



BERMUDA

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

SR&O 9 / 1952

[made under sections 11, 102 and 103 of the Motor Car Act 1951 and brought into operation on 9 February 1952]

TABLE OF CONTENTS

1	Citation
2	Interpretation
3	Application to “restricted motor cars” and certain others
4	General principles
5	Minister may prohibit motor cars and trailers of abnormal design
6	Minister may regulate colour of motor cars and trailers
7	Minister may control lettering of restricted motor cars and trailers
8	Permit for diagram or trade mark device to be carried on restricted motor cars and trailers
9	Minister may publish lists of approved colours

Citation

1 These Regulations may be cited as the Motor Car (Control of Design, Colour and Advertising Matter) Regulations 1952.

Interpretation

2 In these Regulations—

“heavy truck”, “intermediate truck” and “light truck” shall be construed in accordance with provisions of section 40(7) of the Motor Car Act 1951;

“lettering” includes figures and punctuation marks;

“the Minister” means the Minister of Transport;

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

“restricted motor car” has the meaning assigned to it by regulation 3(1).

Application to “restricted motor cars” and certain others

3 (1) Subject as hereinafter in this regulation provided, regulations shall apply in relation to motor cars of the following classes (hereinafter in these Regulations referred to as restricted motor cars) whether or not any such motor car is in the service of the Government of Bermuda—

- (a) heavy trucks;
- (b) intermediate trucks;
- (c) light trucks
- (d) omnibuses;
- (e) motor taxis;
- (f) airport limousines; and
- (g) instructional vehicles.

(2) Subject as hereinafter in this regulation provided, these Regulations shall apply in relation to trailers, whether or not any such trailer is in the service of the Government of Bermuda.

(3) Nothing in these Regulations, except regulation 4, 5 and 6, applies in relation to—

- (a) a private motor car;
- (b) a motor cycle.

(3A) Nothing in the Regulations, except regulation 6, applies in relation to—

- (a) a motor car or trailer in the service of Her Majesty’s Forces or of the United States;
- (b) an ambulance;
- (c) a motor car in the service of the Bermuda Police Force;
- (d) a small tractor;

a self-propelled constructional machine.

(4) Nothing in these Regulations shall apply in relation to a fire-fighting vehicle.

General principles

4 The superficial design and colour of restricted motor cars and trailers and of any advertising matter displayed thereon shall be regulated and controlled by order of the Minister—

- (a) so as to conduce to road safety; and

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

- (b) so as to preserve as far as possible the amenities of Bermuda, notwithstanding any consideration of private gain.

Minister may Minister prohibit motor cars and trailers of abnormal design

5 The Minister may by order prohibit the use of any restricted motor car or of any trailer on any highway—

- (a) in any case where the design or build of the body of the motor car or trailer suggests, for the purpose of advertising any goods, any edifice, container or other article; and
- (b) in any case where the design or build of the body of the motor car or trailer is radically different from the normal design or build of motor cars of a similar class or, as the case may be, from trailers of a similar class.

Minister may regulate colour of motor cars and trailers

6 (1) Where—

- (a) the colour of any motor car or of any trailer; or
- (b) the combination of any colours on any motor car or trailer; or
- (c) the pattern or form of application of any two or more colours on the exterior surface of any motor car or trailer;
- (d) any advertisement, sign, design, motif or other ornamentation on the interior or exterior surface of any motor car or trailer,

is, in the opinion of the Minister, unsuitable, having regard to the amenities of Bermuda and the preservation of road safety, the Minister may by order prohibit the use of such motor car or trailer on any highway while it is so coloured or bears such advertisement, sign, design, motif or other ornamentation, as the case may be.

(2) If any person, being the owner of a motor car or of a trailer, applies in writing to the Minister for a declaration that a particular colour scheme for the motor car or trailer is an approved colour scheme, the Minister, after making such enquiries as he may in the circumstances think fit, shall as soon as may be send without charge to that person a declaration stating whether or not such colour scheme is an approved colour scheme.

(3) Notwithstanding anything in the foregoing provisions of this regulation if any motor car or trailer is coloured in a manner declared to be an approved colour scheme, the Minister shall not prohibit the use of that motor car or trailer under the provisions of paragraph (1).

(4) In this regulation “approved colour scheme”, in relation to a motor car or trailer in respect of which an application has been duly made under this regulation, means a colour scheme approved by the Minister for that motor car or trailer.

Minister may control lettering of restricted motor cars and trailers

7 (1) Without prejudice to regulation 8, the Minister may by order prohibit the use of any restricted motor car or of any trailer on any highway where the motor car or trailer

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

exhibits on the exterior surface any lettering of a nature or size which is not in conformity with this regulation, or where the provisions of this regulation are not complied with.

(2) Any such lettering shall be in respect of the following matter only, and shall comply with the dimensions specified in respect of such lettering—

- (a) the name of the person or firm owning the restricted motor car or trailer, when the lettering shall be not less than 4 cm. nor more than 15 cm. in height;
- (b) the nature of the business or the address or telephone number, or all of them, of such person or firm, when the lettering shall be not more than 6 cm. in height; and in any case the width of the lettering may be as great as one and one-half times the height thereof.

(3) Except with the approval in writing of the Minister no writing, drawing or any device whatever shall extend beyond the front door of any restricted motor car or of any trailer in the direction of the front of such motor car or trailer, and no slogans may be painted, printed or affixed to any part of such motor car or trailer.

(4) Without prejudice to any other provision of this regulation, but subject to paragraphs (7A) and (8), there shall be displayed on the exterior of both sides of every truck in respect of which a permit has been granted under section 40 of the Motor Car Act 1951 [*title 21 item 4*], the business name of the person or firm operating the truck in lettering not less than 4 cm. nor greater than 15 cm. in height, and the Minister may revoke any permit granted under section 40 of the Motor Car Act 1951 in respect of any truck which does not comply with the requirements of this paragraph, or may by order prohibit the use of any such truck.

(5) Both sides of any such truck as is referred to in paragraph (4) shall be identical in colour, lettering or any device thereon.

(6) Lettering in respect of the matters specified in paragraph (2) may be lawfully exhibited on the sides of any restricted motor car or any trailer.

(7) Lettering shall be properly spaced and symmetrically set out in relation to the design of the motor car or trailer and shall be in a contrasting colour to the background on which it is displayed.

(7A) The Minister may, upon application by a person or firm operating a truck in respect of which a permit has been granted under section 40 of the Motor Car Act 1951, exempt that person or firm from having to comply with the requirements of paragraph (4) in respect of that truck if, in the opinion of the Minister, the nature of the business of the person or the firm is such that it would not be appropriate for those requirements to apply.

(7B) For the purposes of paragraphs 4, 5 and 7A, truck includes a passenger truck within the meaning of section 40(7)(f) of the Motor Car Act 1951.

(8) Nothing in this regulation—

- (a) derogates from any statutory provision relating to—

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

- (i) the painting of the maximum Gross Vehicle Weight (GVW) on any truck or trailer;
 - (ii) the carrying of any identification or dealer's plate on any motor car;
 - (iii) the carrying of any serial number on a trailer;
 - (iv) the exhibition of a distinctive letter on a motor car when the motor car is used for the purpose of teaching a person to drive;
 - (v) the exhibition of a distinctive letter on a motor car or trailer when the motor car is used for the purpose of drawing a trailer;
 - (vi) the designation of motor taxis; or
 - (vii) the exhibition of letters on instructional vehicles as directed by the Minister;
- (b) prevents any person or organization owning or operating more than one restricted motor car or trailer from indicating the private serial number of the motor car or trailer in a suitable place with a letter and such figures as may be necessary all being of dimensions which are reasonable in the circumstances; or
- (c) applies—
- (i) to the manufacturer's name or other similar lettering which is an integral part of a motor car or trailer; or
 - (ii) to any necessary lettering relating to the operation and use of a motor car or trailer; or
 - (iii) to any necessary lettering relating to the destination of or route to be followed by an omnibus, or to the class of passengers to be carried thereby.

(9) Notwithstanding anything in the foregoing provisions of this regulation, the Minister where he thinks it proper to do so, may authorize any other lettering (whether or not such lettering is lettering embodied in a device mentioned in regulation 8) to be exhibited on a restricted motor car or on a trailer where such lettering does not relate to the advertisement of any person, firm or goods.

[Regulation 7 amended by BR 66/2009 effective 1 December 2009; paragraph (8) amended by 2011 : 23 s. 5 effective 5 July 2011]

Permit for diagram or trade mark device to be carried on restricted motor cars and trailers

8 (1) Notwithstanding anything in regulation 7, the Minister may issue permits, containing such conditions as he may think proper to impose, authorizing any device to be exhibited on any restricted motor car or on any trailer, whether or not such device has any lettering as an integral part thereof:

MOTOR CAR (CONTROL OF DESIGN, COLOUR AND ADVERTISING MATTER)
REGULATIONS 1952

Provided that only one such device may be exhibited on each side of such motor car or trailer and shall be confined within the limits of one or other of the templates approved by the Transport Control Department such templates having dimensions of 40 cm. x 40 cm. or 64 cm. x 25 cm.

(2) No restricted motor car or trailer shall be used on any highway while exhibiting any such device unless—

- (a) there is a valid permit issued by the Minister in respect of the device; and
- (b) the device and the situation thereof on the motor car or trailer conform to the specifications contained in the permit.

(3) In this regulation “device” includes a diagram or trademark and a design.

Minister may publish lists of approved colours

9 The Minister may from time to time publish by public advertisement or otherwise lists of colours approved by him as suitable colours for restricted motor cars or trailers.

[Amended by:

1968 : 222

1974 : 42

1976 : 58

SR&O 15 / 1969

SR&O 27 / 1971

SR&O 68 / 1975

BR 9 / 78

BR 26 / 81

BR 83 / 1988

BR 66 / 2009

2011 : 23]