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# ABOUT THE DEMERIT POINTS SYSTEM:

In July 2017, the Motor Vehicles and Road Traffic (Amendment) Act, Act No. 9 of 2017 ("the Act") introduced a Demerit Points System. Safer Drivers means safer roads and the Demerit Points System operates as a contributor towards traffic law compliance and road safety under three main pillars:

- 1. The prevention and deterrence of dangerous and unsafe behavior with the risk of receiving and accumulating demerit points.
- 2. The detection of high risk frequent or repeat offenders and consequent suspension of the driving permit.
- 3. The rehabilitation of offenders and correction of high risk behaviour enrollment into rehabilitative educational programme and re-sitting of the driving test.

Demerit Points can vary anywhere from 2 to 14 points depending on the type of traffic violation or offence. The Ninth Schedule details the number of Demerit Points which are to be allocated in addition to the fixed penalty for the traffic violation or the offence. If you collect enough points, you can lose your driving permit for a specified period.

\*This system has new not taken effect. The date will be announced.

This Guide is neither legal advice nor a text of law. For any reference of a legal nature, please consult the Motor Vehicles and Road Traffic Act. Ch. 48:50 and any other attendant laws.



## HOW DEMERIT POINTS WORK

### Demerit Points are applied to your driving permit record upon:

Payment of a Fixed Penalty (the specified sum to be paid for a Traffic Ticket)

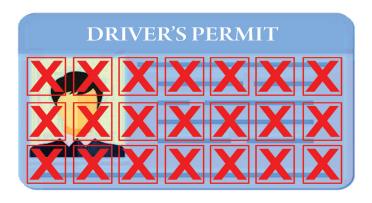
2. Conviction before a Court

3. Failure to pay the Fixed Penalty with in the prescribed time frame

You start with zero (0) points on your driving permit record and can go up from there. Demerit Points will stay on your record for a maximum of two (2) years. Once two (2) continuous years have passed without accumulating any more points, the demerit points will automatically be removed from your driving permit record.

If you obtain the maximum threshold of demerit points, depending on if you are a newly licensed or an experienced driver, you can be disqualified from driving for a specified period.

## Don't go from **Motorist to Pedestrian!**





## WHAT YOU NEED TO KNOW AS - AN EXPERIENCED DRIVER -

You are an experienced driver if you hold a Driving Permit for more than twelve (12) months from the date of issue.

Where you have accumulated within three (3) years:

Demerit Points	Suspension Period
More than Ten (10), but less than fourteen (14) demerit points.	Six (6) months
Fourteen (14) or more but less than twenty (20) demerit points.	One (1) year; and
Twenty (20) or more demerit points, you shall be subject to disqualification demerit points.	Two (2) years.

## STEP 1

When you accumulate the specified limit for demerit points and are subject to disqualification, the Licensing Authority will notify you in writing prior to disqualification.

### STEP 2

Once you receive a notification of impending disqualification, you will have an opportunity to give reasons in writing explaining why your driving permit should not be suspended.

## STEP 3

Where you fail to show cause and the Licensing Authority decides to disqualify you from holding a driving permit, the Licensing Authority shall inform you of the disqualification in writing and that you need to surrender your driving permit.. The disqualification will take effect fourteen (14) days after the date of the notice.

## STEP 4

You will then be required to surrender your driving permit to the Licensing Authority.



STEP 5

Failure to surrender your driving permit to the Licensing Authority is an offence with a fine of five thousand dollars (\$5,000.00) **and** further disqualification for an additional period of one (1) year.

STEP 6

A driving permit disqualified by the Licensing Authority shall, during the period of suspension, be of no effect.

STEP 7

When the disqualification period expires, all demerit points recorded against your driving permit record shall be expunged.





# WHAT YOU NEED TO KNOW AS A - NEWLY LICENSED DRIVER-

You are a 'Newly Licensed Driver' if you hold a driving permit for a period of twelve (12) months or less from the date of issue.

Demerit Points		Suspension Period
More than seven (7) demerit points within twelve (12) one (1) year. months from the date of issue.		
STEP 1	If you accumulate seven (7) or more points and are subject to disqualification, the Licensing Authority will notify you in writing prior to disqualification.	
STEP 2	Once you receive a notification of impending disqualification, you will have an opportunity to give reasons, in writing, explaining why your driving permit should not be suspended.	
STEP 3	Where you fail to show cause and the Licensing Authority decides to disqualify you from holding a driving permit, the Licensing Authority shall inform you of the disqualification and that you need to surrender your driving permit. The disqualification will take effect fourteen (14) days after the date of the notice.	
STEP 4	You will then be required to surrender your driving permit to the Licensing Authority.	
STEP 5	Failure to surrender your driving permit to the Licensing Authority is an offence with a fine of five thousand dollars (\$5,000.00) <b>and</b> further disqualification for an additional period of one (1) year.	



# REGAINING YOUR DRIVER'S PERMIT —— AFTER DISQUALIFICATION ——

Demerit Points will stay on your record for a maximum of two (2) years. Once two (2) continuous years have passed without accumulating any more points, the demerit points will automatically be removed from your driving permit record. To regain your ability to drive, drivers must undertake the following actions:

STEP 1 Participate in a driver's rehabilitation programme approved by the Licensing Authority.



STEP 2

Pass a driving test.

STEP 3



Pay the prescribed fee for the re-issue of the driving permit.

A driving permit disqualified by the Licensing Authority shall, during the period of suspension, be of no effect.

You are committing an offence if you drive while your driving permit has been suspended.

When the disqualification period expires, all demerit points recorded against your driving permit record shall be expunged.



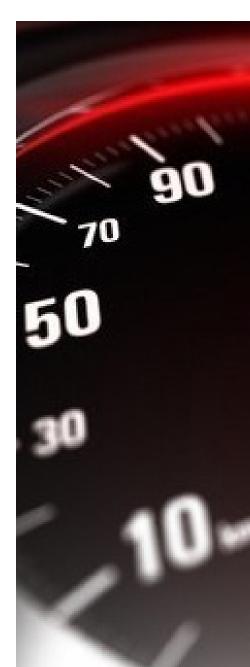
## **DOUBLE** DEMERIT POINTS:

The Minister will have the power to prescribe, from time to time by Order, the periods (e.g. long weekends, Easter, Carnival, Christmas and New Year's) during which double demerit points will be enforced for specific traffic violations. These traffic violations will carry double demerit points.

An Order for the implementation of double demerit points shall be published in the Gazette and in at least one (1) daily newspaper circulating in Trinidad and Tobago at least five (5) days prior to the commencement. The prescribed period allocated to double demerit points will not exceed ten (10) consecutive days.

For instance, driving while holding or using a hand held mobile device carries three (3) demerit points. Under the double demerit point period, this traffic violation will carry six (6) demerit points.

If you are a newly licensed driver you will be one point short of losing your driving permit.









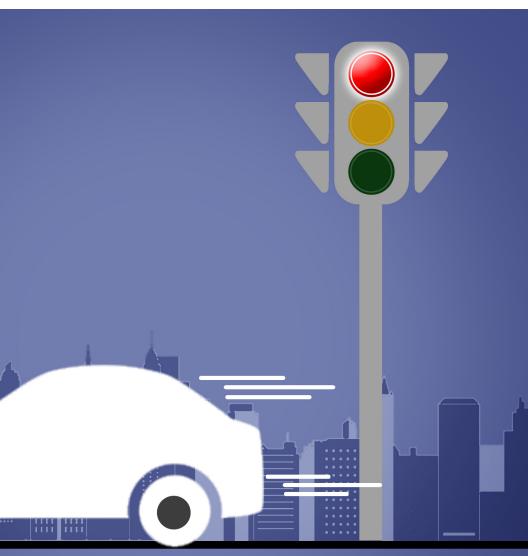
## **SIMULTANEOUS** TRAFFIC VIOLATIONS

When you commit more than one (1) traffic violation, in one (1) incident which results in the simultaneous accumulation of points, the traffic violation that attracts the highest number of points will be applied on your driving permit record.

For instance, if you commit two traffic violations which carried respectively (4) demerit points and six (6) demerit points, the traffic violation that carries the higher number of demerit points in this case six (6) will be applied to your driving permit record. Where two traffic violations carry equal number of demerit points only one (1) will be applied to your driving permit record. This is a safeguard that protects you from being exposed to disqualification after being issued with more than one (1) fixed penalty notice in one incident.

However, if you breach a red light (which is observed by a law enforcement officer) and exceed the speed limit, demerit points would be recorded for both violations on your driving permit record in addition to the highest number of demerit points for any other traffic violation arising out of the same incident.





Is the thrill of speed worth your life or Driving Permit #NOTCOOL







"Safer Roads Mean a Safer Country"

A guide to

UNDERSTANDING

# THE DEMERIT POINTS **SYSTEM**

#### EMERGENCY CONTACTS

Police 999

> Fire 990

**ODPM** 800-ODPM (6376)

Ambulance

811

Crime Stoppers 800-TIPS (8477)

Anti- Crime Hotline 555

#### TRAFFIC & HIGHWAY PATROL BRANCH

P.O.S. 675-4061

**EAST** 643-3857

CENTRAL 673-5552

> SOUTH 647-2124