

BELIZE:

**MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) BILL,
2025**

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BELIZE:

BILL

for

AN ACT to amend the Motor Vehicles and Road Traffic Act, Chapter 230 of the Substantive Laws of Belize, Revised Edition 2020; to strengthen the legal framework for detecting and deterring driving under the influence of alcohol; to introduce provisions for breath tests and breath analysis; to establish procedures for the collection and analysis of specimens; to provide penalties for non-compliance and refusal to submit to testing; to amend the provisions of dealer’s general license for motorcycles, repairs and manufacturing of motor vehicles, and motorcycles, and to make provisions for agency in respect to motorcycle dealerships; to include Caye Caulker Village as a municipality; to provide for the payment of certain fees, charges, fines and penalties to the Village Council of Caye Caulker; and to provide for matters connected therewith or incidental thereto.

(Gazetted, 2025)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

Short title. **1.** This Act may be cited as the

**MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) ACT,
2025,**

CAP. 230. and shall be read and construed as one with the Motor Vehicles and Road Traffic Act, which is hereinafter referred to as the principal Act.

Amendment of section 2. **2.** The principal Act is amended in section 2 by–

(a) deleting the term and definition of “municipality” and replacing it with the following–

““municipality” means the cities of Belize City and Belmopan, the towns of Corozal, Orange Walk, Benque

Viejo del Carmen, San Ignacio/Santa Elena, Dangriga, Punta Gorda and San Pedro, including the remainder of Ambergris Caye and St. George's Caye, and the village of Caye Caulker;";

- (b) deleting the term and definition of "municipal authority" and replacing it with the following—

""municipal authority" means the Belize City Council, the Belmopan City Council, the Town Councils of Corozal, Orange Walk, Benque Viejo del Carmen, San Ignacio/Santa Elena, Dangriga, Punta Gorda and San Pedro, and the Village Council of Caye Caulker;"; and

- (c) inserting the following new term and its corresponding definition in its proper alphabetical sequence—

""dealer" means any person who purchases locally or imports any motor vehicle, motor cycle or trailer for the purpose of resale;".

3. The principal Act is amended by repealing section 21 and replacing it with the following—

Repeal and replacement of section 21.

"Dealers' general licence.

21.—(1) No person shall engage in the manufacture, repair, or dealing of motor vehicles, trailers, or motor cycles without first obtaining a dealers' general licence from the Department.

(2) The Chief Transport Officer may issue a dealers' general licence in the prescribed form upon application in the prescribed manner by any manufacturer, repairer, or dealer of motor vehicles, trailers, or motor cycles.

(3) Subject to sections 22 to 27 and any other conditions that may be prescribed, a dealers' general licence issued under sub-section (2) shall authorise the holder to use of any number of motor vehicles, trailers, or motor cycles in the course of business as a manufacturer, repairer, or dealer.

(4) A dealers' general licence issued under sub-section (2) shall not authorise the use of any motor vehicle for the carriage of persons or goods for fee or reward.

(5) The Minister may make regulations prescribing the inclusion of agents under a dealers' general licence and the fees payable in respect of such inclusion.

(6) A person who contravenes sub-section (1) commits an offence and—

- (a) where the offence involves dealing in motor vehicles without a dealer's general licence, is liable on summary conviction, to a fine not exceeding three thousand dollars;
- (b) where the offence involves dealing in motor cycles or trailers without a dealers' general licence, is liable, on summary conviction, to a fine not exceeding one thousand six hundred dollars; and
- (c) where the offence involves manufacturing or repairing motor vehicles, motor cycles or trailers without a dealers' general licence, is liable, on summary conviction, to a fine not exceeding one thousand six hundred dollars".

Amendment of section 22.

4. The principal Act is amended in section 22 by deleting the words "shall be in the prescribed form and".

Amendment of section 23.

5. The principal Act is amended in section 23 by inserting, after the words "motor vehicles", the phrase ", motor cycles".

Amendment of section 26.

6. The principal Act is amended in section 26 by inserting, after the words "motor vehicle", the phrase ", motor cycle".

Amendment of section 27.

7. The principal Act is amended in section 27 by inserting, after the words "motor vehicle", the phrase ", motor cycle".

Insertion of new section 28A.

8. The principal Act is amended by inserting, after section 28, the following new section 28A—

"Interpretation of term used in this Part .

28A. For the purposes of this Part, "motor cycle" excludes a motor bicycle, electric mobility scooter, electric bicycle, electric tricycle, motor scooter, or any other cycle or scooter that does not exceed a maximum speed of twenty miles per hour."

Amendment of section 74.

9. The principal Act is amended in section 74—

(a) by deleting the marginal note and substituting the following—

"Driving, or being in charge of motor vehicle when under influence of alcohol or drugs.";

(b) by repealing sub-section (1) and replacing it with the following—

“(1) Any person who, when driving, attempting to drive, or in charge of a motor vehicle on a road or other public place, is unfit to drive due to alcohol or drugs commits an offence and is liable to the following penalties—

(a) for a first offence, a fine not exceeding one thousand five hundred dollars, or imprisonment for a term not exceeding one year, or both such fine and imprisonment; and

(b) for a second or subsequent offence, imprisonment for a term not exceeding three years.”;

(c) by repealing sub-section (2); and

(d) in sub-section (3), by deleting the phrase “sub-section (2)” and substituting the phrase “this section”.

10. The principal Act is amended in section 75—

Amendment of section 75.

(a) by deleting the marginal note and substituting the following—

“Driving, or being in charge of motor vehicle with proportion of alcohol in excess of the prescribed limit.”;

(b) in sub-section (1), by deleting the words “blood or urine” and substituting the phrase “breath, blood, or urine”;

(c) in sub-section (2), by deleting the words “blood or urine” and substituting the phrase “breath, blood, or urine”; and

(d) in sub-section (3), by deleting the phrase “section (1)(b)” and substituting the phrase “sub-section (1)(b)”.

11. The principal Act is amended by repealing section 76 and replacing it with the following—

Repeal and replacement of section 76.

“Breath test. **76.—(1)** Where an officer in uniform has reasonable cause to suspect that—

(a) a person driving, attempting to drive, or in charge of a motor vehicle on a road or other public place

has alcohol in the body and has committed a traffic offence whilst the motor vehicle was in motion;

- (b) a person has been driving, attempting to drive, or been in charge of a motor vehicle on a road or other public place with alcohol in the body and that the person still has alcohol in the body; or
- (c) a person has been driving, attempting to drive, or been in charge of a motor vehicle on a road or other public place and has committed a traffic offence whilst the vehicle was in motion,

the officer may, subject to sub-section (5), require the person to provide a specimen of breath for a breath test.

(2) The specimen of breath shall be provided as soon as is reasonably practicable after the requirement is imposed, either at or near the place where the requirement is imposed, or at a police station nearest to that place if the officer imposing the requirement thinks it expedient.

(3) Where an accident occurs involving a motor vehicle on a road or other public place, an officer may, subject to sub-section (4), and upon arriving at the scene of the accident, require any person whom the officer has reasonable cause to believe was driving, attempting to drive, or in charge of the motor vehicle at the time of the accident, after consuming alcohol, to provide a specimen of breath for a breath test—

- (a) at or near the place where the accident occurred; or
- (b) at a police station nearest to the place where the accident occurred.

(4) An officer shall not require any person to provide a specimen of breath for a breath test if it appears to the officer that it would, by reason of injuries sustained by the person, be dangerous to the medical condition of the person to provide a specimen of breath for a breath test.

(5) Where the person referred to in sub-section (3) is at a hospital as a patient, the officer may require the person to provide a specimen of breath at the hospital if the registered medical practitioner in immediate charge of the person—

- (a) is given prior notice of the proposal to impose the requirement; and
- (b) does not object to the provision of the specimen on the ground that it would be prejudicial to the proper care or treatment of the patient.”.

12. The principal Act is amended by inserting, after section 76, the following new sections—

Insertion of new section 76A.

“Provision of specimen for breath analysis.

76A.—(1) Subject to sub-sections (2) and (3), an officer in uniform may require a person to provide two specimens of breath for a breath analysis in accordance with this section and the directions of the officer if—

- (a) the person was required by an officer under section 76 to provide a specimen of breath for a breath test but failed to do so; or
- (b) a breath test carried out under section 76 indicates that there may be present in the breath of the person a proportion of alcohol in excess of the prescribed limit.

(2) A breath analysis shall be carried out by an officer authorised for that purpose by the Chief Transport Officer—

- (a) at or near the place where the requirement is made if facilities for the specimens to be taken are available and it is practicable to conduct the analysis there; or
- (b) at a police station nearest to the place where the requirement was imposed.

(3) Where two specimens of breath are provided for a breath analysis, it shall be considered satisfactory if—

- (a) each specimen is provided in accordance with the directions of the officer and in such a way as to enable the objective of the breath analysis to be satisfactorily achieved; and
- (b) there is an interval of not less than two minutes and not more than ten minutes between the provision of each specimen.

(4) The reading from the specimen indicating the lower proportion of alcohol in the breath of the person shall be considered the result of the breath analysis.

(5) An officer shall not require any person to provide specimens of breath for a breath analysis if it appears to the officer that, by reason of injuries sustained by the person, it would be dangerous to the medical condition of the person to provide specimens of breath for a breath analysis.

(6) A person commits an offence if that person wilfully does anything to alter the proportion of alcohol in the breath—

- (a) between the time of the event referred to in section 76, in respect of which the person was required to provide a specimen of breath for a breath test, and the time when the person does so; or
- (b) if the person is required to provide specimens of breath for a breath analysis, between the time when the requirement was imposed and the time when the person does so.

(7) A person who commits an offence under subsection (6) is liable, on summary conviction, to the following penalties—

- (a) for a first offence, a fine not exceeding one thousand five hundred dollars or imprisonment for a term not exceeding one year, or both such fine and imprisonment; and
- (b) for a second or subsequent offence, imprisonment for a term not exceeding three years.

(8) In addition to any penalty imposed under subsection (7), the person shall be disqualified from holding or obtaining a Belize Driving Licence for a period of twelve months from the date of conviction, unless the court, for any special reason, thinks fit to order otherwise.

(9) Within one hour after a person has provided specimens of breath for a breath analysis, the officer operating

the breath analysing device shall deliver to the person a statement in writing, signed by the officer, specifying—

- (a) either the proportion of alcohol determined by the analysis to be present in the breath of the person or the estimated blood-alcohol content of the person; and
- (b) the date, time and place at which the breath analysis was completed.

(10) In proceedings for an offence under this section or sections 74 and 75, a court may determine the concentration of alcohol in the breath of the person, or the estimated blood-alcohol content of the person, at a particular time and place based on evidence given by an officer relating to facts ascertained from the reading of the breath analysing device.

(11) Any evidence given under sub-section (10) shall be admissible in all courts as *prima facie* evidence of the concentration of alcohol in the breath of the person or the estimated blood-alcohol content of the person at the material time.

(12) In proceedings for an offence under this section—

- (a) a certificate purporting to be signed by the officer shall be *prima facie* evidence of the particulars stated in the certificate, where it certifies that—
 - (i) the officer is authorised by the Chief Transport Officer to operate a breath analysing device;
 - (ii) the person named in the certificate submitted to a breath analysis;
 - (iii) the apparatus used by the officer to carry out the breath analysis was a breath analysing device approved by the Minister;
 - (iv) the breath analysis was conducted on the date and completed at the time stated in the certificate;
 - (v) the breath analysing device determined the proportion of alcohol present in the breath of the person, or the estimated

blood-alcohol content of the person, on the date and at the time stated in the certificate; and

- (vi) a statement in writing required by sub-section (9) was delivered in accordance with that sub-section;
- (b) a certificate purporting to be signed by the Chief Transport Officer that the officer named in the certificate is authorised to operate a breath analysing device shall be *prima facie* evidence of the particulars stated in the certificate; and
- (c) evidence of the condition of a breath analysing device or the manner in which it was operated shall not be required unless evidence that the device was not in proper condition or was not properly operated has been adduced.

Approval of device by Minister.

76B. The Minister may, by Order published in the *Gazette*, approve the device or instrument that may be used to conduct a breath test and breath analysis.”.

Repeal and replacement of section 77.

13. The principal Act is amended by repealing section 77 and replacing it with the following—

“Provision of specimen of blood or urine for a laboratory test.

77.—(1) Subject to sub-section (2), in the course of an investigation into whether a person has committed an offence under sections 74 or 75, an officer may require the person under investigation to provide a specimen of blood or urine for a laboratory test if—

- (a) a breath analysing device approved by the Minister under section 76B is not available or it is, for any other reason, not practicable to use such device; or
 - (b) the person is unable, by reason of physical condition, to provide a specimen of breath for a breath test or a breath analysis; or
- (2) A person shall not be required to provide a specimen of blood or urine for a laboratory test if a breath

analysis has been carried out in respect of that person and the result is available.

(3) Nothing in sub-sections (1) and (2) shall affect the provisions of section 79.

(4) For the purposes of this section and section 75, an officer may only require the person to provide a specimen of blood—

- (a) with the consent of the person;
- (b) at a hospital; and
- (c) if carried out by a registered medical practitioner or a registered nurse.

(5) Where the provision of a specimen is required in pursuance of this section, the question as to whether it is to be a specimen of blood or a specimen of urine shall be decided by the officer imposing the requirement.

(6) Notwithstanding sub-section (5), a specimen of urine shall be required by the officer where a registered medical practitioner is of the opinion that, for medical reasons, a specimen of blood cannot and should not be taken.

(7) A specimen of urine shall be provided within one hour of the requirement for its provision being made and after the provision of a previous specimen of urine.

(8) A person shall not be treated as failing to provide a specimen of blood or urine if the person is unable to do so for the reasons set out in section 78.”.

14. The principal Act is amended by inserting, after section 77, the following new sections—

Insertion of new sections 77A and 77B.

“Refusal to consent to taking of, or providing specimen.

77A.—(1) An officer shall, on requiring any person to provide—

- (a) a specimen of breath for a breath test;
- (b) specimens of breath for a breath analysis; or
- (c) a specimen of blood or urine for a laboratory test,

warn the person that a failure to provide the specimen of breath for a breath test, or the specimens of breath for a breath analysis, or the specimen of blood or urine for a laboratory test, may render the person liable to prosecution.

(2) A person who, without reasonable excuse, fails to do anything referred to in sub-section (1)(a) to (c) commits an offence and is liable, on summary conviction, to the following penalties—

- (a) for a first offence, a fine not exceeding one thousand five hundred dollars or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment; and
- (b) for a second or subsequent offence, imprisonment for a term not exceeding three years.

(3) In addition to any penalty imposed under sub-section (2), the person shall be disqualified from holding or obtaining a Belize Driving Licence for a period of twelve months from the date of conviction, unless the court, for any special reason, thinks fit to order otherwise.

(4) It is a defence for a person charged with an offence under this section to prove to the court that the person was unable on medical grounds to do anything referred to in sub-section (1)(a) to (c) at the time the person was required to do so.

77B.—(1) Without prejudice to section 74(5), an officer may arrest a person without warrant if—

- (a) the result of a breath test indicates that the proportion of alcohol in the breath of the person exceeds the prescribed limit; or
- (b) the person fails to provide a specimen of breath for a breath test when required to do so under section 76 and the officer has reasonable cause to suspect that the person has alcohol in the body.

(2) A person arrested under sub-section (1) or section 74(5) shall, while at a police station, be given an opportunity to provide a specimen of breath for a breath test.

(3) Notwithstanding sub-section (1), an arrest shall not be made while the person is at a hospital as a patient.

(4) Any person who obstructs, assaults or resists an officer in the execution of the duties under this Part commits an offence and is liable, on summary conviction, to a fine not exceeding one thousand five hundred, or imprisonment for a term not exceeding one year, or to both such fine and imprisonment”.

15. The principal Act is amended by repealing section 78 and replacing it with the following—

Repeal and replacement of section 78.

“Protection for hospital patients.

78.—(1) While a person is at a hospital as a patient, the person shall not be required to provide specimens of breath for a breath analysis under section 76A, or provide a specimen of blood or urine for a laboratory test under section 77, unless the registered medical practitioner in immediate charge of the person—

- (a) is first notified of the intention to impose the requirement; and
- (b) the requirement, if imposed, is for the provision of such specimen at the hospital.

(2) Notwithstanding sub-section (1), where the registered medical practitioner objects on the ground that compliance with such requirement or the provision of a warning under section 77A(1) would be prejudicial to the proper care or treatment of the person, the requirement shall not be imposed.”.

16. The principal Act is amended in section 79—

Amendment of section 79.

- (a) in sub-section (2), by deleting the words “blood or urine” wherever it appears and substituting the phrase “breath, blood, or urine”;
- (b) by inserting, after sub-section (4), the following new sub-section (4A)—

“(4A) Sub-sections (1) and (2) shall not apply to a document purporting to be a certificate tendered on behalf of the prosecution—

- (a) unless a copy has been served personally on the accused or on the attorney-at-law of the accused or by prepaid registered post not less than seven days before the hearing or trial; or
- (b) if the accused, not less than seven days before the hearing or trial, or within such further time as the court may in the circumstances of the case allow, has served notice on the prosecution requiring the attendance at the hearing or trial of the person by whom the certificate was signed.”; and

(c) in sub-section (5), by deleting the words “blood or urine” and substituting the phrase “breath, blood, or urine”.

Amendment of section 80.

17. The principal Act is amended in section 80 by deleting the words “blood or urine” wherever it appears and substituting the phrase “breath, blood, or urine”.

Amendment of section 81.

18. The principal Act is amended in section 81–

- (a) in sub-section (2), by–
 - (i) deleting the term and definition of “police officer”;
 - (ii) deleting the term and definition of “prescribed limit” and replacing it with the following–

““prescribed limit” means–

- (a) 0.035 milligrams of alcohol in 100 millilitres of breath, or 35 micrograms of alcohol in 100 millilitres of breath (equivalent to 80 milligrams of alcohol in 100 millilitres of blood);
- (b) 80 milligrams of alcohol in 100 millilitres of blood;
- (c) 107 milligrams of alcohol in 100 millilitres of urine; or

(d) such other proportion as may be prescribed by regulations made by the Minister;” and

(c) by inserting the following new terms and their corresponding definitions in their proper alphabetical sequence—

““breath analysis” means the quantitative measurement of the proportion of alcohol in the breath of a person, for the purpose of estimating blood-alcohol content, using a device approved by the Minister;

“breath test” means a preliminary test administered by means of a device approved by the Minister, for the purpose of obtaining an indication of whether the proportion of alcohol in the breath of a person exceeds the prescribed limit;

“laboratory test” means the analysis of a specimen of blood or urine taken by a registered medical practitioner or registered nurse for the purpose of indicating—

(a) the presence of alcohol in the blood or urine of a person; or

(b) whether the proportion of alcohol in the blood or urine of a person exceeds the prescribed limit;

“officer” means a police officer, transport officer, motor vehicle inspector, or traffic warden;

“traffic offence” means an offence under any provision of this Act or any regulations made under this Act, or an offence under section 108 of the Criminal Code caused through a motor vehicle;” and

CAP. 101.

(d) by repealing sub-section (3) and replacing it with the following—

“(3) For the purposes of this Part, references in section 76 to providing a specimen of breath shall be construed as references to providing a specimen of breath in sufficient quantity to enable a breath test to be carried out.”.

19. The principal Act is amended in section 101 by repealing sub-section (3) and replacing it with the following—

Amendment of section 101.

“(3) The fees, charges, fines, and penalties levied by regulations made under this Act for the entry of certain classes of motor vehicles into the limits of any municipality shall be paid to the credit of the respective municipal authority.”.

Amendment of
section 112.

20. The principal Act is amended in section 112(1) by deleting paragraph (s).