

JAMAICA

No. 34 - 2015

I assent,

[L.S.]

Sgd. P-L. Allen

Governor-General.

31<sup>st</sup> day of December 2015

AN ACT to Amend the Transport Authority Act.

[31<sup>st</sup> day of December 2015]

BE IT ENACTED by The Queen'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:—

1. This Act may be cited as the Transport Authority (Amendment) Act, 2015, and shall be read and construed as one with the Transport Authority Act (hereinafter referred to as the "principal Act") and all amendments thereto.

Short title  
and  
construction.

2. The principal Act is amended by inserting immediately before section 16 the following as section 15A—

Insertion of  
new section  
15A in  
principal  
Act.

"Classification  
of public  
passenger  
vehicles.

15A.—(1) Subject to subsection (2), for the purposes of the *Road Traffic Act*, this Act, and the

regulations made under those Acts, public passenger vehicles shall be divided into the following classes—

- (a) stage carriages; that is to say, motor vehicles carrying passengers for hire or reward at separate fares for a single journey, stage by stage, and stopping to pick up or set down passengers along a designated route, and any other motor vehicles carrying passengers for hire or reward at separate fares and not being express carriages or hackney carriages as defined in this section;
- (b) express carriages; that is to say, motor vehicles not being hackney carriages, as defined in this section, carrying passengers for hire or reward at separate fares for a single journey and for a journey or journeys from one or more points specified in advance to one or more common destinations so specified, and not stopping to take up or set down passengers other than those paying appropriate fares for the journey or journeys in question;
- (c) contract carriages; that is to say, motor vehicles carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and not standing or plying for hire on any road;
- (d) hackney carriages; that is to say, motor vehicles carrying passengers for reward or hire as a whole, used in standing or plying for hire on any thoroughfare or place frequented by the public and which have

seating accommodation for not more than five persons, including the driver; and

- (e) route taxis; that is to say, motor vehicles, adapted for carrying no more than ten passengers for hire or reward at separate fares along a designated route not exceeding thirty kilometres, and stopping to pick up and set down passengers along that route.

(2) Subject to section 21 of the *Public Passenger Transport (Corporate Area) Act*, a public passenger vehicle adapted to carry less than eight passengers shall not be deemed to be a stage carriage or an express carriage by reason only that on occasions of public gatherings and other like special occasions it is used to carry passengers at separate fares.

(3) The Authority, in consultation with the Island Traffic Authority and the local authority shall, by order from time to time and subject to any restrictions or conditions specified in the order, authorize (within the area of the Authority) the use of certain sections of any road, or any other public place, as stands for contract carriages.

(4) Any person who fails to comply with a restriction or condition of an order under subsection (3) commits an offence and shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding ten thousand dollars.

(5) Where persons are carried in a motor vehicle for any journey for consideration of separate payments made by them, whether to the owner of the vehicle or to any other person, the vehicle in which they are carried shall be deemed to be a vehicle

carrying passengers for hire or reward at separate fares whether the payments are solely in respect of the journey or not.

(6) A vehicle used on a special occasion for the conveyance of a private party shall not be deemed to be a vehicle carrying passengers for hire or reward at separate fares by reason only that the members of the party have made separate payments which cover their conveyance by that vehicle on that occasion.

(7) For the purposes of this section, a motor vehicle shall be deemed to be used on a special occasion for the conveyance of a private party where it is used on a journey in relation to which the following conditions are satisfied, and not otherwise, that is to say—

- (a) arrangements for the bringing together of all the passengers for the purpose of making the journey as a party shall have been made by some person, not being the holder of the licence in respect of the vehicle or a person acting on behalf of the holder of the licence or a person who receives any remuneration in respect of those arrangements;
- (b) the journey shall be made without previous advertisement to the public of the arrangements for the journey;
- (c) all the passengers shall, in the case of a journey to a particular destination, be carried to, or to the vicinity of, that destination, or, in the case of a tour, be carried for the greater part of the journey;
- (d) no differentiation of fares for the journey on the basis of distance or of time shall be made; and

- (e) in the case of a journey to a particular destination, the passengers shall not include any person who, frequently or as a matter of routine, travels at or about the time of day at which the journey is made, to that destination from a place from or through which the journey is made.”.

3. Section 60 of the *Road Traffic Act* is repealed.

Repeal of  
section 60 of  
*Road Traffic  
Act.*

Passed in the House of Representatives this 3rd day of November, 2015.

MICHAEL A. PEART  
*Speaker*

Passed in the Senate this 3rd day of December, 2015.

A. BROWN  
*Deputy President.*

*This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.*

*Sgd. Valerie A. Curtis*  
Clerk to the Houses of Parliament.

