

**BERMUDA STATUTORY INSTRUMENT**

**SR&O 6/1950**

**PUBLIC CARRIAGE (EQUIPMENT, LICENCES, ETC.)  
REGULATIONS 1950**

*[made under section 3 of the Public Carriage Act 1949 [title 21 item 9] and  
brought into operation on 4 March 1950]*

ARRANGEMENT OF REGULATIONS

1	Citation	15	Application for driver's licence
2	Interpretation	16	Driver's licence
3	Equipment	17	Defacing licence
3A	Animal diapers	18	Change of name or address
4	Colour	19	Re-issue
5	Safe condition	20	Disability; restrictions on driver
6	Permit to operate	21	Disability; other conditions of licence
7	Examination of carriage	22	Disability becoming more severe
8	Initial licence		
9	Renewal		
10	Defacing licence		
10A	Licence to state maximum number of passengers		
11	Change of name or address		
12	Removal or destruction of carriage to be reported		
13	Registration number		
14	Plates		

## **PUBLIC CARRIAGE (EQUIPMENT, LICENCES, ETC.) REGULATIONS 1950**

---

### **Citation**

1 These Regulations may be cited as the Public Carriage (Equipment, Licences, etc.) Regulations 1949.

### **Interpretation**

2 In these Regulations—

"the Board" means the Public Service Vehicles Licensing Board established under the Motor Car Act 1951 [*title 21 item 4*];

"public carriage driver's licence" or "driver's licence" means a licence to drive a public carriage under the Public Carriage Act 1949 [*title 21 item 9*].

### **Equipment**

3 (1) Every public carriage shall be equipped with suitable and sufficient springs between each wheel and the frame of the carriage.

(2) Every public carriage shall be equipped with an efficient braking system and—

(a) the operation of that system shall be such as to have the effect of applying brakes to the two rear wheels of the carriage;

(b) the actuating device of that system shall be so designed and fitted to the carriage that it is at all times within easy reach of the driver;

(c) that system shall be so adjusted that sufficient braking force can be applied to the rear wheels of the carriage so as to bring it to a standstill within a reasonable time from the application of the brake.

(3) All the wheels of a public carriage shall be properly fitted to their axles; and rubber tyres shall be securely fixed to the wheel rims.

(4) The lights and reflectors fitted to a public carriage shall be properly adjusted.

(5) Every public carriage shall be fitted with a warning instrument of such pattern and of such specifications as the Member may from time to time consider satisfactory.

### **Animal Diapers**

3A (1) A person shall not operate a public carriage on any road in Bermuda unless there is attached to the animal drawing the carriage a device fitted in such a manner as to prevent the animal from depositing manure or solid excreta on the road.

(2) A person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to the penalty specified in section 25 of the Public Carriage Act 1949.

*[Regulation 3A inserted by BR 78/1999 effective 1 March 2000]*

**Colour**

4 A public carriage shall be painted in such colours as the Member may from time to time consider satisfactory.

**Safe condition**

5 Every public carriage, and all parts and accessories thereof, including the harness, shall, at all times while the carriage is in use, be maintained in such condition and, where applicable, be so adjusted, that no danger is caused or is likely to be caused to any person in or on the carriage, or on the road, or to any horse drawing the carriage.

**Permit to operate**

6 (1) Application for a permit to operate a public carriage service shall be made to the Board in such form as the Board may from time to time determine which shall be completed and signed by the applicant and by two reliable persons having personal knowledge of the applicant.

(2) A permit granted by the Board in pursuance of section 5 of the Public Carriage Act 1949 shall be in such form as the Board may from time to time determine and shall be issued by the Board to the applicant therefor.

(3) In any case where a permit is revoked under section 5 of the Public Carriage Act 1949 the holder of the permit shall return the permit to the Board within seven days of the revocation for the purpose of its retention by the Board.

**Examination of carriage**

7 (1) It shall be lawful for the Board to appoint such days during the months of November, February, May and August in each year for the examination of public carriages as they may think expedient for carrying out the relevant provisions of the Public Carriage Act 1949.

(2) Notwithstanding anything in paragraph (1)—

(a) where a carriage has not been initially examined and the owner desires it to be so examined; or

(b) where a public carriage for any reason requires an examination arising out of a quarterly general examination; or

(c) where a carriage has for any reason not been examined on the day or at the time and place appointed for that

**PUBLIC CARRIAGE (EQUIPMENT, LICENCES, ETC.)  
REGULATIONS 1950**

---

purpose under paragraph (3) and the owner of the carriage desires it to be examined,

the Board, upon application in that behalf by the owner of the carriage, may appoint a day for the examination of the carriage, whether or not the day so appointed is within the period specified in paragraph (1).

(3) The Board shall cause notice to be given to the owner of any carriage which is to be examined in pursuance of paragraph (1) or (2) of the day upon which, and the time and place at which, the carriage will be examined, and such notice may be by public advertisement or otherwise.

(4) It shall be the duty of the owner of a carriage to cause the carriage to be available for examination on the day and at the time and place notified to him under paragraph (3).

(5) In any case where a carriage is examined in pursuance of the Public Carriage Act 1949 and is found on such examination to be fit for use as a public carriage, the inspector or the examiner who conducts the examination shall complete a certificate in such form as the Board may from time to time determine and forward the form duly completed and signed to the owner of the carriage.

*[Regulation 7 amended by 2008:44 s.16 effective 23 December 2008]*

**Initial licence**

8 (1) Application for the initial issue of a public carriage licence shall be made in such form as the Board may from time to time determine.

(2) No public carriage licence shall be issued to an applicant therefor unless—

- (a) the form of application is completed and signed by the applicant;
- (b) the carriage has been duly examined and has been certified under regulation 7(5) to be fit for use as a public carriage;
- (c) the licence duty prescribed by the Act is paid to the Board.

(3) A public carriage licence shall be in such form as the Board may from time to time determine.

*[Regulation 8 amended by BR 7/1993 effective 5 March 1993]*

**Renewal**

9 A public carriage licence in respect of the use of a duly licensed public carriage shall be renewed periodically by the Board in respect of periods of twelve months subsequent to the expiry of the initial period of validity of the licence—

- (a) upon surrender of the licence to the Board for the necessary alterations; and
- (b) upon production to the Board of a certificate under regulation 7(5) that the carriage has been duly examined; and
- (c) upon payment to the Board of the licence duty of one dollar and twenty cents.

**Defacing licence**

10 No person shall deface or mutilate any public carriage licence or obliterate any entry made therein or (except as provided by these Regulations) make any entry in or addition to such licence.

**Licence to state maximum number of passengers**

10A Every public carriage licence shall state the number of passengers authorized to be carried by virtue of the licence.

**Change of name or address**

11 If any alteration occurs in respect of the name or address of the owner of a public carriage, which alteration affects the registration particulars set out in the public carriage licence, the owner shall within one month notify such alteration to the Board in writing, and at the same time shall deliver the licence to the Board for the necessary alteration.

**Removal or destruction of carriage to be reported**

12 Where a public carriage—

- (a) has been destroyed; or
- (b) has been rendered permanently unserviceable; or
- (c) has been permanently removed from Bermuda,

the person who was at the material time the owner of the carriage shall within fourteen days of the event—

- (i) notify the Board in writing of the circumstances;
- (ii) return the public carriage licence to the Board.

**PUBLIC CARRIAGE (EQUIPMENT, LICENCES, ETC.)  
REGULATIONS 1950**

---

**Registration number**

13 (1) The identification mark to be carried by a public carriage shall consist of the registration number assigned by the Board to that public carriage and shall be exhibited on a flat oval plate which shall be of such pattern, specification, size and colour, and which shall carry such lettering and figures, as the Board may determine.

(2) Identification marks shall be exhibited on a public carriage—

(a) on the back of the rear seat of the carriage facing to the rear; and

(b) on the back of the front seat of the carriage facing to the rear,

and each such identification mark shall be affixed upright in a conspicuous position with the upper edge of the figures upward.

(3) No other figures or letters, and no design, ornamentation or article shall be placed near to, over or upon any identification mark in such manner as to be liable to render it more difficult to read or distinguish such identification mark when the public carriage is in use.

**Plates**

14 The Board shall supply to the owner of a public carriage, upon the initial issue to him of a public carriage licence, two plates each bearing the identification mark assigned to the public carriage:

Provided that both plates shall be returned to the Board—

(a) in any case mentioned in regulation 12; or

(b) when so required by the Board;

and if either or both plates are not within a reasonable time returned, or are returned having suffered damage otherwise than by fair wear and tear, the Board may recover a sum not exceeding sixty cents in respect of each plate not duly returned or returned having suffered such damage, as the case may be.

**Application for driver's licence**

15 (1) Application for a public carriage driver's licence shall be made to the Board in such form as the Board may from time to time determine.

(2) No original driver's licence shall be issued to an applicant therefor unless—

(a) the form of application is completed and signed by the applicant and the certificate of medical fitness appended thereto has been duly completed and signed by a

medical practitioner not more than one month before the date of application:

Provided that where the applicant is the holder of a valid licence to drive a motor car it shall not be necessary for the certificate of medical fitness to be completed or signed;

- (b) the application is accompanied by a certificate of knowledge of local topography signed by a person authorized by the Minister to sign such a certificate;
- (c) the application is made within two months of the date from which the licence is required to run;
- (d) the application is accompanied where so required by the Board—
  - (i) by satisfactory proof of the age of the applicant; and
  - (ii) by a certificate of character from a responsible person who has personal knowledge of the applicant;
- (e) the application is accompanied by two photographs of the head and shoulders of the applicant, being of a size approximately 2 3/4 x 2 1/4 inches, one of which shall be affixed in the space provided in the form of application;
- (f) a fee of sixty cents is paid to the Board.

**Driver's licence**

16 (1) A driver's licence shall be in the form of a book containing particulars in such form as the Board may from time to time determine.

(2) Where a licence is limited to the driving of public carriages of a particular construction or design, or to the driving of a particular carriage, particulars of the limitation shall be entered on the licence.

**Defacing licence**

17 No person other than a person authorized by the Board or a court in that behalf shall deface or mutilate any driver's licence or alter or obliterate any entry made therein or make any entry in or addition to such licence.

**Change of name or address**

18 If any alteration occurs in respect of the name or address of the holder of a driver's licence he shall forthwith inform the Board in writing and shall deliver up the licence to the Board for amendment accordingly.

**PUBLIC CARRIAGE (EQUIPMENT, LICENCES, ETC.)  
REGULATIONS 1950**

---

**Re-issue**

19 Upon the expiration of a driver's licence it may be reissued by the Board upon the applicant for such reissue—

- (a) completing and signing an application in such form as the Board may from time to time determine;
- (b) delivering to the Board for amendment the driver's licence previously held by the applicant;
- (c) delivering, where so required by the Board, a certificate of good character from a responsible person who has personal knowledge of the applicant;
- (d) paying a fee of sixty cents to the Board.

**Disability; restrictions on driver**

20 Notwithstanding any other provision of these Regulations, where it appears to the Board—

- (a) that an applicant for a driver's licence suffers from a disability which impairs his capacity to control safely a carriage of ordinary design or construction;
- (b) that such disability will not substantially impair his capacity to control safely a public carriage specially constructed, adapted or equipped so as to meet the case,

the Board, if they are satisfied as to his competency to drive or control that public carriage, may issue to him a driver's licence subject, to a condition that the driver's licence shall not be valid in respect of any public carriage other than the public carriage specified therein and shall be valid only while the specified public carriage is specially adapted or equipped to the satisfaction of the Board.

**Disability; other conditions of licence**

21 Where any person who has a disability which impairs his control of a carriage is able, by means of glasses, artificial limbs or other devices, as the case may be, to correct that disability to such an extent that a driver's licence is issued under these Regulations, it shall be deemed to be a condition of the licence that the holder thereof, when driving a public carriage, wears such glasses, artificial limbs or other devices as may be necessary to correct his disability; and if while driving a public carriage he fails to do so, the driver's licence shall be deemed to be invalid during the period he so drives the public carriage.

**Disability becoming more severe**

22 Where a person who is the holder of a valid driver's licence has reason to believe or suspects upon reasonable grounds—

- (a) that he is suffering from a disability which impairs, or is liable to impair, his ability to control a carriage, and that disability has not been disclosed to the Board in connection with the issue or reissue of the licence as aforesaid; or
- (b) that he is suffering from a disability which impairs, or is liable to impair, his ability to control a carriage, and that the disability, although disclosed to the Board in connection with the issue or reissue of the licence as aforesaid, has become more acute,

he shall forthwith inform the Board in writing, and the Board may in pursuance of section 16 of the Public Carriage Act 1949, require the holder of the licence to submit himself to a medical examination.

---

[Amended by:

1968 : 222  
1973 : 45  
SR&O 52/1972  
BR 33/1980  
BR 7/1993  
BR 78/1999  
2008 : 44]