ROYAL BAHAMAS POLICE FORCE TRAFFIC PROFICIENCY 2024

MR .DREXTER P A MILLER

ASSISTANT SUPERINTENDENT OF POLICE

RAFFIC LAW

THE ROAD TRAFFIC ACT CHAPTER 220

REGULATION, REGISTRATION AND LICENSING OF MOTOR VEHICLES

✓ *Classification, construction and use of motor vehicles*	*Sect 25*
✓ *Number Plates and licenses*	*Sect 26*
✓ *Registration of all motor vehicles*	*Sect 31*
✓ *Inspection of motor vehicles*	*Sect 32*

PROVISIONS AS TO DRIVING MOTOR VEHICLES ETC

✓ *Driver's license*	*Sect 34*
✓ *Public service driver's licence*	*Sect 36*
✓ *Mandatory use of seatbelts*	*Sect 42C*
✓ *Killing in the course of reckless or dangerous driving*	*Sect 44(1)*
✓ *Driving under the influence*	*Sect 49 (1, 2, 3)*
✓ *Insurances /Obligation to stop/ Powers of Arrest/*	*Sect 55-63*

FORCE ORDERS SECTION (E4) (TRAFFIC ACCIDENTS POLICY)

- ✓ Action at Scene,
- ✓ Classification of Accidents,
- ✓ Fatal Accidents,
- ✓ Police Vehicle Accidents

HIGHWAY CODE OF THE BAHAMAS

- ✓ Signs and Markings

The authority of the Minister in the first instance to be able to give such directives comes from the following Act:

CHAPTER 201 ROADS

An Act to make provision for the establishment of public roads, for the control and maintenance of public roads and for other purposes incidental thereto

PART IV REGULATION, REGISTRATION AND LICENSING OF MOTOR VEHICLES

25. (1) The Minister may by regulations made under this Act — (a) divide all motor vehicles and trailers into classes, which classes may be distinguished by reference to the following matters —

- Everything relating to as to how the vehicles are utilized on the road and any Disc Plate or inspection attached to vehicles
- Use and gives direction of the road use
- Inspection of all vehicles and how those inspections are to occur.

NUMBER PLATES AND LICENCES

26. (1) The Minister may make regulations under this Act prescribing the types, dimensions and colours of number plates and licenses which shall be affixed to licensed motor vehicles, and the number and wording thereof, and the manner of affixing the same, and may make different provisions for different classes of motor vehicles and for different categories of public service vehicles (namely omnibuses, taxi-cabs, tour cars, livery cars and self-drive vehicles); and until such regulations are made the Controller may give directions as to any of the matters which may be prescribed in such regulations.

ALL PLATES
❖ Private Vehicles
❖ Taxi
❖ Jitney Bus
❖ Livery Vehicles
❖ Motorcycles
❖ Tour Vehicles

(2) There shall be affixed to every licensed motor vehicle while being driven on a road, any number plates or licenses issued by the Controller to the owner in respect of that vehicle, and required by any such regulations or directions to be affixed by the owner, in such manner as may be so required or directed.

(3) It shall not be lawful for any person to deface or obscure any number plate or licence issued under this section, or to attach thereto or impose thereon any letters or numbers.

(4) Number plates issued by the Controller under this section shall remain the property of the Department and shall be surrendered to the Controller —

REGISTRATION OF ALL MOTOR VEHICLES

31. (1) Subject to the provisions of this section a person shall not use or cause or permit any other person to use a motor vehicle on a road unless that vehicle has been registered under this Act and unless there is in force the appropriate motor vehicle licence in respect of that vehicle, and any person acting in contravention of this subsection shall be guilty of an offence and shall be liable on summary conviction therefor to a fine of two hundred dollars.

- Registration of aforementioned vehicles and collecting appropriate fees associated there to
- Those exempted form paying are

  (a) by the Governor-General; or

  (b) by —(i) the head of, or any member of the diplomatic, Administrative or technical staff of a diplomatic mission;

  (ii) any consular officer or consular employee;

  (iii) any member of an International Organization approved for the purposes of this Act by the Minister responsible for External Affairs, who is not a citizen of The Bahamas or ordinarily resident in The Bahamas at the date of the commencement of his employment; or

  (c) by any member of the family forming part of the household of any of the persons referred to in paragraph (b)(i), (ii) and (iii) of this proviso who is not a citizen of The Bahamas

(4)(a) The period for which a motor vehicle licence (other than a temporary licence) shall be valid shall not exceed one year and shall terminate in each year—

‘A temporary license last for a period of six months as specified in

sub section (d) The period for which a temporary private motor vehicle licence shall be valid shall not exceed six months, and shall terminate upon any change of ownership of the vehicle.

We also know that a temporary license is issued to a bona fide visitor to The Bahamas

(b) the Controller shall not issue a temporary private motor vehicle licence unless he is satisfied that the applicant is a bona fide visitor to The Bahamas and that the motor vehicle is registered and licensed as a private motor vehicle outside The Bahamas and was brought into The Bahamas by the applicant.

“bona fide visitor to The Bahamas” means a person who is a visitor to The Bahamas for a period not exceeding three months and who is not employed in The Bahamas.

INSPECTION OF MOTOR VEHICLES.

32. (1) No motor vehicle licence shall be granted under this Act unless there is in force in relation to the motor vehicle concerned a certificate of fitness issued under this section.

PART V PROVISIONS AS TO DRIVING MOTOR VEHICLES, ETC

34. (1) A person shall not drive or employ any other person to drive a motor vehicle on a road unless he or that other person (as the case may be) is either —

(a) the holder of a licence to drive a motor vehicle of the class of such motor vehicle (hereafter in this Act referred to as a "driver's licence"); or

(b) the holder of a licence to drive a motor vehicle of the class of such motor vehicle as a learner (hereafter in this Act referred to as a "provisional driver's licence"), and a holder of a driver's licence is seated beside him in the vehicle; or

(c) the holder of a licence to drive a motor vehicle in a place outside The Bahamas or has in his possession a valid international driving licence issued by the State which recognizes international driving licenses:

Provided that such person —

(i) is a bona fide visitor to The Bahamas; and

(ii) is not under seventeen, or, as respects the driving of an excepted motor vehicle, fifteen years of age. For the purposes of this paragraph the expression "bona fide visitor to The Bahamas" means a person who is a visitor to The Bahamas for a period not exceeding three months and who is not employed in The Bahamas,

and any person who acts in contravention of this subsection shall be guilty of an offence and liable on summary conviction to a fine not less than two hundred dollars but not exceeding eight hundred dollars.

PUBLIC SERVICE DRIVER'S LICENCE

36. (1) A person shall not drive or employ any other person to drive —
(a) an omnibus carrying passengers for hire or reward; or
(b) a public service vehicle (other than a self-drive vehicle), carrying passengers for hire or reward,

MANDATORY USE OF SEAT BELTS

42C. (1)) Subject to section 42B, no person shall drive a motor vehicle or permit a person to ride as a passenger in that motor vehicle unless that person or that passenger is secured by a seat belt.

(2) Subject to section 42B, no person shall ride as a passenger in any motor vehicle on any road unless he is secured by a seat belt.

(3) Where any passenger mentioned under this section is under the age of five years, such passenger shall be secured in a child passenger seat positioned in the rear passenger seat of the motor vehicle.

(4) Any driver of a motor vehicle who drives without a seat belt or allows a passenger in such vehicle to ride without a seat belt commits an offence and is liable on summary conviction to a fine of three hundred dollars.

KILLING IN THE COURSE OF RECKLESS OR DANGEROUS DRIVING

44. (1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, shall be guilty of an offence and shall be liable on conviction therefor on information in the Supreme Court to a fine not less than five thousand dollars but not exceeding ten thousand dollars or to imprisonment for a term of four years, or to both the fine and imprisonment. (2) Section 18 of the Coroners Act shall apply to an offence under this section as it applies to murder, manslaughter or infanticide

DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS

49. Any person who —
(a) drives or attempts to drive a motor vehicle on a road or other public place; or (b) is in charge of a motor vehicle on a road or other public place, after consuming so much alcohol that the proportion of it in his breath, blood or urine exceeds the prescribed limit shall be guilty of an offence.

(2) Any person who when on a road or other public place and when in charge of a motor vehicle which is on that road or that public place, but not driving the vehicle, is unfit to drive, shall be liable on summary conviction therefor to a fine of two hundred dollars or to imprisonment for a term of two months, or to both the fine and imprisonment:

TAKING MOTOR VEHICLE WITHOUT OWNER'S CONSENT TO BE AN OFFENCE.

55. (1) Any person who takes and drives away any motor vehicle without the knowledge or permission of the owner of such vehicle shall be guilty of an offence and shall be liable on summary conviction therefor to imprisonment for a term of six months, and upon such conviction may be ordered to pay to the owner such compensation as the court may determine:

Provided that if that person is found to have acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent, if he had been asked therefor, that person shall not be liable to be convicted of the offence.

DUTY TO STOP IN CASE OF ACCIDENT

56. (1) If in any case, owing to the presence of a motor vehicle on a road, an accident occurs whereby damage or injury is caused to any person, vehicle or animal, the driver of the motor vehicle shall stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner and the registration number of the vehicle. In any such accident as aforesaid the driver shall report the accident at a police station or to a police officer as soon as reasonably practicable, and in any case within twenty-four hours of the occurrence thereof.

INQUIRIES INTO ACCIDENTS.

57. (1) Where an accident arises out of the presence of a public service vehicle on a road, the Controller may make inquiry into the cause of the accident.

(2) Where any such accident has occurred, the Controller or any person authorized by him in that behalf (on production by that person if so required of his authority) may inspect any vehicle in connection with which the accident arose, and for that purpose may enter at any reasonable time any premises where the vehicle is, and if any person obstructs any person so authorized in the performance of his duty under this subsection, he shall be guilty of an offence and shall be liable on summary conviction therefor to a fine of two hundred dollars.

OBLIGATION TO STOP A VEHICLE AT REQUEST, ETC., OF POLICE OFFICER

58. (1) The driver of a motor vehicle on any road shall, when requested to do so by a police officer or when a police officer signals to him to do so, immediately bring the vehicle to a stop and keep it stationary until the police officer permits him to proceed.

(2) A police officer may give a signal to stop a vehicle by raising his hand or by waving from side to side a red light.

(3) Any person who fails to comply with any such request or signal as aforesaid shall be guilty of an offence and shall be liable on summary conviction therefor to a fine not less than five hundred dollars but not exceeding one thousand dollars.

DUTY TO PRODUCE DRIVER'S LICENCE.

59. A police officer in uniform may require the driver of a motor vehicle to produce any driver's licence or public service vehicle driver's licence of which he is the holder, and if that driver does not produce such licence to that officer at the time of the requirement or at a police station selected by the driver within forty-eight hours of the time of the requirement, he shall be guilty of an offence and shall be liable on summary conviction therefor to a fine of forty dollars

POWER OF POLICE OFFICER TO ARREST IN CERTAIN CASES.

60. A police officer in uniform may arrest without warrant the driver of a motor vehicle whom he has reason to suspect of having committed an offence against this Act, if the driver, on being requested to do so by the police officer, refuses either to give his name and address or to produce his driving licence for examination.

REFUSING TO GIVE NAME OR ADDRESS OR GIVING FALSE NAME OR ADDRESS.

61. If the driver of any motor vehicle who commits an offence under this Act, or any regulations made thereunder, refuses to give his name and address or gives a false name or address, he shall be guilty of an offence and shall be liable on summary conviction to a fine not less than five hundred dollars but not exceeding one thousand dollars or to imprisonment for a term of three months, or to both the fine and imprisonment; and it shall be the duty of the owner of the motor vehicle if required, to give any information which it is within his power to give and which may lead to the identification and apprehension of the driver; and if the owner fails to do so he shall be guilty of an offence and shall be liable on summary conviction to a fine of two hundred dollars or to imprisonment for a term of one month or to both the fine and imprisonment.

DUTY OF OWNER TO GIVE INFORMATION AS TO DRIVER AND OCCUPANTS OF VEHICLE.

62. (1) Where a police officer has reason to suspect that an offence in connection with the driving of a vehicle has been committed, it shall be lawful for him or any other police officer to require the owner of the vehicle, or any other person who may be able to give relevant information, to give all information in his possession as to the name, address, description and whereabouts of the driver and the occupants of the vehicle at the time of the alleged offence and also any information in his possession which may lead to the apprehension or identification of the offender.

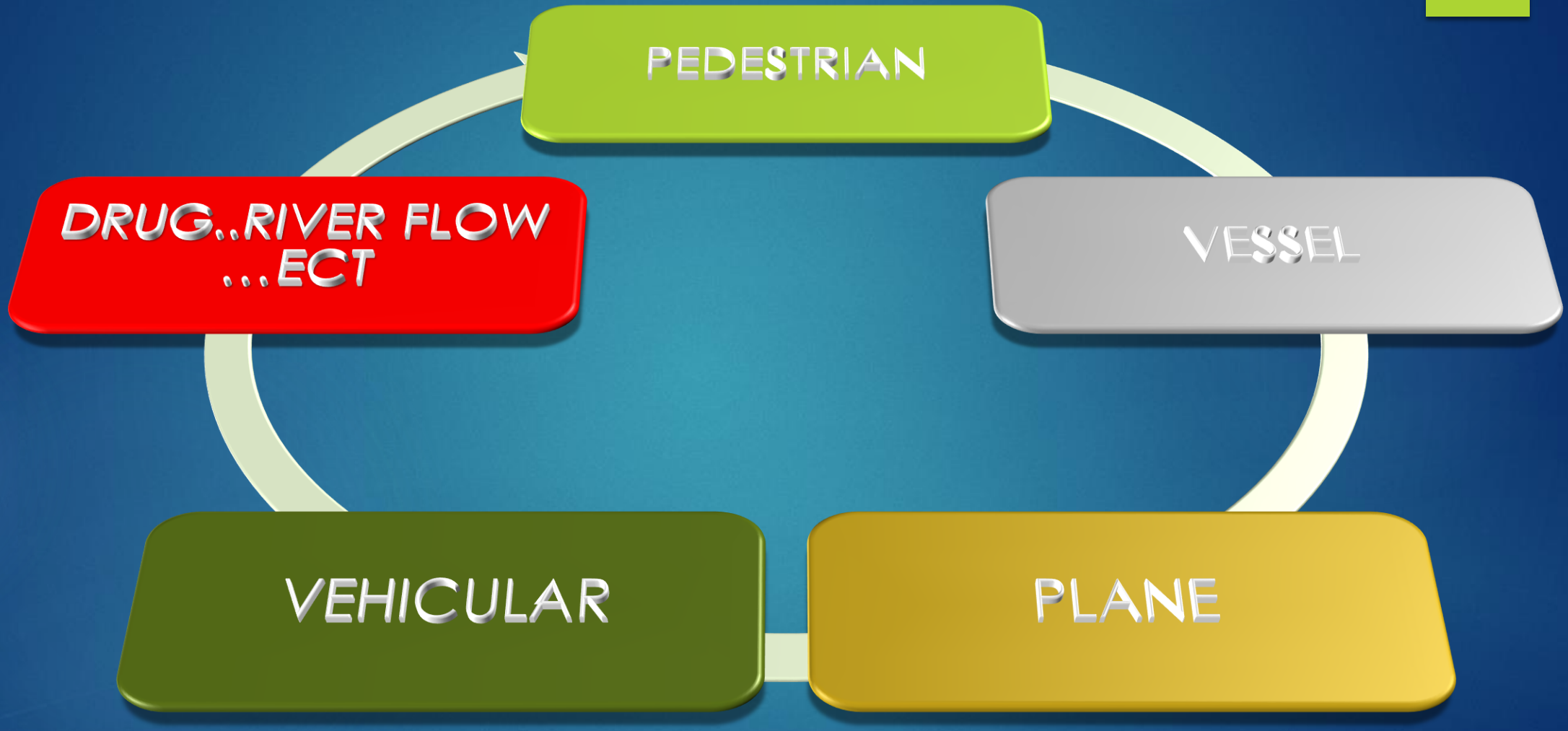
(2) Any person who refuses or fails to comply with any such requirement duly made as aforesaid shall be guilty of an offence and liable on summary conviction therefor to a fine of eighty dollars or to imprisonment for a term of one month, or to both the fine and imprisonment.

TRAFFIC SIGNS, ETC., PRESUMPTION OF COMPLIANCE WITH LEGAL REQUIREMENTS

63. For the purposes of this Act a traffic sign, traffic signal or a notice regulating, prohibiting or restricting parking, which is erected, placed or marked on or near any road shall be deemed to have been lawfully so erected, placed or marked unless the contrary is proved.

WHAT IS TRAFFIC ?

- *Traffic is essentially the movement of a thing FROM ONE PLACE TO ANOTHER*
- *lets look at a few things that traffic can be……..*


PEDESTRIAN
VESSEL
PLANE
VEHICULAR
DRUG..RIVER FLOW ...ECT

The Royal Bahamas Police Force is charged with the responsibility of investigating all traffic collisions.

This is whether the collision involved ;

1. *only damage*
2. *Injury (Minor /Major)*
3. *Death*
4. *Hit & Run (This type collision can include from 1to 3 as stated above)*

COLLISIONS with damages only







Vehicle with vehicle

This collision involves two of more vehicle involved in traffic collision

Single vehicle

This type of collision involves just one vehicle

Damage property

This kind of collision involves vehicle and property damage

COLLISION with injury



Pedestrian verse vehicle

Traffic collision where pedestrian on occupant and or driver are injured



Cyclist

Traffic collision where rider and or passenger are injuries



Cycle verse vehicle

This can be involving bicyclist ,or motorcyclist verse vehicle

Traffic Fatalities







Land fatalities

This kind of traffic accident can include a traffic collision where a bike , motorcycle, vehicle of any kind whether single or multiple collision

Marine COLLISION

Any traffic or marine COLISSION at sea , (whether its single or a multiple collision)

Aerial COLLISION

This INVOLVES an aerial COLLISION whether a single or multiple

WHAT IS OUR PURPOSE

OUR MISSION STATEMENT STATES

WE (ROYAL BAHAMAS POLICE FORCE) WILL DELIVER OUR SERVICE AS A RESOURCEFUL AND PROFESSIONAL POLICE FORCE.

OUR MANDATE

1. MAINTAINING LAW AND ORDER
2. PRESERVATION OF PEACE
3. PREVENTING AND DETECTING CRIME
4. APPREHENSION OF OFFENDERS , AND
5. **ENFORCEMENT OF ALL LAWS WITH WHICH IT IS CHARGED**

Our Commissioner, has also set core values for which we stand for while executing our duties standard of which we will:

1. Provide total law enforcement service in partnership with all citizens, residents and visitors
2. Respect individual human rights, reflecting fairness, sensitivity and compassion
3. Be firm in pursuit of all offenders of our laws
4. Ensure a safe society
5. Prevent crime and the fear of crime from adversely affecting the quality of life of residents
6. Provide a high degree of professionalism, competence, ethics and dedication .

7 Discharge duties with courage, integrity and loyalty

The Royal Bahamas Police Force enforces the laws of The Bahamas through several Acts and mandates ….we don't make up things as we go, but rather we are guided by the law.

The Road Traffic Act (Chapter 220) ……..Where the charges come from

The Roads Act chapter (201), ……..The Minister of Transport Authority

The Road Traffic Regulations, ……..Instructions and, guidelines

The Bahamas Highway Code …….. Instructions and guidelines for proper use of the roadway

These are our authority in law that we follow when investigating, and recommending any charges in our investigations

Additionally, according to the Force Police Section E4 it sets out how we will conduct our inquiries into any investigations of any traffic Collision.

What should we immediately remember arriving at an traffic collision scene ?

Yes ITS ……C.O.W

NO NOT THIS ONE……. ☺

BUT RATHER THIS ……THE ACRONYM

C= CAUSUALTIES

O =OBSTRUCTIONS

W= WITNESS/ES



THE Royal BAHAMAS POLICE FORCE ORDERS STATES:

1. Police action in respect of traffic accidents will vary according to the circumstances and whether persons are killed or injured.

All officers will bear in mind that persons involved in traffic accidents are invariably shocked or distressed and often rely on the police to provide help and support in dealing with the situation.

Action at Scene

2. Officers attending the scene of a traffic accident will take the following action as appropriate:

(a) Take control of the scene and take steps to prevent danger from vehicles at the scene or approaching the scene.

(b) Use bystanders to assist and call for further police assistance as necessary.

(c) Attend promptly to the injured, obtaining medical aid and arranging for the removal of the injured to hospital if necessary.



(d) Note marks and debris and make a sketch plan if necessary showing the position of the vehicles before removal.

(e) Safeguard all property at the scene and arrange for its subsequent safekeeping.

(f) Identify witnesses, especially independent witnesses, where a prosecution is likely to ensue.

(g) Complete an accident report.

(h) Consider whether blame can be attached to any driver or other person and take statements as necessary.



Immediate steps must be taken to prevent further accidents, danger to pedestrians and other traffic. Police officers will wear high visibility jackets. At night, it is particularly important to ensure that the scene is well illuminated. Emergency lighting equipment is available through the Control Room. Warning signs should be placed at each approach to the scene.

4. Where vehicles are causing a serious obstruction and cannot readily be moved, traffic may need to be diverted.

5. The removal of vehicles from the scene of a traffic accident must be dealt with through the Control Room who maintain a list of wreckers with suitable equipment who are prepared to deal with broken down or damaged vehicles at the request of the police

6. The duty senior officer in the Control Room is responsible for calling out a suitable breakdown vehicle and the following procedure will be strictly adhered to:-

(a) Driver Present - if the driver is present at the scene, and the vehicle cannot be driven or moved clear and he should be asked to nominate a particular wrecker or garage of his choice to remove the damage vehicle. It is the driver's responsibility to ensure that his vehicle is removed once the police have completed their investigation at the scene. A note will be made in the officer's pocket book of such a request which will be passed to the Control Room for action.

(b) Driver unable to nominate - if the driver of a vehicle cannot nominate a suitable wrecker or is unable to do so because of injury, the officer at the scene will contact the Control Room and request an wrecker to attend and remove the vehicle.

7. A record will be maintained in the Control Room of all such requests, in conjunction with the **Bahamas Wreckers Association**. If the nominated wrecker is unable to attend, the next one on the list will be selected. Vehicles will be removed at the owner's expense. In no circumstances will an officer at the scene of a traffic accident allow a damaged vehicle to be towed away by an **unauthorised operator**

8. Where a report is received at Control Room or at any other station of a traffic accident an incident/complaint report will be completed in the normal way (see Section C3, paragraph 4). Details will be entered on the computer by a terminal operator at the place where the original report was received. Where the report is received by the Control Room, the copy incident/complaint report will be forwarded to the station or department from which the accident is being investigated. It will form the basis of the case file which is retained at the station or department concerned pending the completion of enquiries.

9. All traffic accidents reported to the police and occurring on public roads will be recorded on a traffic accident report and investigated. **Section 55** of the Road Traffic Act places a legal obligation on a driver to report a traffic accident to a police station or to a police officer within 24 hours and any driver who fails to report an accident as required should be reported.

10. The officer recording the accident will complete the accident report as far as possible before finishing duty. The report will be submitted to the station officer who will check the report for accuracy and to ensure that the statistical information is complete. The report will then be passed to the terminal operator in order that the computer records can be updated.

11. The accident report, having been completed at the scene or at a police station will be regarded as original notes for evidential purposes and the reporting officer will ensure that the accident report forms the basis for any prosecution arising from the accident.

12. Officers recording and investigating traffic accidents will interview the parties involved either at the scene or, where this is not practicable, as soon after the accident as possible. Where drivers are interviewed at the scene, they will be interviewed in the presence of each other. The taking of measurements should also be done with the drivers present. Any allegations, admissions or comments by either party will be recorded in the officer's notebook and statements will be taken if necessary.

13. Officers investigating accidents should look for independent evidence to corroborate or otherwise the explanations given by the drivers. Passengers are not to be regarded as independent for these purposes. The position of the vehicles after a collision is important and the investigating officer should make careful note of the positions and take the appropriate measurements. A rough sketch should be made.

14. Marks on the road surface or verges can often be significant and should be carefully noted. Dirt and other debris on the road surface can often indicate the point of impact even though the vehicles continued to move before coming to rest. The use of specialist officers to draw plans of the scene for court purposes should be considered.

15. **The officer will summarize the circumstances of the accident** in the space provided on the accident report and this will include any admissions or other evidence which could be used to support a prosecution. The officer will make a firm recommendation at the end of the report as to proceedings against any of the drivers involved. Where necessary he will serve a Notice of Intended Prosecution at the scene on a driver against whom proceedings are recommended unless the provisions of Section 49 of the Road Traffic Act can be satisfied by serving the notice on the driver within 14 days of the accident.

16. **Supervisory officers, when checking the accident report** as at paragraph 10 above, will ensure that a Notice of Intended Prosecution has been or is served on any driver against whom proceedings are recommended.

17. **Where persons are injured** as a result of a traffic accident, the officer attending the scene will ensure that the appropriate hospital form is completed and sent to the hospital concerned.

24. A casualty is classified according to the severity of the injury received and accidents are classified according to the worst injury of any person involved in the accident. Accidents will be classified as follows:-

(a) Fatal - this includes those cases where death occurs within 30 days as a result of the accident. **This is now amended that he time frame is now one year and a day (1yr & 1 Day)**

(b) Serious- this includes those cases where the injuries required hospital treatment such as fractures, internal injuries, severe cuts and lacerations, crushing, concussion or severe shock.

(c) Slight - this includes those cases where the injuries were less severe such as sprains, bruises, minor cuts, grazing or slight shock requiring some medical attention.