

**A BILL
ENTITLED**

AN ACT to Afford persons a period of reprieve to address outstanding matters related to prescribed notices issued prior to February 1, 2023, under section 116 of the Road Traffic Act, 1938, and to nullify demerit points recorded against all driver’s licences prior to February 1, 2023.

BE IT ENACTED by The King’s Most Excellent Majesty, by
and with the advice and consent of the Senate and House of
Representatives of Jamaica, and by the authority of the same, as
follows:-

Short title.

1. This Act may be cited as the Road Traffic (Reprieve and Nullification of Prescribed Notices) Act, 2023.

**Interpreta-
tion.**

2. In this Act, unless the context otherwise requires –

“outstanding traffic penalty” means the fixed penalty in respect of an offence to which section 116 of the Road Traffic Act, 1938, relates that would have been payable, pursuant to a prescribed notice issued during the period commencing on February 1, 2018, and ending on January 1, 2023, before the end of twenty-one days following the date of the notice or such longer period (if any) as may be specified in the notice;

“prescribed notice” means a notice issued under section 116(2) of the Road Traffic Act, 1938, in respect of an offence to which that section relates;

“qualifying person” means any person who was served a prescribed notice;

“reprieve” means the relief set out in section 4(2);

“reprieve period” means the period specified in section 7.

- Declaration of reprieve.** 3. Subject to the provisions of this Act and notwithstanding any provision to the contrary in any other enactment, a reprieve is declared whereby, for the duration of the reprieve period, a qualifying person who pays an outstanding traffic penalty in accordance with section 4 shall be entitled to the relief specified in that section.
- Scope of reprieve.** 4. – (1) A qualifying person who, during the reprieve period, pays an outstanding traffic penalty, into the Traffic Court, shall be entitled to the relief set out in subsection (2).
- (2) The relief referred to in subsection (1) is that the qualifying person shall not be liable to be convicted of the offence in respect of which the qualifying person has paid the outstanding traffic penalty and proceedings shall not be taken against the qualifying person for that offence.
- Nullification and expungement of demerit points.** 5. Notwithstanding section 59B of the Road Traffic Act, 1938, where an outstanding traffic penalty has been paid, all demerit points recorded against the licence of a qualifying person, pursuant to section 59A of the Road Traffic Act, 1938, in respect of the offence concerned, shall be treated as nullified and shall be expunged from the records.
- Nullification of prescribed notices issued before February 1, 2018.** 6. All prescribed notices issued before February 1, 2018, for which payment of outstanding penalties have not been made are hereby rendered void and of no effect.
- Duration of the Act.** 7. This Act shall continue in force from the date of commencement and expires on January 31, 2023.

MEMORANDUM OF OBJECTS AND REASONS

The Road Traffic (Reprieve and Nullification of Prescribed Notices) Act, 2023, is being enacted to grant a reprieve to the motoring public in respect of offences for which prescribed notices were issued under section 116 of the Road Traffic Act, 1938.

Audley Shaw
Minister of Transport and Mining