall not drive a motor vehicle bearing registration plates

Car dealers.

referred to in item 3(c) of Schedule 2 on a public road, unless the vehicle is being driven between the hours of 8:00 a.m. and 6:00 p.m. for the purpose of test driving or moving the vehicle to and from a port.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

Private, taxi and livery service motor vehicle registration plates personal to owners.

11. (1) Subject to regulation 12, a motor vehicle registration plate assigned to a motor vehicle shall be personal to the owner of the vehicle and shall not be transferred to any other person or be disposed of in a manner that would get it into the possession of another person.

(2) Motor vehicle registration plates assigned to a particular motor vehicle may be transferred to another motor vehicle belonging to the holder of the assigned registration plate, on the registration of that other motor vehicle, if the other motor vehicle is registered in the same category as the one for which the registration plate was originally issued.

(3) The holder of a registration plate assigned to a motor vehicle shall recover or remove the registration plate from the vehicle, where the holder of the registration plate transfers ownership of the motor vehicle to which the registration plate was assigned, or disposes of the motor vehicle as a derelict or leave the vehicle in an abandoned state.

(4) Temporary motor vehicle registration plates issued to a person whose assigned plates have been lost, damaged or stolen, shall be returned to the Licensing Officer on receipt of replacement plates.

(5) The holder of Temporary plates shall pay a penalty of fifteen dollars when the Temporary plates are returned to the Licensing Officer in a damaged condition.

(6) The Licensing Officer shall determine the condition of Temporary plates for purposes of subregulation (5).

(7) A person who contravenes subregulation (3) commits an offence.

(8) For purposes of this regulation “motor vehicle” means a private, taxi, or livery service motor vehicle.

House of Assembly motor vehicle registration plates.

12. (1) Motor vehicle registration plates for a House of Assembly vehicle shall be issued only in respect of

- (a) one motor vehicle registered in the name of a member of the House of Assembly; or

(b) one government vehicle assigned to the member.

(2) House of Assembly motor vehicle registration plates assigned by the Licensing Officer to a member of the House of Assembly shall not be personal to the owner of that motor vehicle.

(3) Notwithstanding subregulation (1), House of Assembly motor vehicle registration plates assigned to a member of the House of Assembly may be transferred from one motor vehicle registered in the name of the member to another motor vehicle registered in that member's name.

(4) Motor vehicle registration plates referred to under subregulation (2) shall be surrendered to the Licensing Officer within fifteen days from the date on which the person to whom it was assigned ceases to be a member of the House of Assembly.

(5) A person who contravenes subregulation (2) commits an offence.

13. (1) The Licensing Officer shall not issue a House of Assembly motor vehicle registration plate unless,

Issuance of House of Assembly motor vehicle registration plates.

(a) it is certified in writing by the Speaker of the House of Assembly that the motor vehicle is owned by the Government of the Territory and is assigned to a member of the House of Assembly as the member's official vehicle; or

(b) the motor vehicle is registered in the first instance as a private motor vehicle in the name of a person who is certified by the Speaker of the House of Assembly in writing, as having taken the oath of office as a member of the House of Assembly.

(2) The Licensing Officer shall issue or assign a motor vehicle registration plate to a House of Assembly vehicle if all requirements other than the payment of an application fee has been complied with.

(3) The Licensing Officer shall not charge an application fee on the issue of House of Assembly motor vehicle registration plates.

14. (1) A business entity issued with a Trade Licence to operate a taxi service may, be issued with not more than one motor vehicle registration plate, except that upon the recommendation of the Commission and with the approval of the Minister, that number may be increased to two.

Limitation on number of motor vehicle registration plates to be issued to livery or taxi service operators.

(2) A business entity issued with a Trade Licence to operate a livery service may be issued by the Licensing Officer, with not more than six motor

vehicle registration plates and the plates shall be issued in the various Livery categories in accordance with the business entity's request.

(3) Notwithstanding subregulation (1), the Licensing Officer shall issue motor vehicle registration plates exceeding the limit specified under subregulation (1) to a business entity which has been issued with a Trade Licence to operate a taxi service, and has prior to the commencement of these Regulations been issued with motor vehicle registration plates exceeding the limit specified under subregulations (1), if after inspection of the motor vehicles for which the plates are required to be affixed, the Licensing Officer is satisfied that the motor vehicles are roadworthy.

(4) Notwithstanding subregulation (2), the Licensing Officer shall issue motor vehicle registration plates exceeding the limit specified under subregulation (2) to a business entity which has been issued with a Trade Licence to operate

- (a) a tour transportation service,
- (b) a shuttle service, or
- (c) both tour transportation and shuttle services,

and has prior to the commencement of these Regulations been issued with motor vehicle registration plates exceeding the limit specified under subregulation (2), and has been operating the service for the preceding ten years, if after inspection of the motor vehicles for which the plates are required to be affixed, the Licensing Officer is satisfied that the motor vehicles are roadworthy.

(5) Subject to subregulations (3) and (4), a business entity to which subregulations (3) and (4) apply, is entitled on application, to be issued with motor vehicle registration plates up to the number of motor vehicle registration plates it held prior to the commencement of these Regulations, if the application is made within six months from the commencement of these Regulations.

Position of
identification
mark.

15. (1) The motor vehicle registration plates forming the identification mark shall be fixed, one on the front and the other at the back of the motor vehicle in a vertical position, so that every letter or figure on the plate is vertical and easily distinguishable.

Schedule 2

(2) In the case of a motor cycle, the plate fixed on the front of the motor cycle may, if it is a plate having duplicate faces conforming with Schedule 2, be fixed so that from whichever side the cycle is viewed the letters or figures on one of the faces of the plate are easily distinguishable from the front of the cycle.

16. The plates on a registered motor vehicle shall, for purposes of regulation 7(5) be legible at all times and shall not be obscured by

Identification mark to be legible.

- (a) any other figures, designs or ornamentation; or
- (b) a covering or protective material that alters or blurs the identification mark.

17. A person who uses a motor vehicle on a road at night shall keep alight on the motor vehicle, a lamp so contrived as to illuminate by means of reflection, transparency or otherwise, and render easily distinguishable, every letter or figure on the registration plate fixed at the back of the motor vehicle.

Illumination of identification mark.

18. (1) The registration of a motor vehicle shall remain valid so long as its ownership has not changed and the vehicle is kept in use, and shall only be cancelled if the Licensing Officer is satisfied that the vehicle has

Cancellation of registration.

- (a) been destroyed or rendered permanently unserviceable;
- (b) permanently been removed from the Territory; or
- (c) not been re-licensed for three consecutive years.

(2) The owner of a motor vehicle which has

- (a) been destroyed or rendered permanently unserviceable,
- (b) permanently been removed from the Territory, or
- (c) not been re-licensed for three consecutive years

shall notify the Licensing Officer of that fact within one month of the happening of the event.

19. (1) A fee shall not be charged on the registration of a motor vehicle which is

Exemptions from registration and payment of registration fees.

- (a) owned by the Governor to be used for the Governor's official duties; or
- (b) owned by the Government of the Territory or of any government body or city or village Council.

(2) The exemption granted under this regulation shall cease whenever the condition justifying the exemption ceases to apply to that motor vehicle.

Transfer of registration.

20.(1) A motor vehicle shall not be used for more than seven days after a change of ownership of that motor vehicle if the ownership of that motor vehicle has changed otherwise than by death, unless

- (a) the registered owner and the new owner within seven days after the change of ownership, make a joint application to the Licensing Officer by filling Form 2 set out in Schedule 1 and submit with it, a certificate of registration and the prescribed fee, giving the name and address of the new owner and the date of change of possession; and
- (b) the new owner is registered as the owner of that motor vehicle by the Licensing Officer endorsing the certificate of registration and making an entry in the register of motor vehicles, substituting the name of the new owner for that of the registered owner, initial the substitution and date it.

(2) The new owner shall from the date of substitution of the entries in the register of motor vehicles, be the registered owner of the motor vehicle transferred in accordance with subregulation (1).

(3) Notwithstanding subregulation (1), the new owner of a motor vehicle which has been acquired as a result of a legal or judicial process may alone apply to the Licensing Officer, subject to other requirements of this regulation being complied with.

(4) In the case of the death of the registered owner, the legal personal representative of the deceased in the Territory shall be deemed to be the owner for purposes of a transfer, and in the absence of a legal personal representative in the Territory the person into whose possession the motor vehicle lawfully comes shall, for purposes of a transfer, be deemed to be the registered owner.

(5) The legal representative of a deceased registered owner of a motor vehicle or a person into whose possession a motor vehicle of a deceased registered owner comes, shall notify the Licensing Officer of the death of the registered owner within one month from the date of death.

(6) Notwithstanding subregulation (1)(b), a new certificate of registration may at the discretion of the Licensing Officer be issued instead of endorsing the original certificate.

Licensing of motor vehicles and drivers

21. (1) An application for a licence in respect of a motor vehicle shall be made to the Licensing Officer by filling and submitting Form 3 set out in

Schedule 1, and where the application is other than a first application it shall be accompanied by the licence last issued in respect of the motor vehicle.

(2) The Licensing Officer shall issue an applicant with a licence if satisfied that the Act, these Regulations and any other Regulations made under the Act have been complied with.

(3) The Licensing Officer shall on registering or renewing the licence of a motor vehicle other than a motor cycle, affix a sticker approved by the Minister, to the inside lower right-hand corner of the wind screen of the motor vehicle to indicate the date on which the motor vehicle's licence expires.

(4) The sticker referred to in subregulation (3) shall be affixed, replaced, removed obliterated, tampered with or transferred by the Licensing Officer in the execution of an official duty.

(5) A motor vehicle licence issued under this regulation shall be in force from the date of issue until the last date of the calendar month, except in the case where the insurance ends before the last date of the calendar month, and in that event the licence shall be in force until the expiration date of the insurance cover based on which the licence is issued.

(6) A motor vehicle licence shall not be issued for a period of less than three months or so as to be in force for a period longer than the last day of the month next preceding the month of issue in the year next following the year of issue.

(7) A motor vehicle licence issued for a period of less than one year shall attract a fee of one-twelfth of the yearly rate for each month or part of a month of the period of validity of the licence.

(8) A licence fee shall not be payable in respect of a motor vehicle which is exempt from payment of the registration fee under regulation 17(2) so long as the conditions justifying the exemptions exist.

(9) A person who contravenes subregulation (4) commits an offence.

22. The Licensing Officer may if practicable, require a motor vehicle to be weighed in the presence of a person authorised by the Licensing Officer, before granting or renewing a licence in respect of that motor vehicle.

Weighing of motor vehicles.

23. The Licensing Officer shall on licensing a motor vehicle, enter in the register of motor vehicles opposite the entry relating to that motor vehicle, the number and date of the licence issued in respect of that vehicle.

Entering particulars of licence in register.

Conditions for the issue of a licence.

24. The Licensing Officer shall not issue a licence for a motor vehicle until the

- (a) motor vehicle is duly registered;
- (b) motor vehicle has been examined by the Licensing Officer or by an examining officer, and a certificate of fitness as set out in Form 4 of Schedule 1, issued in respect of the examination, is produced; and
- (c) Licensing Officer is satisfied that the Act and Regulations made under the Act have been complied with.

Schedule 1

Renewal of Licence.

25. The Licensing Officer shall not renew a motor vehicle licence unless

- (a) the Licensing Officer is satisfied that the motor vehicle does not differ in any respect from the particulars in the register of motor vehicles;
- (b) the motor vehicle has been examined by an examining officer and a certificate of fitness in respect of it is produced; and
- (c) the Licensing Officer is satisfied that the Act and Regulations made under the Act have been complied with.

Effect of transfer of ownership on a licence issued.

26. The Licensing Officer shall amend the register of motor vehicles and the licence on payment of the prescribed fee, when the ownership of the motor vehicle is being transferred.

Application for the issue or renewal of a driver's licence.

27. (1) A person shall not drive a motor vehicle in the Territory, unless person has been issued with a valid driver's licence, by the Licensing Officer.

(2) The Licensing Officer shall not issue a driver's licence to a person unless the person is at least

- (a) eighteen years old, in the case of a motor vehicle; or
- (b) sixteen years old, in the case of a motor cycle or motor bicycle.

Schedule 1

(3) A person may apply for a drivers licence by filling Form 5 set out in Schedule 1 and submitting the Form with the prescribed fee to the Licensing Officer.

Issue of driver's licence.
Schedule 1

28. (1) The Licensing Officer or a person to whom power has been vested by

the Minister under section 3 of the Act shall on receiving the prescribed fee, issue a drivers licence as in Form 6 set out in the Schedule 1 if satisfied that the Act and Regulations made under the Act have been complied with.

(2) A Licence issued under subregulation (1) shall be either of the following:

- (a) Class A, entitling the holder of the licence to drive a tractor-trailer and a combination of truck and trailer;
- (b) Class B, entitling the holder of the licence to drive a bulldozer, traxcavator, crane, heavy duty equipment and tracker vehicle;
- (c) Class C, entitling the holder of the licence to drive a heavy duty truck of five tons or over;
- (d) Class D, entitling the holder of the licence to drive a truck under five tons;
- (e) Class E, entitling the holder of the licence to drive a car, an SUV or a light pick-up;
- (f) Class F, entitling the holder to drive an automatic vehicle only; and
- (g) Class M, entitling the holder to ride a motor cycle.

(3) The holder of a licence of a class referred to under subregulation (2) is, in addition to driving the motor vehicles belonging to that class, entitled to drive a motor vehicle belonging to some other class as may be specified in the licence.

(4) A driver's licence may at the request of an applicant be issued for a period of not more than three years instead of for a period of one year, and is renewable on its expiry.

(5) The expiry date of a driver's licence is the anniversary date of the birthday of the holder of the driver's licence, except that where that date falls on the 29th of February, the expiry date shall be the 28th of February in any year that is not a leap year.

(6) The fee prescribed for the issue or renewal of a driver's licence shall be reduced proportionately, where after the issue or renewal of a driver's licence in accordance with subregulation (4),

- (a) a new driver's licence is issued to the person or a holder of a

driver's licence is having the licence renewed; and

- (b) the period of time between the issue of the new licence or the renewal, and the next anniversary date of the person's birthday is less than one year.

(7) Notwithstanding subregulation (1), a person who at the date of the commencement of this regulation is the holder of a driver's licence is entitled to renew that licence until the 31st December, 1985, in the form in which it was first issued, but the renewal of driver's licences after that date shall be in the form prescribed in Form 5 set out in Schedule 1.

(8) The Licensing Officer shall require an applicant for a driver's licence issued outside the Virgin Islands to pass a written test before granting the applicant a driver's licence.

(9) The Licensing Officer may require an applicant for a driver's licence who is the holder of a valid driver's licence issued outside the Virgin Islands to pass a driving test before granting the applicant a driver's licence.

Learner driver's licence.

29. (1) A person may learn to drive a motor vehicle if the person

- (a) is eighteen years and above, or in the case of motor cycle, sixteen years and above; and

- (b) has applied to the Licensing Officer for a learner driver's licence and has been issued with the licence as in Schedule 3.

Schedule 3

(2) The Licensing Officer shall on the payment of the prescribed licensing fee, issue a learner driver's licence to the applicant in the form set out in Schedule 3, if the Licensing Officer is satisfied that the Act and these Regulations have been complied with.

Schedule 3

(3) The vehicle used for instructing a learner driver shall have displayed to the front and rear in a manner clearly visible, distinguishing marks, conforming to the colour, shape and dimensions specified in Schedule 3.

(4) A learner driver shall, while driving on a public road be accompanied for the purpose of instruction by a licenced driver sitting next to the driver.

(5) The learner driver and the person accompanying the learner driver shall be jointly and severally liable for an offence against these Regulations committed during the course of the instructions.

Application for and issue of, driving permits

30. A person shall not drive a taxi cab unless the person is issued by the Licensing Officer, with a taxi driver's permit in accordance with the Road Traffic (Taxi-Cab) Regulations, 1993.

Taxi driver's permit.
No. 28 of 1993

31. (1) A person shall not be issued with, a "B", "L", "S" or "T" motor vehicle driver's permit unless the person is licensed in accordance with these Regulations.

"B", "L", "S" or "T" motor vehicle driver's permit.

(2) A person may apply to the Licensing Officer for a "B", "L", "S" or "T" motor vehicle driver's permit by filling the form set out in Part 1 of Schedule 4, if the person

Schedule 4

- (a) possesses a valid driver's licence;
- (b) possesses a police certificate;
- (c) possesses a certificate of medical fitness including an eye examination indicating that the person is fit to operate a "B", "L", "S" or "T" motor vehicle; and
- (d) has satisfactorily completed a course of training conducted by the British Virgin Islands Tourist Board for drivers of motor vehicles plying for hire.

(3) The application shall be submitted with a receipt acknowledging payment of an application fee of two hundred dollars, and three recent and identical passport photographs of the applicant.

(4) The Licensing Officer shall require an applicant to prove that

- (a) he or she has adequate knowledge of the roads in the area to which these Regulations apply;
- (b) he or she has adequate driving experience in the Territory for a period of not less than five years prior to the date of the applicant's application for the "B", "L", "S" or "T" motor vehicle driver's permit;
- (c) he or she is a fit and proper person to possess a "B", "L", "S" or "T" motor vehicle driver's permit; and
- (d) the sponsor of the applicant has a Trade Licence enabling the sponsor to engage in a livery transportation service and in

the case of an applicant who owns the livery transportation service, proof that he or she has the requisite trade licence.

(5) The Licensing Officer may in addition to the requirement under subregulation (1), require the applicant to supply further information in support of the application.

(6) For purposes of subregulation (4) (a), “adequate knowledge” means the ability to obtain a pass-mark of not less than sixty-five per cent in a written or oral test comprising,

- (a) general knowledge of these Regulations;
- (b) general knowledge of the geography of the Territory and more specifically location of hospitals, police stations, hotel, shopping areas, major points of historic or cultural interest, entertainment, travel terminals and transportation facilities to and from the Territory;
- (c) public relations;
- (d) maintenance of a clean and mechanically fit motor vehicle;
- (e) complete knowledge of the Regulations under the Road Traffic Act, and approved tariff structure for hire or tour motor vehicle operators;
- (f) general knowledge of safe driving practices;
- (g) information on the types and amount of insurance coverage relating to hire or tour motor vehicle operations; and
- (h) importance of the livery transport service to the tourism industry and the resident population.

Cap. 218

Issue of “B”,
“L”, “S” or “T”
motor vehicle
driver’s permit.
Schedule 4

32. (1) The Licensing Officer shall issue a “B”, “L”, “S” or “T” motor vehicle driver’s permit in the form set out in Part II of Schedule 4, if satisfied that the applicant has complied with regulation 31.

(2) The Licensing Officer shall refuse to issue a “B”, “L”, “S” or “T” motor vehicle driver’s permit if the applicant fails after two attempts within a period of thirty days, to pass the prescribed test.

(3) The Licensing Officer shall notify an applicant in writing of a refusal and the grounds for the refusal, where the Licensing Officer refuses to issue a “B”, “L”, “S” or “T” motor vehicle driver’s permit to the applicant.

(4) The Licensing officer shall not accept any further or renewed application from an applicant to whom the grant of a “B”, “L”, “S” or “T” motor vehicle driver’s permit has been refused until the expiration of a period of two months from the date on which the applicant is notified in writing by the Licensing Officer that the grant of a “B”, “L”, “S” or “T” motor vehicle driver’s permit has been refused.

(5) Regulation 31 shall apply with the necessary modifications to further applications made consequent to a refusal to grant a “B”, “L”, “S” or “T” motor vehicle driver’s permit under this regulation.

(6) The Licensing Officer may refuse to grant or renew an application for a “B”, “L”, “S” or “T” motor vehicle driver’s permit on the grounds that the applicant

- (a) has been convicted of an offence under the Road Traffic Act or these Regulations;
- (b) has been convicted of a crime of theft or violence;
- (c) is of bad character or repute; or
- (d) is suffering from an infectious disease or an affliction which renders the applicant incapable of driving or controlling efficiently, a hire or tour motor vehicle.

Cap.218

33. (1) A “B”, “L”, “S” or “T” motor vehicle driver’s permit issued under these Regulations shall be valid for a period of one year from the date of the issue.

Duration of a “B”, “L”, “S” or “T” motor vehicle driver’s permit.

(2) Notwithstanding subregulation (1), the Licensing Officer may cancel or suspend for a period as the Licensing Officer considers appropriate, a “B”, “L”, “S” or “T” motor vehicle driver’s permit, on any of the grounds for which an application might have been refused.

(3) The holder of a permit cancelled or suspended under subregulation (2) may appeal to the Minister against the decision and the Minister’s decision shall be final.

34. A driver’s licence or permit issued under these Regulations shall be signed by the Licensing Officer or a person to whom the function of issuing a driver’s licence or permit is delegated by the Minister under section 3 of the Act.

Signing of licence or permit.
Cap. 218

“B”, “L”,
“S” or “T”

motor
vehicle
driver’s
permit to be
produced on
demand.

35. (1) A person issued a permit to drive a “B”, “L”, “S” or “T” motor vehicle shall carry along the driver’s permit while in charge or control of the vehicle.

(2) A police officer, traffic warden or an officer authorised in writing by the Minister may at all reasonable times demand the production of a person’s “B”, “L”, “S” or “T” motor vehicle driver’s permit from the person when the person is in control or charge of a “B”, “L”, “S” or “T” registered motor vehicle.

Surrender of
“B”, “L”, “S”
or “T” motor
vehicle
driver’s
permit.

36. A person licensed to drive a “B”, “L”, “S” or “T” registered motor vehicle shall surrender to the Licensing Officer, the driving permit issued to the person

(a) within seven days of ceasing to operate the “B”, “L”, “S” or “T” livery transport service; or

(b) within fourteen days of a suspension or cancellation of the “B”, “L”, “S” or “T” motor vehicle driver’s permit.

Issue of duplicate
“B”, “L”, “S” or
“T” motor
vehicle driver’s
permit.

37. (1) The person to whom a “B”, “L”, “S” or “T” motor vehicle driver’s permit is issued may apply to the Licensing Officer for a duplicate of the permit, if the permit is lost, destroyed or mutilated.

(2) A duplicate of the “B”, “L”, “S” or “T” driver’s permit shall be issued, when the applicant

(a) lodges with the Licensing Officer two passport photographs;

(b) satisfies the Licensing Officer that the applicant is

(i) the same person as the person to whom the original “B”, “L”, “S” or “T” motor vehicle permit was issued;
or

(ii) the holder of a surrendered mutilated “B”, “L”, “S” or “T” driver’s permit; and

(c) pays a fee of one hundred dollars to the Licensing Officer.

(3) The Licensing Officer shall issue to the applicant, a “B”, “L”, “S” or “T” motor vehicle driver’s permit in the form prescribed in Parts II and III of Schedule 4 clearly marked “DUPLICATE”, if the Licensing Officer is satisfied that the requirements under subregulation (2) have been complied with.

Schedule 4

Livery transport services

38. (1) A person may operate a business that renders a livery transport service, if the person belongs to the Virgin Islands and has procured the requisite permit to undertake that business.

Persons entitled to own livery transport service businesses

(2) Notwithstanding subregulation (1), a non-belonger granted an exemption by the Minister to operate a livery transport service prior to the commencement of these Regulations may continue to operate that business upon submitting written proof of the exemption to the Minister within six months from the commencement of these Regulations.

(3) The Licensing Officer may on an application to him or her by a person to whom subsection (2) apply or an employee of that person, issue to the person or the person's employee a driver's permit for purposes of the person's business, if the person or the person's employee satisfies the requirements for the issue of a driver's permit.

39. (1) A community transit bus service shall be exclusively operated by the Government, except where the Government considers it appropriate to grant a franchise to a particular transport operator.

Operating a community transit bus service.

(2) A franchise granted to a person under subsection (1), may be subject to terms and conditions the Minister considers appropriate.

(3) A person issued a permit to drive a community transit bus shall not use the motor vehicle for any other livery service, and shall provide the community transit bus service on roads designated by the Minister, by a Notice published in the *Gazette*.

(4) Each pick-up and drop-off point on a designated road shall be identified by an affixed sign post with the inscription "BUS STOP".

(5) The Minister shall determine the hours of operation of a community transit bus service, in accordance with the frequency of travellers in that community.

(6) The Minister shall cause a bus schedule to be prepared for each community served with a transit bus service.

(7) The schedule prepared under subregulation (6) shall be published in the *Gazette* after it has been approved by the Minister, and copies of the schedule shall be pasted at each pick-up or drop-off point.

(8) The bus fare for each designated route shall be determined by the Cabinet and the fare as determined published in the *Gazette* by Notice.

(9) The driver of a community transit bus shall not use the bus to transport

- (a) a passenger travelling with a live animal or cargo; and
- (b) luggage that would cause discomfort to other passengers or block access to and from the bus.

(10) A community transit bus service

- (a) used for the city limits shall be a long body-type vehicle with the entry and exit doors on the left side of the vehicle and having a seating capacity of not less than thirty passengers and an aisle of about six feet in height allowing passengers to stand or walk in the bus; and
- (b) used for country routes shall be a mini-van with a wide sliding door for access into the bus and having a seating capacity of not less than fourteen passengers.

(11) The maximum seating capacity of each community transit bus shall be clearly marked on the bus.

Operating a
Limousine
service.

40. (1) A person issued a permit to drive a Limousine shall subject to subregulation (2), not use the motor vehicle for any other livery service, and in providing the Limousine service, shall use the Limousine to transport a person to a wedding, prom, concert, special group function or other similar function.

(2) The driver of a Limousine may carry persons on an exclusive VIP tour, if the driver's employer has a trade licence to operate a tour transport service.

(3) The fare for a Limousine service shall be on an hourly basis and the exact amount to be charged for an hour shall be as agreed on between the service provider and the passenger, and the full amount for the service paid for before the service is rendered.

(4) Payment for a Limousine service shall not be made under any circumstance to the driver in the course of rendering the service.

Operating a
shuttle service.

41. (1) A person issued a permit to drive a shuttle motor vehicle shall not use the motor vehicle for any other livery service, and in providing the service, shall transport people from one specified location to another in the form of a special chartered drop-off.

(2) For purposes of this regulation, “specified location” includes hotels, schools, restaurants, ports and special gatherings.

(3) The fare for a shuttle service shall be as agreed on between the service provider and the passenger and shall be paid for before the service is rendered.

42. (1) A person issued a permit to drive a tour vehicle shall not use the motor vehicle for any other livery service other than to conduct a tour.

Operating a tour service.

(2) A tour service provider shall not conduct a tour, unless the tour has been pre-arranged between the tourist and the service provider prior to the arrival of the tourist in the Territory.

(3) The fare for a tour service shall be as agreed on between the service provider and the passenger and shall be paid for before the service is rendered.

43. A livery service provider shall not hire an expatriate driver to operate the service provider’s livery motor vehicle, unless the expatriate driver has

Expatriate driver.

(a) a valid entry permit and immigration status from the Immigration Department;

(b) been granted a work permit from the Labour Department to work in the Territory under the trade licence and business of that livery service provider; and

(c) applied to the Licensing Officer for

(i) a Virgin Islands driver’s licence and has been issued the licence; and

(ii) a livery driver’s permit under the sponsorship of the service provider and has been issued the permit.

44. (1) Notwithstanding regulations 39(3), 41(1) and 42(1), a livery service provider on a Sister Island to whom regulation 14(4) apply may, provide

Special provision for Sister Islands.

(a) shuttle;

(b) tour ; and

(c) community transit bus,

service to the community on that Sister Island, using a motor vehicle registered for the purpose of providing a tour or shuttling service.

(2) Regulations 41 (3) and regulations 42 (3) do not apply to a livery service provided under subregulation (1).

Transportation
service voucher.

45. (1) A person who prior to his or her arrival at a Port in the Territory has pre-arranged for a taxi or livery service shall submit to the Port Dispatcher, his or her voucher confirming the pre-arranged service.

(2) The name on the voucher submitted under subregulation (1) shall be matched with the taxi or livery service provider's checklist before the service provider is permitted to transport the person.

Roadworthiness and operation of motor vehicle

Conditions on
which certificate
of fitness may
issue.

46. (1) A certificate of fitness in respect of a motor vehicle shall not be issued, unless the following conditions are satisfied:

- (a) with respect to reversing, the motor vehicle, if it exceeds nine hundred lbs. in unladen weight, is capable of being worked that it may travel either forwards or backwards;
- (b) with respect to overall width and length, the motor vehicle, not being a motor cycle, does not exceed seven feet in overall width or twenty-two feet in overall length or a greater width or length as the Licensing Officer may allow;
- (c) with respect to lateral overhang, the lateral overhang of the motor vehicle does not exceed six inches on each side and the longitudinal overhang does not exceed seven twenty-fourths (7/24ths) of the overall length of the vehicle;
- (d) with respect to brakes,
 - (i) the motor vehicle is equipped with two entirely independent braking systems or with one efficient braking system having two independent means of operation, the design and construction shall in each case, be in a manner that the failure of a single portion of any braking system or means of operation does not prevent the brakes on the other system or means of operation from operating effectively so as to bring the vehicle to rest within a reasonable distance;

- (ii) in the case of a motor vehicle having more than three wheels and equipped with two independent braking systems, each braking system is designed and constructed so that if the brakes act either directly or indirectly on two wheels, they shall act on two wheels on the same axle;
- (iii) in the case of a single braking system operated directly or indirectly to the same cross-shaft, the brakes applied by one of the means acts on all of motor vehicle directly, and not through the transmission gear; and
- (iv) in all cases the brakes operated by one of the means of operation acts directly on the wheels and not through the transmission gear;
- (e) with respect to the condition of a vehicle, the motor vehicle and its fittings are in a condition that, in the opinion of the examining officer would not cause or be likely to cause danger to a person on, the motor vehicle or a public road;
- (f) respect to a silencer, the motor vehicle is fitted with a silencer to the satisfaction for the examining officer;
- (g) with respect to unauthorised figures and lights, except with the permission of the Licensing Officer, there shall not be affixed to the front or rear of a motor vehicle any letters or figures other than those on the identification plate or any lighted lamps; and
- (h) with respect to lights, except with the permission of the Licensing Officer, there shall not be added to the motor vehicle, any coloured light which impairs the vision of on-coming drivers at night.

(2) In the case of a one braking system referred to under subregulation (1)(d)(i), the two means of operation shall not be deemed to be dependent on each other solely by reason of the fact that they are connected either directly or indirectly to the same cross-shaft.

(3) The Licensing Officer may authorise the issue of a certificate of fitness in respect of a vehicle which does not comply with subregulation (1)(a), (b) and (c).

47. (1) A motor vehicle shall be equipped with at least two lamps at the front of the vehicle, one on each side. Lights.

(2) The two lamps at the front of a vehicle shall be lighted when a motor vehicle is in motion on a road at night, and the rays from the lamps shall be

- (a) uncoloured;
- (b) of an intensity as to illuminate the road ahead for a distance of at least seventy-five yards or a greater distance, if the vehicle is capable of proceeding at a speed greater than twenty miles an hour; and
- (c) sufficient to ensure the safety of the vehicle and the persons carried on the vehicle and to indicate clearly the presence of the vehicle to the approaching traffic.

(3) Notwithstanding subregulations (1) and (2), a motor cycle shall be equipped with one light, but if a side-car is attached to the motor cycle, there shall be shown on that side of the side-car not adjacent to the motor cycle, an additional light of sufficient intensity to indicate the presence of the side-car from a distance of not less than twenty-five yards from approaching traffic.

(4) A motor vehicle shall when on a road at night, carry at least two lamps showing a red light to the rear, one on each side, and of an intensity as to clearly indicate its presence on the road to traffic approaching from behind within a reasonable distance, and one lamp showing an uncoloured light constructed with an intensity to illuminate clearly the figures and numbers on the rear registration plate so that they are visible at a distance of not less than twenty-five yards.

(5) Spot lights or other similar swivelling lights shall not be carried on a motor vehicle without the permission of the Licensing Officer.

(6) The Licensing Officer may subject to conditions, authorise the use of spots or swivelling lights.

(7) A motor vehicle capable of proceeding at a speed greater than twenty metres per hour (mph) shall be provided with a device whereby the front lamps of the vehicles can be dipped or dimmed to cast their rays to a distance of not more than twenty-five yards in front of the motor vehicle.

(8) The driver of a motor vehicle capable of proceeding at a speed greater than twenty metres per hour (mph) when driving at night shall, dip or dim the lights of the driven motor vehicle on meeting another motor vehicle, motor cycle or other traffic, bearing lighted lamps.

Rules to be
observed by
drivers.

48. (1) A driver of a motor vehicle shall

- (a) not cause the motor vehicle to travel backwards for a greater

distance or time than may be requisite for the safety or convenience of the occupants of the motor vehicle and of the passengers and other traffic on the road;

- (b) when in control of the motor vehicle, be in a position as to be capable of having a full control over the motor vehicle or obtain a full view of the road and traffic ahead of the motor vehicle;
- (c) before quitting the motor vehicle, stop the engine and apply the brakes so as to maintain the motor vehicle in a stationary position without the use of any other device;
- (d) not allow a person to sit on the right side of the driver unless that motor vehicle is constructed as a left-hand driven vehicle and in which case, a person shall not sit on the left side of the driver;
- (e) when driving on a road other than a dual carriageway, keep the motor vehicle on the left side of the road unless prevented by some sufficient cause;
- (f) when meeting, or being overtaken by other vehicles on a road other than a dual carriageway, keep as close as possible to the left or near side of the road;
- (g) when driving on a road other than a dual carriageway, keep to the right or off side of other motor vehicles when overtaking those vehicles;
- (h) drive as close to the side of the road as possible when being overtaken by other vehicles on a road other than a dual carriageway, so as to allow those vehicles to pass, and in all cases, drive so as to give as much space as possible for the passing of other traffic;
- (i) not increase the speed of the motor vehicle whilst being overtaken by another vehicle;
- (j) not overtake other traffic unless the driver has a clear and unobstructed view of the road ahead and of any intersecting roads;
- (k) not over take other traffic unless the driver sees that the road ahead is clear for a sufficient distance to enable an overtaking and subsequently get back to the assigned side before meeting traffic from the opposite direction and without causing the vehicle which is being overtaken to alter its speed;

- (l) not cross a road or turn in a road or proceed from one road into another road, or from a road into a place which is not a road, unless the driver can do so without obstructing other traffic on the road;
- (m) for purposes of paragraph (l), be held to be obstructing other traffic if the driver poses a risk of an accident to other drivers;
- (n) keep as close as possible to the left side of each road, when turning from one road into another to the left;
- (o) when turning from one road into another road to the right, drive round the point of intersection of the two roads keeping as close as possible to the left side of each road;
- (p) not stop the motor vehicle within a distance of twenty feet from a corner, drive, carriageway, or private road leading from a public road, unless compelled by the necessities of traffic on the road to do so;
- (q) not draw up the motor vehicle alongside another motor vehicle nor be at the back of the motor vehicle to the kerb stone of a footpath or to the side of a road, except for the purposes of turning;
- (r) when leaving a motor vehicle stationary on a road at night, park the motor vehicle as close as possible to the left hand side of the road facing the direction in which the motor vehicle was proceeding;
- (s) not negligently or wilfully prevent, obstruct, hinder or interrupt the free passage of any motor vehicle, person or animal;
- (t) when approaching turning and cross roads or coming from a private road or place to a public road, slow down and make the appropriate traffic signal;
- (u) when turning across traffic or turning to the right, slow down and make the appropriate traffic signal;
- (v) when about to stop or slow down the motor vehicle on any public road, do so gradually and make the appropriate traffic signal;
- (w) when quitting any place at which his or her motor vehicle has been stationary, make the appropriate traffic signal; and
- (x) comply with the directions of all traffic signs unless prevented by some sufficient cause.

(2) Engaging of the gears of a motor vehicle shall for purposes of subregulation (1)(c) not be deemed to be equivalent to, or a substitute for, applying of the brakes.

(3) A driver of a motor vehicle shall when using the motor vehicle on a road make the following traffic signals:

- (a) raise the hand towards the shoulder, and move the forearm well forwards and then backwards in a vertical plane, making the movement sufficiently pronounced to be easily seen, when it is proposed to go straight ahead;
- (b) move the arms slowly and repeatedly downwards and upwards keeping it below the level of the shoulder, when about to slow down or stop and shall extend the right arm and hand horizontally with the palm of the hand turned downwards;
- (c) extend the right hand and arm horizontally, palm turned to the front, when about to turn across traffic, turn to the right or when quitting any place at which the vehicle has been stationary;
- (d) the driver shall extend the right arm and move his or her hand in an anti-clockwise direction, when about to turn left;
- (e) extend the right arm and hand with the palm turned to the front, and hold them rigid in a horizontal position straight out from the offside of the vehicle, when it is proposed to turn to the right;
- (f) extend the right arm and hand below the level of the shoulder and move them backwards and forwards, when acknowledging a signal indicating that a following driver wishes to overtake the driver's motor vehicle.

(4) The appropriate signal shall be given so far as practicable by the use of the left-hand and arm, and not the right-hand and arm, where the vehicle in question is a left-hand drive.

(5) The driver of a motor vehicle may indicate an intention to turn either right or left by the appropriate use of traffic indicators, where a motor vehicle is fitted with automatic traffic indicators.

(6) The driver of a motor vehicle shall

- (a) conform to the rules of the road with regard to all kinds of Traffic;
 - (b) comply with the lawful signals of a police officer charged with the regulation of traffic; and
 - (c) comply with any traffic warning and directional signs.
- (7) Slow moving traffic shall keep as much to the left as possible.
- (8) The driver of a motor vehicle shall
- (a) draw up as close as possible to the side of the road so as to allow a clear roadway for passing traffic, when about to stop the motor vehicle on a road;
 - (b) remove the motor vehicle at the request of a police officer, when the motor vehicle is placed in a position as to cause or be likely to cause obstruction on a road;
 - (c) immediately remove the motor vehicle when requested to do so by the occupier or the servant of the occupier of premises the access to which is obstructed by the motor vehicle;
 - (d) not draw up the motor vehicle on a road in a manner that would prevent or hinder drivers of other motor vehicles from complying with the directions of any traffic signal; and
 - (e) not leave the motor vehicle drawn up on a public road for an undue length of time, having regard to the circumstances of the case, including the amount of traffic at the time or traffic reasonably expected to be on the road.
- (9) The driver of a motor vehicle shall
- (a) have attached to the motor vehicle a horn or other approved instrument capable of giving audible and sufficient warning of its approach or position when sounded; and
 - (b) not sound the motor vehicle's horn or other approved instrument, except for the purpose of giving warning of its approach.
- (10) Every horn or other instrument shall, either be of a kind which has

been approved by the Licensing Officer generally as proper to be used on motor vehicles, or which has been approved by it in a special case on the application of the owner of the motor vehicle.

(11) A person shall not use a horn or other instrument in a manner that would be a nuisance or annoyance to other people.

(12) The Licensing Officer shall prohibit the use of any horn or instrument, the use of which is likely to be a nuisance or cause annoyance to the general public.

(13) A driver of a motor vehicle shall

- (a) ensure that sparks, smoke or visible vapour of an avoidable nature which would cause annoyance or danger to the public is not emitted from a motor vehicle in the driver's charge when the motor vehicle is, on or near any public road; and
- (b) take proper precautions to prevent the unnecessary discharge of lubricating oil on any road, from a motor vehicle in the driver's charge.

(14) A driver in charge of a motor vehicle shall on the request of a police officer in uniform, or if the hand of a police officer is raised as a signal for that purpose, cause the motor vehicle to stop and to remain stationary so long as may be reasonably necessary.

(15) A driver in charge of a motor vehicle shall not allow the motor vehicle to carry more persons than it was constructed to seat or licensed to carry.

(16) A driver in charge of a motor vehicle shall

- (a) not leave or permit to be left on a public road a motor vehicle which has broken down without taking the requisite steps to indicate its presence and position by lighting or otherwise, to other persons using the road; and
- (b) take immediate steps to have it removed as near to the left of the road as possible.

(17) A driver in charge of a motor vehicle shall on the approach of

- (a) an engine or other apparatus of a Fire Brigade proceeding to or from a fire or suspected fire, or
- (b) an ambulance,

draw up close to the left-hand side of the road and stop, leaving the centre of the road clear for the passage of the engine or other apparatus, and two motor vehicles shall not stand abreast.

Requirement for riding a motor cycle.

49. A person shall not ride a motor cycle or motor bicycle on a public road unless the person is wearing a crash helmet at the time of riding.

Putting petrol into motor vehicles.

50. (1) A person shall not

- (a) put petrol in a receptacle on or adjacent to a motor vehicle while the engine of the motor vehicle is running or while a light other than an electric light is alight on the vehicle;
- (b) put petrol in the tank of a motor vehicle while the engine is running or while a light other than an electric light is alight on the vehicle; or
- (c) smoke, light a match or expose a naked light in close proximity while petrol is being filled.

(2) A person who contravenes subregulation (1) commits an offence.

Reflecting mirror.

51. A motor vehicle other than a motor cycle shall, be equipped with a reflecting mirror constructed and fitted to the motor vehicle as to enable the driver of the motor vehicle to become aware of the presence of other vehicle in the rear.

Noisy motor vehicles.

52. A person driving or in charge of a motor vehicle which causes a loud noise to the annoyance or disturbance of a person commits an offence.

Tyres.

53. (1) Tyres of a motor vehicle shall at all times be maintained in a condition as to be free from a defect which might in any way cause

- (a) damage to the surface of the road;
- (b) danger to a person on the motor vehicle; or
- (c) danger to a person using the road.

(2) A person shall not be convicted under this regulation if the person proves to the satisfaction of the Court that, by reasonable diligence, the person could not have become aware of the defect.

(3) A pneumatic tyre is deemed to be defective if all the rubber is worn out on a section of the outer surface of the tyre, whether that surface bears on the road or not.

(4) A person who uses a defective tyre on a motor vehicle commits an offence.

54. (1) The owner, driver or other person in control or in charge of a broken down motor vehicle shall remove or take reasonable steps to secure the removal of the vehicle from the road as soon as is practicable, when Removal of broken down vehicle.

- (a) the vehicle broken down on a road in a circumstance where the defect cannot be remedied within a reasonable time;
- (b) the presence of the motor vehicle is likely to obstruct or to cause danger to other persons using the road; or
- (c) required to do so by a police officer on the ground that the vehicle has remained at rest on the road in a position or in a condition likely to cause danger to other persons using the road,

(2) Notwithstanding subregulation (1), a police officer may remove or take reasonable steps to secure the removal of a broken down motor vehicle, where

- (a) the owner, driver or other person in control or in charge of the motor vehicle fails or neglects to comply with the provisions of subregulation (1);
- (b) the owner, driver or other person in control or in charge of the motor vehicle is not known to the police officer; or
- (c) in the opinion of the police officer, the owner, driver or other person in control or in charge of the motor vehicle is unlikely to be found within a reasonable time, or the person, if found will be unable to comply with the provisions of subregulation (1).

Miscellaneous

55. (1) A person commits an offence if the person Penalty for offences.

- (a) operates a vehicle without a licence;
- (b) operates a vehicle with an unauthorised registration plate for a particular transport service;
- (c) operates a vehicle which is not road-worthy;

- (d) overcharges a passenger;
- (e) refuses a passenger or a trip without just cause;
- (f) operates outside the prescribed jurisdiction or specified route;
- (g) collects cash from passengers in contravention of these Regulations;
- (h) operates an uninsured motor vehicle on the road; or
- (i) operates a motor vehicle without the requisite permit.

(2) A person who contravenes subregulation (1) is liable on summary conviction to a fine not exceeding

- (a) five hundred dollars if the person is a first time offender;
- (b) five hundred dollars or a suspension of the person's driver's licence for a period not exceeding thirty days if the person is a second time offender of the particular offence, or both; and
- (c) five hundred dollars or a suspension of the person's licence for a period not exceeding sixty days if the person is a third time offender of the particular offence, or both.

(3) A person who contravenes a provision of these Regulations other than subregulation (1), commits an offence and is liable on summary conviction to a fine not exceeding one hundred and twenty dollars.

Consequential amendments.
Schedule 5

56. The enactment specified in column 1 of Schedule 5 is amended to the extent corresponding under column 2 of that Schedule.

Revocations.

57. The following enactments are revoked:

S.R.O. 3 of 1955

(a) the Motor Vehicles Regulations kept in force by section 62 of the Road Traffic Act (Cap. 218);

No.14 of 1996

(b) the Motor Vehicle (Amendment) Regulations, 1996;

- | | |
|---|----------------|
| (c) the Motor Vehicle (Amendment) Regulations, 1998; | No. 32 of 1998 |
| (d) the Motor Vehicle (Amendment) Regulations, 2004; | No. 9 of 2004 |
| (e) the Motor Vehicle (Amendment) (No. 2) Regulations, 2004; and | No. 53 of 2004 |
| (f) the Motor Vehicle (Amendment) Regulations, 2006. | No. 34 of 2006 |

58. (1) The owner of a motor vehicle which prior to the commencement of these Regulations is registered with “CM” motor vehicle registration plates but not registered in accordance with regulation 5 (2) (b) shall, within six months from the commencement of these Regulations, apply to the Licensing Officer to be re-registered in accordance with these Regulations and at no cost to the owner. Transitional provisions.

(2) The owner of a motor vehicle which prior to the commencement of these Regulations is registered with “PV” motor vehicle registration plates but not registered in accordance with regulation 5(2) (g) shall, within a time specified by the Minister in a Notice published in the *Gazette*, apply to the Licensing Officer to be re-registered in accordance with these Regulations and at no cost to the owner.

(3) A person who prior to the commencement of these Regulations is a licenced class ‘D’, ‘E’, ‘F’ or ‘G’ driver shall, within one year from the commencement of these Regulations or on the expiration of the person’s driving licence, whichever is shorter, apply to the Licensing Officer to be issued with the appropriate licence under these Regulations, equivalent in class to the type of vehicles the person is entitled to drive under the licence held by the person prior to the commencement of these Regulations.

SCHEDULE 1

Form 1

[Regulation 7(3)]

Form 1.

Vehicle Licensing Department



Ministry of Communications and Works, Government of the Virgin Islands

RG Hodge Plaza, Road Town, Tortola, BVI

Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423

Vehicle Registration Form

Registration No (Identification mark): B _____ CM _____
GV _____ L _____ MC _____
PA _____ RT _____ S _____
T _____ TX _____

Vehicle Type: (Car, SUV, Pickup etc.) _____

Vehicle Identification Number _____

Make: (Ford, Mitsubishi etc.) _____

No. of doors: _____

Model: (Explorer, Lancer etc.) _____

—

Year of Manufacture: _____ Engine No.: _____

Chassis No.: _____ Body No.: _____

Seating Capacity: _____ Colour: _____ Unladen

Weight: _____

(Inspecting Officer will verify the weight)

Customs T-12 No.: _____ Customs Receipt No.: _____

_____ Day _____ Month _____ Year

Insurance Policy Number:

Legal Owner

First Name: _____ Last Name: _____

Company Name:

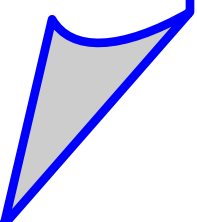
(Please affix company stamp or seal)

Address: _____ Telephone #: _____

Owner's Signature:

Agent's Signature:

& Company Stamp



FORM 2

MOTOR VEHICLE TRANSFER FORM

[Regulation 20 (1) (a)]

Form 2.

Vehicle Licensing Department



Ministry of Communications and Works, Government of the Virgin Islands
RG Hodge Plaza, Road Town, Tortola, BVI
Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423

Vehicle Transfer Form

Previous Registration No.: **Was** B CM GV L MC PA RT S T
TX _____

Current Registration No.: **Now** B CM GV L MC PA RT S T
TX _____

Current Legal Owner(s)

Address

I/We hereby Transfer Ownership To:

Address:

Date of Transfer: _____
Day Month Year

By Means of Sale/Gratis

Type: _____ Make: _____
(Car, SUV, Pickup etc.) (Ford, Mitsubishi etc.)

Model: _____ Colour: _____
(Explorer, Lancer etc.)

Chassis No.: _____

Year: _____

Seller's Signature: _____ Telephone No.: _____

(Notary Public for Seller(s))

Buyer's Signature: _____ Telephone No.: _____

(Notary Public for Buyer)

Note: All Persons wishing to complete transfers are advised that both parties (the buyer and the seller) are required to be present (with proof of identity – Driver's License) at the Vehicle Licensing Department to sign the transfer form in the presence of a representative from the Vehicle Licensing Department, or a Notary Public must notarize the signature(s) on the transfer form. This came into effect on 1st June 2001.

The transfer of the vehicle must be completed within 7 days of purchase.

For Official Use by Vehicle Licensing Department

Verify Buyer's Information

Verify Seller's Information

Form 3.

Vehicle Licensing Department

Ministry of Communications and Works, Government of the Virgin Islands

RG Hodge Plaza, Road Town, Tortola, BVI

tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423



APPLICATION FOR LICENCE FOR A MOTOR VEHICLE

PARTICULARS.

Full name of Owner

Residential Address

Registered Letter and Identification mark and number

Type of Vehicle

Whether intended for –

(a) Private or Government use, or
.....

(b) Use for trade purposes

Period for which licence is required

Signature of Owner

Date

Form 4.

Vehicle Licensing Department

Ministry of Communications and Works, Government of the Virgin Islands

RG Hodge Plaza, Road Town, Tortola, BVI

Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423



Examining Officer's Certificate.

Number

I HEREBY CERTIFY THAT

(1) I have personally made thorough examination of, and have driven and tested the:

Motor Vehicle No.

Owned by

of

Which is described below: -

(a) Chassis manufactured by
.....

(b) Model
.....

(c) Engine No.

(d) No. of Cylinders.....

(e) Year manufactured
.....

(f) Factory number of Chassis
.....

- (g) Unladen weight in pounds or kilogrammes when new
.....
- (h) Type of
body.....
....
- (i) Tare in pounds
.....

and found the condition of its several parts to be:

- Chassis
- Engine
- Body
- Tyres
- Brakes
- Mechanism
- Horn.....

and have allowed a

- Longitudinal overhang of
- Lateral overhang of

(2) The said vehicle
conforms to the Regulations for the time being in force under the Road Traffic
Act, and is in good and proper condition to:

- (a) Carry passengers
- (b) Carry a load of pounds
- (c) Be licensed for an unladen weight of pounds or
kilogrammes

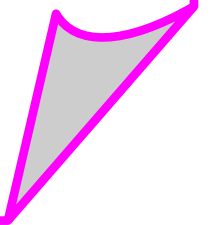
(3) And that the said may be duly licensed.

(4) That not more than persons may sit on the left of the driver.

.....

Examining Officer

Date of Certificate



Form 5.

Vehicle Licensing Department

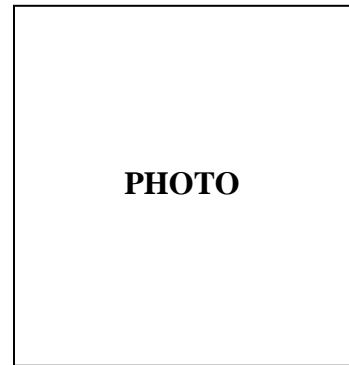
Ministry of Communications and Works, Government of the Virgin Islands

RG Hodge Plaza, Road Town, Tortola, BVI

Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423



Particulars to be given by an applicant for issue of Driver's Licence



| | | |
|----|---|------------------------------|
| 1. | Full Name of Applicant | |
| 2. | Postal Address and Residence of Applicant | |
| 3. | State type (class) of Motor Vehicle that you intend to drive | |
| 4. | Applicant's Date of Birth (MM/DD/YY) | |
| 5. | Nationality | |
| 6. | Blood Type: (Proof Required) Social Security No.: (Proof Required) | A+ A- B+ B- O+ O- AB+ AB- |

| | | |
|-----|---|---|
| 7. | Are you the holder of a driver's Licence and have you at any time previously been the holder of a driver's Licence? If so, state number, place and date of issue and expiration. | Yes <input type="checkbox"/> No: <input type="checkbox"/> DL Number: Date of Issue: Expiration Date: |
| 8. | State particulars of any driving Licence which you hold or have previously held. | |
| 9. | State particulars of any endorsement on any driving permit which you hold or have previously held. | |
| 10. | Have you at any time been disqualified from obtaining a driver's Licence? If so, state particulars as to the Court, by Whom, the date on which and the period for which the disqualification was imposed. | |
| 11. | Have you passed a driving test? If so, state by whom tested. | Yes <input type="checkbox"/> No: <input type="checkbox"/> By: |
| 12. | Are your physique, vision, hearing and bodily and mental fitness such as to qualify you for the issue of a driver's Licence? | |
| 13. | Name of Employer, and Work Permit No., or Non Belonger Land Holder's Licence or Belonger or Residence Card or any other belonger status you may have for the BVI. | Employer: Work Permit No.: Land Holder's Licence No.: Belonger or Residence Card No.: |

Signature of Applicant: _____

Date of Application: _____

| | |
|---------------------------------|------------------------|
| For Official Use Only | |
| Driver's Licence Number: | |
| Expiration Date: | |
| Years: | Amt: \$ |
| Issued By: | Receipt Number: |

Approved by: _____
(for) Chief Licensing Officer

FORM 6

[Regulation 28 (1)]

Form 6.

Front

Reverse

Virgin Islands Drivers Licence

Entitled to drive
Vehicles of Class

Photograph of
Licensee

Licence No.....

Class A.

B, C, D, E

Name

& F.

.....

Class B.

C, D, E &

Address

F.

.....

Class C.

D, E & F.

.....

Class D.

E & F.

Signature of Licensing
Authority.....

Date of

Class E.

F.

.....

Birth.....

Class F.

--

Date of
Expiry.....

Date of

Class M.

issue.....

Class

.....

Right thumb print of the
licence holder.

SCHEDULE 2

[Regulation 9]

DIAGRAM



The “diagram above is an unscaled version of the registration plate. The actual size of the plate including lettering and spacing is represented below.

PROVISIONS TO BE COMPLIED WITH

1. Each plate must be rectangular and bear upon it the index mark “B”, “CM”, “DL”, “GV”, “L”, “MC”, *’P_”, “RT”, “S”, “T”, “Temporary”, “TX”, the crest of the House of Assembly or a customised index mark depending on the use of the motor vehicle, and all the separate numbers assigned to the motor vehicle therefore making the identification mark alpha numerical in sequence.

2. With the exception of a customised registration plates and the special registration plates given to members of the House of Assembly, the mark and number will be arranged in conformity with the arrangements of the letters and figures shown on the diagram.

3. In the case of

- (a) a motor vehicle to be used as a community transit bus the ground of the plate must be red and gold and the letters and figures must be in black. The letters “B” shall precede the number;
- (b) a motor vehicle to be used as a commercial vehicle the ground of the plate must be light blue and the letters and figures must be in black. The letters “CM” shall precede the number;

- (c) a motor vehicle pending licensing and registration, to be used by a car dealer the ground of the plate must be grey and the letters and figures must be black. The letters “DL” shall precede the number;
- (d) a motor vehicle to be used as a Government vehicle the ground of the plate must be red and the letters and figures must be in white. The letters “GV” shall precede the number;
- (e) a motor vehicle to be used as a Limousine the ground of the plate must be purple and the letters and figures must be in black. The letters “L” shall precede the number;
- (f) a motor vehicle to be used as a House of Assembly vehicle, the ground of the plate must be black and the letters and figures must be in white. The crest of the House of Assembly shall precede the number;
- (g) a motor cycle or motor bicycle to be used as a private vehicle, the ground of the plate must be yellow and the letters and figures must be black. The letters MC shall precede the number;
- (h) a motor vehicle to be used as a private vehicle, the ground of the plate must be yellow and the letters and figures must be in black. The letters *‘P_’ shall precede the number;
- (i) a motor vehicle to be used as a rental vehicle, the ground of the plate must be light green and the letters and figures must be in black. The letters “RT” shall precede the number;
- (j) a motor vehicle to be used as a shuttle vehicle, the ground of the plate must be a graphic design depicting the blue sky, sea with the BVI’s historical windmill printed to the right side of the plate. The letters and figures must be in black and the letter “S” shall precede the number;
- (k) a motor vehicle to be used as a tour vehicle, the ground of the plate must be a graphic design depicting the BVI’s famous beach at Long Bay Beach Island and the letters and figures must be in black and the letter “T” shall precede the number;

- (l) a motor vehicle which has been assigned registration plates which have been lost, damaged or stolen and new plates are on order; the ground of the temporary plate must be white and the letters “TEMPORARY” must be black. The letters “TEMPORARY” alone shall be on the plate; and
- (m) a motor vehicle to be used as a Taxi vehicle the ground of the plate must be white and the letters and figures must be black. The letters “TX” shall precede the numbers.

*The alphabet next after an index mark “P” on a motor vehicle with registration plate, shall be any alphabet from “A” to “Z”.

4. All letters and figures of the index mark and number assigned to the plate must be two and a half inches high. The stroke of every letter and figure must be five-sixteenth of an inch broad, and the spacing between letters and numbers shall be three-eighths of an inch.

5. The space between adjoining letters, adjoining figures or adjoining letters and figures must be two inches, and there must be a margin between the nearest part of any letter and figure and the top and bottom of the plate of at least one and three-quarter inches, and between the nearest part of any letter or figure and the sides of the plate of at least one and a half of an inch.

6. Two inscriptions must be printed above and beneath the index mark and number assigned to the plate as follows:

- (a) VIRGIN ISLANDS –will be printed above the index mark and number assigned to the plate. All letters must be a half inch high; the stroke of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter, except in the case of the letter I, must be one half of an inch;
- (b) There must be a margin between the nearest part of any letter and the top of the plate of at least three-quarters of an inch, and between the nearest part of any letter and the sides of the plate at least two and fifteen-sixteenths of an inch;
- (c) NATURE’S LITTLE SECRETS – will be printed beneath the index mark and number assigned to the plate but in the case of a taxi or livery vehicle, the inscription “TAXI” or “LIVERY” respectively, shall be printed instead. All letters must be nine-sixteenths of an inch high; every part of every letter must be one-eighth of an inch broad, and the total

width of the space taken by every letter except in the case of the letter I, must be five-sixteenths of an inch; and

- (d) There must be a margin between the nearest part of any letter and the bottom of the plate of at least one and one-sixteenths of an inch, and between the nearest part of any letter and the sides of the plate of at least one and seven-eighths of an inch.

7. In the case of a House of Assembly vehicle, two inscriptions must be printed above and beneath the index mark and number assigned to the plate as follows:

- (a) VIRGIN ISLANDS-will be printed above the index mark and number assigned to the plate. All letters must be a half inch high; the stroke of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter, except in the case of the letter I, must be one half of an inch;
- (b) There must be a margin between the nearest part of any Letter and the top of the plate of at least three-quarters of an inch, and between the nearest part of any letter and the sides of the plate at least two and fifteen-sixteenths of an inch;
- (c) HOUSE OF ASSEMBLY – will be printed beneath the index mark and number assigned to the plate. All letters must be nine-sixteenths of an inch high; every part of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter except in the case of the letter I, must be five-sixteenths of an inch; and
- (d) The crest of the House of Assembly shall be the index mark.

8. In the case of a bus, Limousine, shuttle and tour vehicle, two inscriptions must be printed above and beneath the index mark and number assigned to the plate as follows:

- (a) VIRGIN ISLANDS-will be printed above the index mark and number assigned to the plate. All letters must be a half inch high; the stroke of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter, except in the case of the letter “I”, must be one half of an inch;

- (b) There must be a margin at least three quarters of an inch between the nearest part of each letter and the top of the plate, and a margin of at least two and fifteen-sixteenths of an inch between the nearest part of each letter and the sides of the plate; and
- (c) LIVERY-will be printed beneath the index mark and number assigned to the plate. All letters must be nine-sixteenths of an inch high; every part of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter except in case of the letter “I”, must be five-sixteenths of an inch.

9. In the case of a motor vehicle for which customised registration plates are to be used, two inscriptions must be printed above and beneath the index mark and number assigned to the plate as follows:

- (a) VIRGIN ISLANDS-will be printed above the index mark and number assigned to the plate. All letters must be a half inch high; the stroke of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter, except in the case of the letter I, must be one half of an inch;
- (b) There must be a margin between the nearest part of any letter and the top of the plate of at least three-quarters of an inch, and between the nearest part of any letter and the sides of the plate at least two and fifteen-sixteenths of an inch;
- (c) NATURE’S LITTLE SECRETS – will be printed beneath the index mark and number assigned to the plate. All letters must be nine-sixteenths of an inch high; every part of every letter must be one-eighth of an inch broad, and the total width of the space taken by every letter except in the case of the letter I, must be five-sixteenths of an inch; and
- (d) The customed words or letters shall be the index mark.

10. The size of the plate shall be twelve inches by six inches, and rounded at the corners. A border will be printed around the perimeter of the plate, which will be felled at one-quarter of an inch. The border will be one-eighth at the sides and three-sixteenths at the tip and bottom of the plate.

11. The provisions of items 6, 7 and 8 shall not apply in the case of plates for a motor vehicle whose the plates are lost, damaged or stolen.

12. In the case for a motor cycle or a motor bicycle of an unladen weight not exceeding eight hundred weights, each of the dimensions mentioned above may be halved, and the shape of the plate need not be rectangular so long as the minimum margin between any letter or figure and the top, bottom, and sides of the plate is preserved. The provisions of item 6, 7 and 8 shall not apply.

13. The registration plate shall be made of .040 aluminium gauge, with embossed text, except in the case of a registration plate assigned to a House of Assembly vehicle; the text shall not be embossed.

SCHEDULE 3

[Regulation 29]



MINISTRY OF COMMUNICATIONS & WORKS

Vehicle Licensing Department
Road Town, Tortola
British Virgin Islands



r. 29(1) & (2)

SCHEDULE 3
LEARNER DRIVER'S LICENCE

Granted to:

of:

Date of Birth: _____ Age: _____

**THIS LICENSE IS VALID FOR A PERIOD OF THREE MONTHS
UNLESS RENEWED**

Authority is hereby granted to enable you to drive a motor vehicle upon a road for the purpose of learning to drive.

PROVIDED:

- (a) That you are accompanied for the purpose of instruction by a person holding a valid BVI driver's licence and sitting next to you;
- (b) That you **DO NOT DRIVE** in Road Town, between the hours of 8:00 a.m. to 9:00 a.m., 11:30 a.m. to 2:00 p.m. and 4:00 p.m. to 5:00 p.m. **any day of the week;**
- (c) That you **DO NOT DRIVE A PUBLIC SERVICE VEHICLE** when it is conveying passengers; and
- (d) That the vehicle in which you are driving has a sign, which bears the words "**LEARNER DRIVER**" displayed in red at the rear and front ends. i.e.

**LEARNER
DRIVER**

Issued On: _____

Receipt No.: _____

Expires on: _____

(For) Chief Licensing Officer



MINISTRY OF COMMUNICATIONS & WORKS
Vehicle Licensing Department
 Road Town, Tortola
 British Virgin Islands



r. 29 (1) & (2)

SCHEDULE 3
LEARNER DRIVER'S LICENCE FOR RIDING A MOTORCYCLE

Granted To: _____

Of: _____

Date of Birth: _____ Age: _____

**THIS LICENSE IS VALID FOR A PERIOD OF THREE MONTHS
 UNLESS RENEWED**

Authority is hereby granted to enable you to ride a motorcycle upon a road for the purpose of learning to ride.

PROVIDED:

- (a) That you **DO NOT RIDE** in Road Town, between the hours of 8:00 a.m. to 9:00 a.m., 11:30 a.m. to 2:00 p.m. and 4:00 p.m. to 5:00 p.m. **any day of the week;**
- (b) That you **DO NOT RIDE A PUBLIC SERVICE MOTORCYCLE** when it is conveying passengers; and
- (c) That the motorcycle in which you are riding has a sign, which bears the words **"LEARNER DRIVER"** displayed in red at the rear and front ends.

Issued On: _____ Receipt No.: _____

Expires On: _____

(For) Chief Licensing Officer

[Regulation 29]

Diagram of distinguishing mark to be displayed, on a motor vehicle being driven by the holder of a learner driver's licence.

Red letters on white ground



The corners of the white ground may be rounded off.

SCHEDULE 4

PART I

[Regulation 31(2)]

Form

Vehicle Licensing Department

Ministry of Communications and Works, Government of the Virgin Islands
RG Hodge Plaza, Road Town, Tortola, BVI
Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423



r.31(2)

**APPLICATION FOR PERMIT
TO DRIVE A "B", "L", "S" or "T" REGISTERED MOTOR VEHICLE**

**THE LICENSING OFFICER:
MINISTRY OF COMMUNICATIONS AND WORKS**

PHOTO

1. **Full name (block capitals)**
.....
2. Identification particulars (if any)
3. Nationality and place of birth
4. Residential address
5. Driver's Licence-
 - (a) number
 - (d) date of issue
 - (e) contact phone number.....
 - (f) classes
.....
.....
6. Details of previous year's taxi-driver's licence (if any)-
 - (a) number
 - (b) date of issue.....
7. Name and address of Employer (where applicable)
8. Give details of previous experience as a driver
9. Place from which you intend to operate
- Date.....
- Signature of applicant

PART II

[Regulation 32(1) and 37(3)]

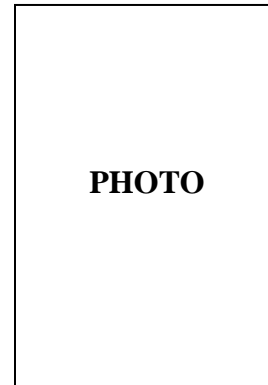


Vehicle Licensing Department

Ministry of Communications and Works, Government of the Virgin Islands
RG Hodge Plaza, Road Town, Tortola, BVI
Tel: 284-494-3544 or 284-494-3701 Ext. 4938 Facsimile: 284-494-3423

PARTICULARS FOR A “B”, “L”, “S” or “T” DRIVER’S PERMIT

ROAD TOWN



“B”, “L”, “S” or “T” DRIVER’S PERMIT NUMBER

In terms of the Road Traffic (Motor Vehicle Registration and Operation, and Driver and Vehicle Licensing) Regulations, 2009 the person named is permitted to drive the livery motor vehicle bearing the company name “”.

This permit is issued without alteration, and subject to the following conditions

- (a) it remains valid only for the period stated below;
- (b) it is not transferable to any other person;

(c) it shall be produced on demand to any police officer, traffic warden or to any authorised official of the Ministry of Communications and Works.

Name of permitted driver:

.....

permit card number:

Residential address:

.....

Date of issue:

Date of expiry:

.....
Chief Licensing Officer.

Note: This permit must be retained and produced on application for renewal.

FOR OFFICIAL USE ONLY

Fee paid

Number and date of receipt

Results of tests

Street

Map-reading

Result of police report (if any).....

Comments of testing-officer (if any)

permit authorised to expire on

Date.....

.....

For: Chief Licensing Officer.

SCHEDULE 5

[Regulation 56]

| COLUMN 1 | COLUMN 2 |
|---|---|
| Enactment. | How amended. |
| <p>Road Traffic (Tax-Cab) Regulations, 1993 (No. 28 of 1993).</p> | <ol style="list-style-type: none"> 1. The Regulations is amended by the substitution for “taxi licence”, of “taxi permit” wherever found in the Regulations, and accordingly a reference in any other legislation or document to a “taxi licence” is to be construed as a reference to a “taxi permit”. 2. Regulation 4 is amended <ol style="list-style-type: none"> (a) by substituting for paragraph (a) of subregulation (1), of the following: <ol style="list-style-type: none"> “(a) he <ol style="list-style-type: none"> (i) holds the requisite driver’s licence issued under the Road Traffic Act, and (ii) has held the driver’s licence for a period of five consecutive years prior to the date of applying for a taxi permit; (iii) possesses a police certificate indicating that he has not been convicted for a criminal activity in the last ten years; (iv) possesses a certificate of medical fitness, including an eye examination, indicating that he is fit to operate a taxi vehicle; (v) has satisfactorily |

| | |
|--|--|
| | <p>completed a course of training conducted by the Virgin Islands Tourist Board for prospective drivers of vehicles plying for hire;”;</p> <p>(b) in subregulation (2) by substituting for the words “, except with the written approval of the Minister.”, of the words “by the Minister.”; and</p> <p>(c) by inserting a new subregulation (3) as follows:</p> <p>“Notwithstanding subregulation (2), a non-belonger granted an exemption by the Minister to operate a taxi service prior to the commencement of these Regulations may continue to operate that business, and is entitled to be issued with a driver’s permit for purposes of his or her business.”</p> <p>and renumbering subregulation (3) as subregulation (4).</p> <p>3. Sub-paragraph (i) of paragraph (b) of regulation 5 is revoked and a new sub-paragraph substituted as follows:</p> <p>“(i) a fee of forty dollars;”.</p> |
|--|--|

Made by the Minister this 20th day of July, 2009.

(Sgd.) JULIAN FRASER,
Minister for Communications and Works.