



BERMUDA

MOTOR TAXI (SPECIAL PERMITS) ACT 1970

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Interpretation

1 In this Act—

“the Board” means the Public Service Vehicles Licensing Board established under the principal Act;

“the Minister” means the Minister responsible for transport;

“motor taxi” means a motor car, being a motor car which has seating accommodation for not more than 6 passengers, which is lawfully used for the conveyance of passengers for hire or reward;

“permit” means a permit granted by the Board under section 31 of the principal Act authorizing the operation of a taxi service;

“principal Act” means the Motor Car Act 1951 *[title 21 item 4]*

“qualified person” means a person who holds a valid driving licence which entitles him to drive a motor taxi:

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“restricted period”, in relation to a special permit, means a period of 5 years from the date on which the special permit is granted;

“special permit” means a permit granted by the Board under section 2.

[Section 1 "the Minister" amended by BR 5 / 2011 para. 5 effective 25 February 2011]

Public Service Vehicles Licensing Board may grant special permits

2 (1) Subject to this section, the Board may grant a qualified person a special permit authorizing the holder thereof to operate a motor taxi service.

(2) Subject to section 3, the number of special permits which may be granted under this section shall not exceed 88.

(3) The Board shall, by advertisements published in the Gazette and such daily newspapers as the Board may determine, invite applications to be made by qualified persons for the grant of a special permit and such advertisements shall indicate the restrictions applicable to a special permit and the fee payable therefor under this section.

(4) Section 31 of the principal Act shall apply to a special permit granted under this section as it applies to a permit granted under that section subject to the qualification that in exercising their power to grant a special permit the Board may, without prejudice to the generality of their discretion, give preference to an applicant who has expressed the intention, if granted a special permit, to drive the motor taxi himself.

(5) The following restrictions shall apply to special permits—

- (a) a special permit shall not entitle the holder to operate a taxi service in respect of more than one motor taxi;
- (b) not more than one special permit shall be granted to any person;
- (c) a special permit shall not be transferable by the holder to any other person within the restricted period except to the Board and for a sum not exceeding \$50,000 (and the Board is hereby authorized to accept the transfer):

Provided that, in the event of the death of the holder during the restricted period, his legal personal representative may transfer the permit to another pursuant to section 33 of the principal Act and, in that event, the restricted period shall, in relation to that permit, expire on the date of the transfer;

- (d) any purported transfer of a special permit in contravention of paragraph (c) shall have no legal effect;
- (e) in the event of the surrender of a special permit to the Board, no part of the fee payable under subsection (6) shall be refunded to the holder of the special permit.

(6) Where, in accordance with section 31 of the principal Act as applied by subsection (3) of this section, an application is made by a qualified person for the grant of a special permit, the Board may, in their discretion, if satisfied that the applicant is a

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suitable person to operate a motor taxi service, grant a special permit to that person on payment of a fee of \$50,000.

(7) All moneys received by the Board by way of fees shall be paid into the Consolidated Fund.

(8) Moneys shall be provided by the Legislature for defraying the expenses incurred by the Board in carrying out this Act.

Minister may increase maximum number of special permits

3 (1) The Minister may, from time to time, after consultation with the Board, by order published in the Gazette, increase the number of special permits which may be granted under section 2, and, as from the date of the publication of the order, this Act shall have effect accordingly.

(2) The negative resolution procedure shall apply to an order made under this section.

Expiration of restricted period

4 On the expiration of the restricted period a special permit shall for all purposes be treated as if it were a permit.

Amendment of principal Act

5 *[omitted]*

Further amendment of principal Act

6 *[omitted]*

Amendment of SR&O 1954/15

7 Regulation 4 of the Motor Car (Examination, Licensing and Registration) Regulations 1952 [*title 21 item 4(a)*], shall have effect as if any reference to a permit included a reference to a special permit granted under this Act.

[Assent Date: 5 June 1970]

[Amended by:

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BR 5 / 2011]