

BELIZE:

**MOTOR VEHICLES AND ROAD TRAFFIC (ELECTRONIC
DEVICES) REGULATIONS, 2023**

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BELIZE:

STATUTORY INSTRUMENT

No. 146 of 2023

REGULATIONS made by the Minister responsible for transport in exercise of the powers conferred upon him by section 112 of the Motor Vehicles and Road Traffic Act, Chapter 230 of the Substantive Laws of Belize, Revised Edition 2020, and all other powers thereunto him enabling.

(Gazetted 23rd December, 2023).

PART I

Preliminary

1. These Regulations may be cited as the

Citation.

**MOTOR VEHICLES AND ROAD TRAFFIC
(ELECTRONIC DEVICES) REGULATIONS, 2023.**

2. In these Regulations—

Interpretation.

“electronic device” means a portable electronic gadget, equipment or apparatus that facilitates or enables or performs an interactive communication function by transmitting and receiving data;

“emergency vehicle” means—

- (a) a vehicle used by, or carrying, transport officers, traffic wardens, fire fighters of the National Fire Service, or members of the Belize Police Department to or from—

- (i) the scene of a fire or place from which an alarm of fire has been sent;
 - (ii) the scene of a crime or motor vehicle collision;
 - (iii) a place where there is traffic congestion or civil disturbance; or
 - (iv) a rescue operation;
- (b) any ambulance attached to the ministry responsible for health, or a university hospital, or to any military hospital, carrying medical practitioners, medical subordinates, or hospital appliances or equipment to or from a place where a person has been reported to be in immediate need of medical attention;
- (c) any ambulance, not being an ambulance referred to in paragraph (b), with respect to which an Emergency Vehicle Permit has been granted by the Chief Transport Officer; or
- (d) any other motor vehicle in respect of which an Emergency Vehicle Permit has been granted by the Chief Transport Officer;

“Emergency Vehicle Permit” means a permit granted by the Chief Transport Officer in accordance with regulation 6;

“interactive communication function” includes—

- (a) making or receiving a call;
- (b) sending or receiving oral or written messages;
- (c) sending or receiving facsimile;

- (d) sending or receiving still or moving images; or
- (e) providing access to the internet;

“medical subordinate” includes intendants, sub-intendants, dressers, clerks, stewards, and nurses;

“road” means any street, road or open space to which the public are granted access and any bridge over which a road passes, and includes any privately owned street, road or open space to which the public are granted access either generally or conditionally;

“use” means holding an electronic device while performing an interactive communication function.

PART II

Prohibition on Use of Electronic Devices while Driving

3.–(1) A person shall not use an electronic device while driving or operating a motor vehicle on any road.

Prohibition on use of electronic devices while driving.

(2) A person shall not use an electronic device while supervising the driving of a holder of a learner’s permit.

(3) Any person who contravenes this Regulation commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

4.–(1) Notwithstanding regulation 3, a person may use an electronic device while driving or operating a motor vehicle if–

Exceptions to the prohibition on use of electronic devices while driving.

- (a) the electronic device is used in a hands-free manner;

- (b) the person uses the electronic device to call or send a message to the Belize Police Department, Department of Transport, Fire Service, a hospital, or an ambulance service about an emergency; or
- (c) the electronic device is used by a person operating an emergency vehicle while performing their duties.

(2) Notwithstanding sub-regulation (1)(a), where a person is operating an electronic device in a hands-free manner using an earpiece, that person shall wear the earpiece in one ear only.

Limitation on the application of regulation 3.

5. Regulation 3 shall not apply if the motor vehicle is safely parked off any road or lawfully parked on any road and is not impeding traffic.

PART III

Emergency Vehicle Permit

Emergency Vehicle Permit. Schedule I.

6. The Chief Transport Officer may, upon the application of a person specified in regulation 7, grant an Emergency Vehicle Permit, in the form set out in Schedule I, authorising an ambulance or other motor vehicle to be considered as an emergency vehicle.

Persons who may make application.

7. An application for an Emergency Vehicle Permit under regulation 6 may be made by—

- (a) the owner of an ambulance or other motor vehicle;
- (b) where the ambulance or other motor vehicle is the property of a company, a manager, director, or a duly authorised representative of the company;

- (c) where the ambulance or other motor vehicle is the property of the Government of Belize, the Chief Executive Officer of a Ministry or Head of Department, or a duly authorised representative of the Chief Executive Officer or Head of Department, as the case may be;
- (d) where the ambulance or other motor vehicle is the property of a municipal authority, the traffic manager, City Administrator, or Town Administrator of a municipal authority, or a duly authorised representative of the municipal authority;
- (e) where the ambulance or other motor vehicle is the property of a village council, the Chairperson of a village council, or a duly authorised representative of the village council; or
- (f) where the ambulance or other motor vehicle is the property of a statutory body, the manager or director of a statutory body, or a duly authorised representative of the statutory body.

8.-(1) An application for the issue or renewal of an Emergency Vehicle Permit shall be signed by the applicant and submitted to the Department of Transport in the form set out in Schedule II.

**Application
for Emergency
Vehicle Permit.
Schedule II.**

(2) An application for the renewal of an Emergency Vehicle Permit shall be made not less than one month before the expiration of the existing permit.

(3) Subject to sub-regulation (4), upon submission of the application to the Department of Transport, the applicant shall pay a nonrefundable fee of one hundred dollars.

(4) Where the ambulance or other motor vehicle is the property of the Government of Belize, or any municipal

authority, village council or statutory body, the applicant shall be exempted from paying the fee prescribed under sub-regulation (3).

Documents
accompanying
the application.

9. An application for the issue or renewal of an Emergency Vehicle Permit shall be accompanied by–

- (a) a copy of the certificate of registration for the motor vehicle;
- (b) a copy of the driving licence, social security identification card or passport of the applicant;
- (c) a copy of the police record of the driver;
- (d) a copy of the certificate of incorporation and certificate of good standing issued in accordance with the Belize Companies Act, where the ambulance or other motor vehicle is the property of a company;
- (e) a copy of the certificate of inspection certified by an inspector;
- (f) a letter of recommendation from the Director of Public Health and Wellness;
- (g) a utility bill as proof of address of the applicant;
- (h) front view, side view, and rear view pictures of the ambulance or other motor vehicle; and
- (i) a copy of a trade licence certificate, where applicable.

11 of 2022.

Considerations
in granting
Emergency
Vehicle Permit.

10.–(1) In determining whether to grant an Emergency Vehicle Permit, the Chief Transport Officer shall have regard to the following–

- (a) the purpose of the request;
- (b) the physical construction and fitness of the ambulance or other motor vehicle and the certificate of inspection certified by an inspector;
- (c) whether the ambulance or other motor vehicle has emergency lights and sirens that are in accordance with the standards specified by the Department of Transport;
- (d) the letter of recommendation from the Director of Public Health and Wellness;
- (e) the police record of the driver of the ambulance or other motor vehicle;
- (f) the certificate of good standing issued in accordance with the Belize Companies Act, where the ambulance or other motor vehicle is the property of a company;
- (g) the trade licence certificate, where applicable; and
- (h) any other factor relevant to the exercise of discretion of the Chief Transport Officer.

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2022.

(2) Notwithstanding sub-regulation (1), where the ambulance or other motor vehicle is the property of the Government of Belize, the Chief Transport Officer shall have regard to the following—

- (a) any legislation that empowers any government department or agency to conduct law enforcement;

- (b) the nature of the law enforcement; and
- (c) any other factor relevant to the exercise of discretion of the Chief Transport Officer.

11.—(1) After review of an application for the issue or renewal of an Emergency Vehicle Permit, the Chief Transport Officer, or a duly authorised representative of the Chief Transport Officer, shall give notice in writing of the decision to the applicant within ten working days of receipt of the application.

Notice to the applicant.

(2) Where the Chief Transport Officer denies the application for the issue or renewal of an Emergency Vehicle Permit, the notice under sub-regulation (1) shall specify the reason for the denial.

Validity period for Emergency Vehicle Permit.

12. An Emergency Vehicle Permit shall be valid for a term of two years from the date of issue.

Conditions of Emergency Vehicle Permit.

13.—(1) The Chief Transport Officer may attach to any Emergency Vehicle Permit such conditions as the Chief Transport Officer thinks fit.

(2) A holder of an Emergency Vehicle Permit who uses, or causes or permits to be used, an ambulance or other motor vehicle on any road in contravention of any conditions attached to the Emergency Vehicle Permit in respect to that ambulance or other motor vehicle \neg commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

(3) Where the holder of an Emergency Vehicle Permit commits an offence under sub-regulation (2), the Chief Transport Officer may, without prejudice to any other penalty provided for such offence, suspend or revoke the Emergency Vehicle Permit by notice in writing.

(4) A notice issued under sub-regulation (3) shall specify—

- (a) the reason for the suspension or revocation;
- (b) the date on which the revocation or suspension takes effect; and
- (c) in the case of a suspension, the date on which the suspension may cease to have effect.

(5) A person whose Emergency Vehicle Permit has been suspended or revoked in accordance with sub-regulation (3) shall immediately surrender, or cause to be surrendered, the permit to the Department of Transport, and in any event, not later than seven days from the date of receipt of the notice, whether or not the suspension or revocation is the subject of any appeal.

14.—(1) Any person aggrieved by the decision of the Chief Transport Officer to deny, suspend or revoke an Emergency Vehicle Permit may appeal, in writing, to the Minister.

Appeal to
Minister.

(2) Any person appealing under sub-regulation (1) shall submit to the Minister a—

- (a) copy of the written notice issued under regulations 11(1) or 13(3), as the case may be; and
- (b) letter of appeal against the denial, suspension, or revocation, as the case may be, specifying the grounds of appeal.

(3) Where an appeal is made to the Minister under sub-regulation (1), the Minister shall inquire into the matter within three weeks of the date of the appeal in order to determine the matter.

(4) Where the Minister determines that there was no reasonable grounds for the denial, suspension, or revocation, as the case may be, of the Emergency Vehicle Permit, the Minister shall immediately reverse the decision of the Chief Transport Officer and order that the Emergency Vehicle Permit be approved, or the suspension or revocation be cancelled, as the case may be.

(5) The Minister shall submit a notice in writing of the findings to the appellant within seven working days of the decision in respect to the matter.

(6) Where the Minister reverses the decision of the Chief Transport Officer, the Chief Transport Officer shall approve or reinstate, as the case may be, the Emergency Vehicle Permit within seven working days of the notice issued under sub-regulation (5).

(7) Where the Minister approves the decision of the Chief Transport Officer, the Minister shall order that the denial, suspension, or revocation, as the case may be, of the Emergency Vehicle Permit remains in effect.

**Production of
Emergency
Vehicle Permit.**

15. The driver of an ambulance or other motor vehicle in respect to which an Emergency Vehicle Permit has been issued shall at all times carry the permit in that ambulance or other motor vehicle, and shall produce it to any transport officer, traffic warden, police officer in uniform and on duty, or inspector upon request.

Commencement.

16. These Regulations shall come into force with effect from the 1st day of March, 2024.

**Negative
resolution.**

17. These Regulations are subject to negative resolution.

SCHEDULE I

Emergency Vehicle Permit

[regulation 6]

In accordance with regulation 6 of the Motor Vehicles and Road Traffic (Electronic Devices) Regulations, 2023, the Chief Transport Officer has approved the use of the motor vehicle described herein to (FULL NAME OF REGISTERED OWNER) of (ADDRESS OF REGISTERED OWNER).

LICENCE PLATE NO.: _____

MOTOR VEHICLE MAKE: _____

MOTOR VEHICLE YEAR: _____

BODY STYLE: _____

COLOUR: _____

V.I.N.: _____

APPROVAL CATEGORY: _____

DATE OF ISSUE: _____ DATE OF EXPIRATION: _____

Chief Transport Officer

Note: This Emergency Vehicle Permit shall be carried in the motor vehicle at all times.

SCHEDULE II

*Application for Emergency Vehicle Permit**[regulation 8]* NEW RENEWALMotor Vehicle Owned by: Individual Company Government
of BelizeFull Name of Applicant: _____
(REGISTERED OWNER)Address: _____
HOUSE NO. STREET CITY/TOWN/VILLAGE DISTRICTDate of Birth: ____/____/____ Sex: _____
DAY MONTH YEAR

Telephone No.: _____ Email Address: _____

**DESCRIPTION OF MOTOR VEHICLE(S) FOR EMERGENCY
VEHICLE PERMIT**

	MOTOR VEHICLE MAKE	YEAR	COLOUR	BODY STYLE	LICENCE PLATE NO.	V.I.N.
1.						
2.						
3.						

STATEMENT OF USE

- First Responder/EMT Military Ambulance
 Private Security Private Escort Fire Service
 Diplomat Other (Specify): _____

Full Name of Applicant: _____
(BLOCK LETTERS)

Signature of Applicant: _____

Date of Application: _____ / _____ / _____
DAY MONTH YEAR

FOR OFFICIAL USE ONLY

APPLICATION STATUS: Approved Denied Deferred

Chief Transport Officer

Date

MADE by the Minister responsible for transport this 15th day of December, 2023.



(HON. RODWELL FERGUSON)
Minister of Youth, Sports and Transport
(Minister responsible for transport)