

AS TABLED IN THE HOUSE OF ASSEMBLY

A BILL

entitled

ROAD TRAFFIC AND MOTOR CAR (ROAD SAFETY AND PENALTIES) AMENDMENT ACT 2026

WHEREAS it is expedient to amend the law relating to road traffic, motor cars and auxiliary bicycles to strengthen deterrence, improve road safety, facilitate unannounced road sobriety checkpoints by the Bermuda Police Service, and increase the punishments, disqualification periods and demerit points for road and motor-related offences without increasing ordinary fees, duties, licence charges or cost-recovery amounts;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation and commencement

- 1 This Act may be cited as the Road Traffic and Motor Car (Road Safety and Penalties) Amendment Act 2026.
- (2) This Act comes into operation on such day as the Minister responsible for transport may appoint by notice published in the Gazette; and the Minister may appoint different days for different provisions.

Interpretation

- 2 In this Act, unless the context otherwise requires, "Minister" means the Minister responsible for transport.
- (2) For the avoidance of doubt, nothing in this Act increases any licence duty, registration fee, permit fee, examination fee, application fee,

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inspection fee, towing charge, impoundment charge, plate duty or other fee or charge that is not imposed as punishment for an offence.

Amends Road Traffic Act 1947

- 3 The Road Traffic Act 1947 is amended as provided in sections 4 to 8 and Schedule 2.

Repeals and replaces section 35BC

- 4 The Road Traffic Act 1947 is amended by repealing section 35BC and substituting the following-

"Road sobriety checkpoint

35BC (1) An officer of or above the rank of superintendent may, if satisfied on reasonable grounds that it is necessary and proportionate in the interests of road safety for the purpose of preventing, detecting or investigating an offence under section 35A, 35AA or 35B, establish and conduct, or authorise one or more police officers in uniform to establish and conduct, a road sobriety checkpoint.

(1A) Before a road sobriety checkpoint is established, the authorising officer shall make or approve a written checkpoint authorisation specifying-

- (a) the road or locality;
- (b) the date, time and anticipated duration;
- (c) the purpose of the checkpoint;
- (d) the neutral vehicle-selection method to be used;
- (e) the police officer in charge; and
- (f) any safety or traffic-management arrangements considered necessary.

(1B) Where operational urgency makes prior written authorisation impracticable, the authorising officer shall record the matters in subsection (1A) as soon as practicable after the checkpoint is established.

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(2) A road sobriety checkpoint may be established and conducted on any road, at any place on that road, on any date, at any time and for any duration specified in the written checkpoint authorisation or, in a case falling within subsection (1B), recorded under that subsection.

(3) No authorisation, approval or order of the Senior Magistrate, and no publication in the Gazette or other notice to the public, is required for the establishment or conduct of a road sobriety checkpoint.

(4) For the purposes of this section and sections 35BA, 35BB, 35BE and 35BF, a road sobriety checkpoint consists of the exercise in a locality of the power conferred by section 30 in such a way as to stop-

- (a) all vehicles travelling through the checkpoint; or
- (b) vehicles selected in accordance with a neutral selection method specified in the written checkpoint authorisation or recorded under subsection (1B).

(4A) A neutral selection method shall not be based on race, colour, place of origin, sex, religion, political opinion, disability or any other personal characteristic unrelated to road-safety enforcement, and shall not permit arbitrary selection by an individual officer.

(4B) The police officer in charge of a road sobriety checkpoint shall ensure that the checkpoint is conducted by police officers in uniform, is reasonably identifiable as a police checkpoint, is operated in a manner that is safe for road users and police officers, and detains persons for no longer than is reasonably necessary for the purposes of the checkpoint.

(5) A police officer in charge of a road sobriety checkpoint may relocate, suspend, resume, extend or terminate the checkpoint as operational circumstances require.

(5A) The police officer in charge shall keep a checkpoint record stating the date, time, place, duration, selection method, number of vehicles stopped, number of preliminary tests required, number of drug screening tests required, number of arrests or reported offences, any relocation,

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suspension or early termination, and the reasons for any material variation from the written checkpoint authorisation.

(5B) The Commissioner of Police shall retain checkpoint records for at least three years and shall provide the Minister, at least annually, with aggregate information about the operation of road sobriety checkpoints.

(5C) The Minister may publish aggregate information provided under subsection (5B), but no information shall be published in a manner that identifies future checkpoint locations, operational methods or personal information.

(6) Nothing in this section affects the exercise by police officers of any power for purposes other than those specified in subsection (1)."

Repeals section 35BD

5 The Road Traffic Act 1947 is amended by repealing section 35BD.

Repeals and replaces section 35BE

6 The Road Traffic Act 1947 is amended by repealing section 35BE and substituting the following-

"Preliminary testing; road sobriety checkpoint

35BE (1) A police officer in uniform at a road sobriety checkpoint conducted in accordance with section 35BC may, by demand made to a person driving, attempting to drive, or having care or control of a vehicle stopped at the checkpoint, immediately require that person to submit to a preliminary breath test.

(1A) A police officer in uniform at a road sobriety checkpoint may require a person referred to in subsection (1) to submit to a preliminary impairment test where the officer has reasonable grounds to suspect that the person's ability to drive is impaired by alcohol or a drug.

(2) Where a police officer in uniform at a road sobriety checkpoint has reasonable and probable grounds to believe that an offence under section 35B has been or is being committed, the police officer may require a person to submit to a drug screening test under section 35D.

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(2A) A demand under this section shall, where practicable, inform the person that failure or refusal to comply without reasonable excuse is an offence.

(3) A person who, without reasonable excuse, fails or refuses to comply with a demand made under subsection (1), (1A) or (2) is guilty of an offence."

Amends section 35BF

7 Section 35BF of the Road Traffic Act 1947 is amended-

(a) by deleting "as a result of a preliminary test conducted under section 35BA or 35BB" and substituting "as a result of a preliminary test conducted under section 35BA or 35BB or a drug screening test required under section 35D or 35BE"; and

(b) by deleting "section 35A or 35AA" and substituting "section 35A, 35AA or 35B".

Amends table of contents

8 The Road Traffic Act 1947 is amended in the table of contents by deleting the entry relating to section 35BD.

Amends Traffic Offences (Penalties) Act 1976

9 The Traffic Offences (Penalties) Act 1976 is amended as provided in sections 10 to 12 and Schedule 1.

Amends section 4E

10 Section 4E of the Traffic Offences (Penalties) Act 1976 is amended in subsection (4) by deleting paragraph (b).

(2) In section 4E(4), the word "or" at the end of paragraph (a) is deleted.

Inserts section 4EA

11 The Traffic Offences (Penalties) Act 1976 is amended by inserting after section 4E the following-

"Referral to court where ticket conviction causes accumulation of demerit points

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- 4EA (1) This section applies where, by reason of a conviction recorded following payment of a penalty under Part II of the Traffic Offences Procedure Act 1974, the total unexpired demerit points recorded in respect of a person, including the demerit points recorded as a result of that conviction, equals or exceeds 12 points.
- (2) The Director shall, as soon as practicable after becoming aware of the matter, cause the person to be notified and shall refer the matter to a court of summary jurisdiction for the purpose of determining whether an order of disqualification is to be made under section 4E.
- (2A) A notice under subsection (2) shall specify-
- (a) the convictions and demerit points relied on;
 - (b) the total unexpired demerit points recorded;
 - (c) the date, time and place of the court hearing;
 - (d) the person's right to be heard; and
 - (e) the court's power under section 4E to order a shorter disqualification or no disqualification for special reasons.
- (2B) The court shall not make an order under section 4E on a referral under this section unless satisfied that the person has been given reasonable notice and an opportunity to be heard.
- (2C) A referral under this section does not reopen the conviction recorded following payment of the penalty, but the court may correct any clerical or computational error in the record of demerit points.
- (3) On a referral under subsection (2), the court may make any order that it could have made under section 4E had the person appeared before the court at the time the conviction was recorded."

Amends Schedule 1

- 12 Schedule 1 to the Traffic Offences (Penalties) Act 1976 is amended as set out in Schedule 1 to this Act.

Amends Traffic Offences Procedure Act 1974

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13 The Traffic Offences Procedure Act 1974 is amended-

- (a) in section 6(3), by deleting the form of Plea of Guilty and substituting the following-

"PLEA OF GUILTY

I am aware that I have a right to a hearing in respect of the offence with which I am charged and that by signing this plea of guilty I am waiving my right to a hearing. I am also aware that signing this plea of guilty may result in a conviction against me without a hearing, the recording of demerit points against me, and referral to a court for possible disqualification if my total unexpired demerit points equal or exceed 12 points. I hereby plead guilty to the offence as charged and consent to be convicted of the offence in my absence.

[blank]

Signature of Defendant"; and

- (b) as set out in Schedule 2 to this Act.

Amends Motor Car Act 1951

14 The Motor Car Act 1951 is amended as set out in Schedule 2 to this Act.

Amends Auxiliary Bicycles Act 1954

15 The Auxiliary Bicycles Act 1954 is amended as set out in Schedule 2 to this Act.

Amends Criminal Code Act 1907

16 Section 55(2)(f) of the Criminal Code Act 1907 is amended by inserting after subparagraph (ii) the following-

"(iia) evidence that the offence was committed by the driving, operation or use of a motor vehicle or auxiliary bicycle on a road or other public place in a manner that created a risk of death or serious bodily harm to another person;"

(2) In section 55(2)(f) of the Criminal Code Act 1907, after subparagraph (iia) as inserted by subsection (1), insert the following-

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"(iib) for the purposes of subparagraph (ia), the court shall avoid double counting where the same fact is an element of the offence or is otherwise specifically reflected in a penalty, disqualification or demerit point provision under a road traffic enactment;"

Transitional provision

- 17 The amendments made by this Act apply only in relation to an offence committed on or after the commencement of the relevant amendment.
- (2) Where an offence is a continuing offence, an increased daily fine applies only in respect of a day occurring on or after the commencement of the relevant amendment.
- (3) A demerit point, disqualification or penalty in force before the commencement of this Act is not increased by reason only of this Act.

Schedules

- 18 The Schedules have effect.

SCHEDULE 1

(section 12)

AMENDMENTS TO SCHEDULE 1 TO THE TRAFFIC OFFENCES (PENALTIES) ACT 1976

In Schedule 1 to the Traffic Offences (Penalties) Act 1976, in each entry specified in the first column of the table, delete the text in the second column and substitute the text in the third column.

Entry	Delete	Substitute
Road Traffic Act 1947, section 4(4)	Head 5: \$200 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$400 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 5(3)	Head 5: \$50 Head 7: 2 to 4 points	Head 5: \$100 Head 7: 4 to 8 points
Road Traffic Act 1947, section 6	Head 5: \$100 Head 7: 3 points	Head 5: \$200 Head 7: 6 points
Road Traffic Act 1947, section 7(4) - exceeding speed limit	Head 5: if first offence - \$500 or 3 months, or both	Head 5: if first offence - \$1,000 or 6 months, or both

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Entry	Delete	Substitute
	if second offence committed within 2 years of date of conviction of first offence - \$1,000 or 6 months, or both if second offence in any other case - \$500 or 3 months, or both if third or subsequent offence committed within 2 years of date of conviction of first offence - \$2,000 or 18 months, or both if third or subsequent offence in any other case - \$500 or 3 months, or both Head 6: [see section 3A and Schedule 4.] Head 7: if first offence - 4 to 7 points if second offence committed within 2 years of date of conviction of first offence - 10 points if second offence in any other case - 4 to 7 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 12 points if third or subsequent offence in any other case - 7 to 10 points	if second offence committed within 2 years of date of conviction of first offence - \$2,000 or 12 months, or both if second offence in any other case - \$1,000 or 6 months, or both if third or subsequent offence committed within 2 years of date of conviction of first offence - \$4,000 or 36 months, or both if third or subsequent offence in any other case - \$1,000 or 6 months, or both Head 7: if first offence - 8 to 14 points if second offence committed within 2 years of date of conviction of first offence - 20 points if second offence in any other case - 8 to 14 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 24 points if third or subsequent offence in any other case - 14 to 20 points
Road Traffic Act 1947, section 12	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 13(7)	Head 5: \$75	Head 5: \$150
Road Traffic Act 1947, section 14	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 15(2)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 16(2)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 17(2)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 18(4)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 5 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 10 points
Road Traffic Act 1947, section 19(3)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 20	Head 5: \$300 Head 6: discretionary - 6 months	Head 5: \$600 Head 6: discretionary - 12 months

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Entry	Delete	Substitute
	Head 7: 2 to 4 points	Head 7: 4 to 8 points
Road Traffic Act 1947, section 21(2)	Head 5: \$50 Head 7: 2 to 4 points	Head 5: \$100 Head 7: 4 to 8 points
Road Traffic Act 1947, section 22(3)	Head 5: \$100 Head 7: 2 to 4 points	Head 5: \$200 Head 7: 4 to 8 points
Road Traffic Act 1947, section 23(3)	Head 5: \$100 Head 7: 2 to 4 points	Head 5: \$200 Head 7: 4 to 8 points
Road Traffic Act 1947, section 25(12)	Head 5: \$200 Head 7: 4 to 7 points	Head 5: \$400 Head 7: 8 to 14 points
Road Traffic Act 1947, section 26(1)(e)	Head 5: \$2,100 (first offence) or \$5,000 (subsequent offence) Head 7: 2 to 4 points	Head 5: \$4,200 (first offence) or \$10,000 (subsequent offence) Head 7: 4 to 8 points
Road Traffic Act 1947, section 26(4)	Head 5: \$300 Head 6: discretionary - 3 months Head 7: 4 to 7 points	Head 5: \$600 Head 6: discretionary - 6 months Head 7: 8 to 14 points
Road Traffic Act 1947, section 27(4)	Head 5: \$100 Head 7: 2 to 4 points	Head 5: \$200 Head 7: 4 to 8 points
Road Traffic Act 1947, section 27(5)	Head 5: \$100 Head 7: 2 to 4 points	Head 5: \$200 Head 7: 4 to 8 points
Road Traffic Act 1947, section 30(3)	Head 5: \$300 Head 6: discretionary - 3 months Head 7: 5 points	Head 5: \$600 Head 6: discretionary - 6 months Head 7: 10 points
Road Traffic Act 1947, section 31(2)	Head 5: \$300 Head 6: discretionary - 3 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 6 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 32(2)	Head 5: \$300 Head 6: discretionary - 3 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 6 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 34	Head 5: causing death - if first offence - 8 years if second offence - 10 years if third offence - 15 years causing grievous bodily harm [on indictment] - if first offence - 4 years if second offence - 7 years if third offence - 9 years causing grievous bodily harm [summary] - if first offence - \$3,000 or 3 years, or both if second offence - \$5,000 or 6 years, or both if third or subsequent offence - \$8,000 or 8 years, or both Head 6: causing death - if first offence - obligatory - 5 years if second offence - obligatory - 8 years if third offence - obligatory - 10 years causing grievous bodily harm [on indictment] -	Head 5: causing death - if first offence - 16 years if second offence - 20 years if third offence - 30 years causing grievous bodily harm [on indictment] - if first offence - 8 years if second offence - 14 years if third offence - 18 years causing grievous bodily harm [summary] - if first offence - \$6,000 or 6 years, or both if second offence - \$10,000 or 12 years, or both if third or subsequent offence - \$16,000 or 16 years, or both Head 6: causing death - if first offence - obligatory - 10 years if second offence - obligatory - 16 years if third offence - obligatory - 20 years causing grievous bodily harm [on indictment] -

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Entry	Delete	Substitute
	if first offence - obligatory - 3 years, discretionary - 4 years if second offence - obligatory - 5 years, discretionary - 6 years if third offence - obligatory - 8 years, discretionary - 9 years causing grievous bodily harm [summary] - if first offence - obligatory - 2 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 4 years if third or subsequent offence - obligatory - 6 years Head 7: causing death - if first offence - 12 points if second offence - 12 points if third offence - 12 points causing grievous bodily harm [on indictment] - if first offence - 10 to 12 points if second offence - 10 to 12 points if third offence - 10 to 12 points causing grievous bodily harm [summary] - if first offence - 8 to 10 points if second offence committed within 2 years of date of conviction of first offence - 8 to 10 points if third or subsequent offence - 12 points	if first offence - obligatory - 6 years, discretionary - 8 years if second offence - obligatory - 10 years, discretionary - 12 years if third offence - obligatory - 16 years, discretionary - 18 years causing grievous bodily harm [summary] - if first offence - obligatory - 4 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 8 years if third or subsequent offence - obligatory - 12 years Head 7: causing death - if first offence - 24 points if second offence - 24 points if third offence - 24 points causing grievous bodily harm [on indictment] - if first offence - 20 to 24 points if second offence - 20 to 24 points if third offence - 20 to 24 points causing grievous bodily harm [summary] - if first offence - 16 to 20 points if second offence committed within 2 years of date of conviction of first offence - 16 to 20 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 34A	Head 5: causing death - if first offence - 8 years if second offence - 10 years if third offence - 15 years causing grievous bodily harm [on indictment] - if first offence - 4 years if second offence - 7 years if third offence - 9 years causing grievous bodily harm [summary] - if first offence - \$3,000 or 3 years, or both if second offence - \$5,000 or 6 years, or both if third or subsequent offence - \$8,000 or 8 years, or both Head 6: causing death - if first offence - obligatory - 5 years if second offence - obligatory - 8 years if third offence - obligatory - 10 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 3 years, discretionary - 4 years if second offence - obligatory - 5 years, discretionary - 6 years if third offence - obligatory - 8 years, discretionary - 9 years	Head 5: causing death - if first offence - 16 years if second offence - 20 years if third offence - 30 years causing grievous bodily harm [on indictment] - if first offence - 8 years if second offence - 14 years if third offence - 18 years causing grievous bodily harm [summary] - if first offence - \$6,000 or 6 years, or both if second offence - \$10,000 or 12 years, or both if third or subsequent offence - \$16,000 or 16 years, or both Head 6: causing death - if first offence - obligatory - 10 years if second offence - obligatory - 16 years if third offence - obligatory - 20 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 6 years, discretionary - 8 years if second offence - obligatory - 10 years, discretionary - 12 years if third offence - obligatory - 16 years, discretionary - 18 years

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Entry	Delete	Substitute
	causing grievous bodily harm [summary] - if first offence - obligatory - 2 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 4 years if third or subsequent offence - obligatory - 6 years Head 7: causing death - if first offence - 12 points if second offence - 12 points if third offence - 12 points causing grievous bodily harm [on indictment] - if first offence - 10 to 12 points if second offence - 10 to 12 points if third offence - 10 to 12 points causing grievous bodily harm [summary] - if first offence - 8 to 10 points if second offence committed within 2 years of date of conviction of first offence - 8 to 10 points if third or subsequent offence - 12 points	causing grievous bodily harm [summary] - if first offence - obligatory - 4 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 8 years if third or subsequent offence - obligatory - 12 years Head 7: causing death - if first offence - 24 points if second offence - 24 points if third offence - 24 points causing grievous bodily harm [on indictment] - if first offence - 20 to 24 points if second offence - 20 to 24 points if third offence - 20 to 24 points causing grievous bodily harm [summary] - if first offence - 16 to 20 points if second offence committed within 2 years of date of conviction of first offence - 16 to 20 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 37A	Head 5: causing death - if first offence - 8 years if second offence - 10 years if third offence - 15 years causing grievous bodily harm [on indictment] - if first offence - 4 years if second offence - 7 years if third offence - 9 years causing grievous bodily harm [summary] - if first offence - \$3,000 or 3 years, or both if second offence - \$5,000 or 6 years, or both if third or subsequent offence - \$8,000 or 8 years, or both Head 6: causing death - if first offence - obligatory - 5 years if second offence - obligatory - 8 years if third offence - obligatory - 10 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 3 years, discretionary - 4 years if second offence - obligatory - 5 years, discretionary - 6 years if third offence - obligatory - 8 years, discretionary - 9 years causing grievous bodily harm [summary] - if first offence - obligatory - 2 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 4 years	Head 5: causing death - if first offence - 16 years if second offence - 20 years if third offence - 30 years causing grievous bodily harm [on indictment] - if first offence - 8 years if second offence - 14 years if third offence - 18 years causing grievous bodily harm [summary] - if first offence - \$6,000 or 6 years, or both if second offence - \$10,000 or 12 years, or both if third or subsequent offence - \$16,000 or 16 years, or both Head 6: causing death - if first offence - obligatory - 10 years if second offence - obligatory - 16 years if third offence - obligatory - 20 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 6 years, discretionary - 8 years if second offence - obligatory - 10 years, discretionary - 12 years if third offence - obligatory - 16 years, discretionary - 18 years causing grievous bodily harm [summary] - if first offence - obligatory - 4 years if second offence committed within 2 years of date of conviction of first offence - obligatory - 8 years

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Entry	Delete	Substitute
	if third or subsequent offence - obligatory - 6 years Head 7: causing death - if first offence - 12 points if second offence - 12 points if third offence - 12 points causing grievous bodily harm [on indictment] - if first offence - 10 to 12 points if second offence - 10 to 12 points if third offence - 10 to 12 points causing grievous bodily harm [summary] - if first offence - 8 to 10 points if second offence committed within 2 years of date of conviction of first offence - 8 to 10 points if third or subsequent offence - 12 points	if third or subsequent offence - obligatory - 12 years Head 7: causing death - if first offence - 24 points if second offence - 24 points if third offence - 24 points causing grievous bodily harm [on indictment] - if first offence - 20 to 24 points if second offence - 20 to 24 points if third offence - 20 to 24 points causing grievous bodily harm [summary] - if first offence - 16 to 20 points if second offence committed within 2 years of date of conviction of first offence - 16 to 20 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 34B	Head 5: causing death - if first offence - 2 years if second offence - 5 years if third offence - 8 years causing grievous bodily harm [on indictment] - if first offence - 16 months if second offence - 22 months if third offence - 3 years causing grievous bodily harm [summary] - if first offence - 1 year if second offence - 18 months if third or subsequent offence - 2 years Head 6: causing death - if first offence - obligatory - 5 years if second offence - obligatory - 8 years if third offence - obligatory - 10 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 3 years, discretionary - 4 years if second offence - obligatory - 5 years, discretionary - 7 years if third offence - obligatory - 8 years, discretionary - 10 years causing grievous bodily harm [summary] - if first offence - obligatory - 2 years if second offence - obligatory - 4 years if third or subsequent offence - obligatory - 6 years Head 7: causing death - if first offence - 12 points if second offence - 12 points if third offence - 12 points causing grievous bodily harm [on indictment] - if first offence - 10 to 12 points if second offence - 10 to 12 points	Head 5: causing death - if first offence - 4 years if second offence - 10 years if third offence - 16 years causing grievous bodily harm [on indictment] - if first offence - 32 months if second offence - 44 months if third offence - 6 years causing grievous bodily harm [summary] - if first offence - 2 years if second offence - 36 months if third or subsequent offence - 4 years Head 6: causing death - if first offence - obligatory - 10 years if second offence - obligatory - 16 years if third offence - obligatory - 20 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 6 years, discretionary - 8 years if second offence - obligatory - 10 years, discretionary - 14 years if third offence - obligatory - 16 years, discretionary - 20 years causing grievous bodily harm [summary] - if first offence - obligatory - 4 years if second offence - obligatory - 8 years if third or subsequent offence - obligatory - 12 years Head 7: causing death - if first offence - 24 points if second offence - 24 points if third offence - 24 points causing grievous bodily harm [on indictment] - if first offence - 20 to 24 points if second offence - 20 to 24 points

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Entry	Delete	Substitute
	if third offence - 12 points causing grievous bodily harm [summary] - if first offence - 8 to 10 points if second offence - 8 to 10 points if third or subsequent offence - 12 points	if third offence - 24 points causing grievous bodily harm [summary] - if first offence - 16 to 20 points if second offence - 16 to 20 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35	Head 5: causing death - if first offence - 12 years if second offence - 14 years if third offence - 17 years causing grievous bodily harm [on indictment] - if first offence - 7 years if second offence - 10 years if third offence - 12 years causing grievous bodily harm [summary] - if first offence - \$3,000 or 5 years, or both if second offence - \$5,000 or 7 years, or both if third or subsequent offence - \$8,000 or 10 years, or both Head 6: causing death - if first offence - obligatory - 8 years if second offence - obligatory - 10 years if third offence - obligatory - 15 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 5 years, discretionary - 7 years if second offence - obligatory - 8 years, discretionary - 10 years if third or subsequent offence - obligatory - 10 years, discretionary - 12 years causing grievous bodily harm [summary] - if first offence - obligatory - 3 years, discretionary - 4 years if second offence - obligatory - 5 years, discretionary - 7 years if third or subsequent offence - obligatory - 8 years, discretionary - 10 years Head 7: causing death - if first offence - 12 points if second offence - 12 points if third offence - 12 points causing grievous bodily harm [on indictment] - if first offence - 10 to 12 points if second offence - 10 to 12 points if third offence - 12 points causing grievous bodily harm [summary] - if first offence - 8 to 10 points if second offence - 8 to 10 points if third or subsequent offence - 12 points	Head 5: causing death - if first offence - 24 years if second offence - 28 years if third offence - 34 years causing grievous bodily harm [on indictment] - if first offence - 14 years if second offence - 20 years if third offence - 24 years causing grievous bodily harm [summary] - if first offence - \$6,000 or 10 years, or both if second offence - \$10,000 or 14 years, or both if third or subsequent offence - \$16,000 or 20 years, or both Head 6: causing death - if first offence - obligatory - 16 years if second offence - obligatory - 20 years if third offence - obligatory - 30 years causing grievous bodily harm [on indictment] - if first offence - obligatory - 10 years, discretionary - 14 years if second offence - obligatory - 16 years, discretionary - 20 years if third or subsequent offence - obligatory - 20 years, discretionary - 24 years causing grievous bodily harm [summary] - if first offence - obligatory - 6 years, discretionary - 8 years if second offence - obligatory - 10 years, discretionary - 14 years if third or subsequent offence - obligatory - 16 years, discretionary - 20 years Head 7: causing death - if first offence - 24 points if second offence - 24 points if third offence - 24 points causing grievous bodily harm [on indictment] - if first offence - 20 to 24 points if second offence - 20 to 24 points if third offence - 24 points causing grievous bodily harm [summary] - if first offence - 16 to 20 points if second offence - 16 to 20 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35AA	Head 5: if first offence - \$1,500 or 12 months, or both	Head 5: if first offence - \$3,000 or 24 months, or both

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Entry	Delete	Substitute
	if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35A	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35B(1)	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35BE(2)	Head 2: section 35BE(2) Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years	Head 2: section 35BE(3) Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years

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Entry	Delete	Substitute
	Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35C(7)	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35D(3)	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 35F(3)	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 36	Head 5: if first offence - \$1,500 or 12 months, or both if second offence - \$2,500 or 18 months, or both if third or subsequent offence - \$5,000 or 2 years, or both Head 6: if first offence - obligatory - 18 months	Head 5: if first offence - \$3,000 or 24 months, or both if second offence - \$5,000 or 36 months, or both if third or subsequent offence - \$10,000 or 4 years, or both Head 6: if first offence - obligatory - 36 months

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Entry	Delete	Substitute
	if second offence - obligatory - 3 years if third or subsequent offence - obligatory - 5 years Head 7: if first offence - 8 to 10 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	if second offence - obligatory - 6 years if third or subsequent offence - obligatory - 10 years Head 7: if first offence - 16 to 20 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 37	Head 5: if first offence - \$1,000 if second offence - \$1,500 if third or subsequent offence - \$2,000 Head 6: if first offence - discretionary - 12 months if second offence - discretionary - 12 months if third or subsequent offence - discretionary - 18 months Head 7: if first offence - 10 to 12 points if second offence - 10 to 12 points if third or subsequent offence - 12 points	Head 5: if first offence - \$2,000 if second offence - \$3,000 if third or subsequent offence - \$4,000 Head 6: if first offence - discretionary - 24 months if second offence - discretionary - 24 months if third or subsequent offence - discretionary - 36 months Head 7: if first offence - 20 to 24 points if second offence - 20 to 24 points if third or subsequent offence - 24 points
Road Traffic Act 1947, section 38	Head 5: \$300 Head 7: 2 to 4 points	Head 5: \$600 Head 7: 4 to 8 points
Road Traffic Act 1947, section 40(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Road Traffic Act 1947, section 41	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Road Traffic Act 1947, section 42(2)	Head 5: if first offence - \$300 or 6 months, or both if second offence committed within 2 years of date of conviction of first offence - \$600 or 12 months, or both if second offence in any other case - \$300 or 6 months, or both Head 6: if first offence - discretionary - 6 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 6 months if second offence in any other case - discretionary - 6 months Head 7: if first offence - 5 to 7 points if second offence committed within 2 years of date of conviction of first offence - 7 to 9 points if second offence in any other case - 5 to 7 points	Head 5: if first offence - \$600 or 12 months, or both if second offence committed within 2 years of date of conviction of first offence - \$1,200 or 24 months, or both if second offence in any other case - \$600 or 12 months, or both Head 6: if first offence - discretionary - 12 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 12 months if second offence in any other case - discretionary - 12 months Head 7: if first offence - 10 to 14 points if second offence committed within 2 years of date of conviction of first offence - 14 to 18 points if second offence in any other case - 10 to 14 points
Road Traffic Act 1947, section 43(1)	Head 5: if first offence - \$500 or 3 months if second offence committed within 2 years of the date of conviction of first offence - \$1,000 or 6 months	Head 5: if first offence - \$1,000 or 6 months if second offence committed within 2 years of the date of conviction of first offence - \$2,000 or 12 months

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Entry	Delete	Substitute
	Provided that a person under the age of 18 years shall not be liable to mandatory imprisonment for an offence under section 43(1) if second offence in any other case - \$500 or 3 months if third or subsequent offence committed within 2 years of the date of conviction of first offence - \$1,000 or 12 months if third offence in any other case - \$500 or 3 months Head 6: if first offence - discretionary - 3 years if second offence committed within 2 years of the date of conviction of first offence - discretionary - 5 years if second offence in any other case - discretionary - 3 years if third or subsequent offence committed within 2 years of the date of conviction of first offence - discretionary - 5 years if third offence in any other case - discretionary - 3 years Head 7: if first offence - 7 to 9 points if second offence committed within 2 years of the date of conviction of first offence - 10 points if second offence in any other case - 7 to 9 points if third or subsequent offence committed within 2 years of the date of conviction of first offence - 12 points if third offence in any other case - 7 to 9 months	Provided that a person under the age of 18 years shall not be liable to mandatory imprisonment for an offence under section 43(1) if second offence in any other case - \$1,000 or 6 months if third or subsequent offence committed within 2 years of the date of conviction of first offence - \$2,000 or 24 months if third offence in any other case - \$1,000 or 6 months Head 6: if first offence - discretionary - 6 years if second offence committed within 2 years of the date of conviction of first offence - discretionary - 10 years if second offence in any other case - discretionary - 6 years if third or subsequent offence committed within 2 years of the date of conviction of first offence - discretionary - 10 years if third offence in any other case - discretionary - 6 years Head 7: if first offence - 14 to 18 points if second offence committed within 2 years of the date of conviction of first offence - 20 points if second offence in any other case - 14 to 18 points if third or subsequent offence committed within 2 years of the date of conviction of first offence - 24 points if third offence in any other case - 14 to 18 points
Municipalities Act 1923, section 46	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Parking of Vehicles (Designated Areas) Act 1973, section 4	Head 5: \$75	Head 5: \$150
Parking of Vehicles (Designated Areas) Act 1973, section 5	Head 5: \$75	Head 5: \$150
Auxiliary Bicycles Act 1954, section 9(1)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points

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Entry	Delete	Substitute
Auxiliary Bicycles Act 1954, section 9(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9B(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9B(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9B(3)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9C(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9C(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 9D	Head 5: \$400	Head 5: \$800
Auxiliary Bicycles Act 1954, section 10(2)	Head 5: \$50 Head 7: 2 points	Head 5: \$100 Head 7: 4 points
Auxiliary Bicycles Act 1954, section 10A(2)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 11(1)	Head 5: \$200 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$400 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 12	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 13(1)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 13(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 14(3)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 15(1)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 15(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points

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Entry	Delete	Substitute
Auxiliary Bicycles Act 1954, section 17(2)	Head 5: \$450 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$900 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 23	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 37(1)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 38(1)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 38(2)	Head 5: \$300 Head 6: discretionary - 12 months Head 7: 5 to 7 points	Head 5: \$600 Head 6: discretionary - 24 months Head 7: 10 to 14 points
Auxiliary Bicycles Act 1954, section 45	Head 5: \$200 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$400 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Auxiliary Bicycles (Construction, Equipment and Use) Regulations 1955, regulation 12	Head 5: if first offence - \$500 if second offence committed within 2 years of date of conviction of first offence - \$750 if third or subsequent offence committed within 2 years of date of conviction of first offence - \$1,000 or 6 months, or both Head 6: if first offence - discretionary - 6 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 6 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 18 months Head 7: if first offence - 5 to 7 points if second offence committed within 2 years of date of conviction of first offence - 5 to 7 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 7 to 10 points	Head 5: if first offence - \$1,000 if second offence committed within 2 years of date of conviction of first offence - \$1,500 if third or subsequent offence committed within 2 years of date of conviction of first offence - \$2,000 or 12 months, or both Head 6: if first offence - discretionary - 12 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 12 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 36 months Head 7: if first offence - 10 to 14 points if second offence committed within 2 years of date of conviction of first offence - 10 to 14 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 14 to 20 points
Cycles Act 1955, section 2	Head 5: \$100 Head 7: 2 points	Head 5: \$200 Head 7: 4 points
Cycles Act 1955, section 3	Head 5: \$100 Head 7: 2 points	Head 5: \$200 Head 7: 4 points
Motor Car Act 1951, section 10(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 11(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points

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Entry	Delete	Substitute
Motor Car Act 1951, section 11(2)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 12(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 20C	Head 5: \$200 Head 7: 5 to 7 points	Head 5: \$400 Head 7: 10 to 14 points
Motor Car Act 1951, section 22(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 24	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 25	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 25B	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 26	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 9 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 18 points
Motor Car Act 1951, section 33	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 9 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 18 points
Motor Car Act 1951, section 36	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 9 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 18 points
Motor Car Act 1951, section 40	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 9 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 18 points
Motor Car Act 1951, section 41	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 4 to 6 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 8 to 12 points
Motor Car Act 1951, section 42	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 4 to 6 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 8 to 12 points
Motor Car Act 1951, section 44	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 4 to 6 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 8 to 12 points
Motor Car Act 1951, section 47	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 10 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 20 points
Motor Car Act 1951, section 52(2)(a)(i)	Head 5: \$2,000 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$4,000 Head 6: discretionary - 12 months Head 7: 4 to 8 points

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Entry	Delete	Substitute
Motor Car Act 1951, section 52(2)(a)(ii)	Head 5: \$450 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$900 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 52(2)(b)	Head 5: \$1,000 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$2,000 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 52(2)(c)	Head 5: \$450 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$900 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 53(2)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 65	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 74(1)	Head 5: \$300 Head 6: discretionary - 6 months Head 7: 7 to 10 points	Head 5: \$600 Head 6: discretionary - 12 months Head 7: 14 to 20 points
Motor Car Act 1951, section 85(2)	Head 5: \$100 Head 7: 5 to 7 points	Head 5: \$200 Head 7: 10 to 14 points
Motor Car Act 1951, section 101I(3)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Motor Car Act 1951, section 111(1)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Motor Car Act 1951, section 112(1)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 112(2)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 114	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 120	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 4 to 8 points
Motor Car Act 1951, section 123	Head 5: if first offence - \$1,000 or 3 months if second offence committed within 2 years of the date of conviction of first offence - \$1,000 or 6 months if second offence in any other case - \$1,000 or 3 months if third or subsequent offence committed within 2 years of the date of conviction of first offence - \$1,000 or 12 months if third offence in any other case - \$1,000 or 3 months	Head 5: if first offence - \$2,000 or 6 months if second offence committed within 2 years of the date of conviction of first offence - \$2,000 or 12 months if second offence in any other case - \$2,000 or 6 months if third or subsequent offence committed within 2 years of the date of conviction of first offence - \$2,000 or 24 months if third offence in any other case - \$2,000 or 6 months

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Entry	Delete	Substitute
	Head 6: if first offence - discretionary - 3 years if second offence committed within 2 years of the date of conviction of first offence - discretionary - 5 years if second offence in any other case - discretionary - 3 years if third or subsequent offence committed within 2 years of the date of conviction of first offence - discretionary - 5 years if third offence in any other case - discretionary - 3 years Head 7: if first offence - 7 to 10 points if second offence committed within 2 years of the date of conviction of first offence - 12 points if second offence in any other case - 7 to 10 points if third or subsequent offence committed within 2 years of the date of conviction of first offence - 12 points if third offence in any other case - 7 to 10 points	Head 6: if first offence - discretionary - 6 years if second offence committed within 2 years of the date of conviction of first offence - discretionary - 10 years if second offence in any other case - discretionary - 6 years if third or subsequent offence committed within 2 years of the date of conviction of first offence - discretionary - 10 years if third offence in any other case - discretionary - 6 years Head 7: if first offence - 14 to 20 points if second offence committed within 2 years of the date of conviction of first offence - 24 points if second offence in any other case - 14 to 20 points if third or subsequent offence committed within 2 years of the date of conviction of first offence - 24 points if third offence in any other case - 14 to 20 points
Motor Car (Construction, Equipment and Use) Regulations 1952, regulation 20A	Head 5: \$500 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$1,000 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Motor Car (Construction, Equipment and Use) Regulations 1952, regulation 44	Head 5: if first offence - \$500 if second offence committed within 2 years of date of conviction of first offence - \$750 if third or subsequent offence committed within 2 years of date of conviction of first offence - \$1,000 or 6 months, or both Head 6: if first offence - discretionary - 6 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 6 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 18 months Head 7: if first offence - 5 to 7 points if second offence committed within 2 years of date of conviction of first offence - 5 to 7 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 7 to 10 points	Head 5: if first offence - \$1,000 if second offence committed within 2 years of date of conviction of first offence - \$1,500 if third or subsequent offence committed within 2 years of date of conviction of first offence - \$2,000 or 12 months, or both Head 6: if first offence - discretionary - 12 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 12 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 36 months Head 7: if first offence - 10 to 14 points if second offence committed within 2 years of date of conviction of first offence - 10 to 14 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 14 to 20 points
Motor Car (Construction, Equipment and Use) Regulations 1952, regulation 45	Head 5: if first offence - \$500 if second offence committed within 2 years of date of conviction of first offence - discretionary - 6 months	Head 5: if first offence - \$1,000 if second offence committed within 2 years of date of conviction of first offence - discretionary - 12 months

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Entry	Delete	Substitute
	if third or subsequent offence committed within 2 years of date of conviction of first offence - \$1,000 or 6 months, or both Head 6: if first offence - discretionary - 6 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 6 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 18 months Head 7: if first offence - 5 to 7 points if second offence committed within 2 years of date of conviction of first offence - 5 to 7 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 7 to 10 points	if third or subsequent offence committed within 2 years of date of conviction of first offence - \$2,000 or 12 months, or both Head 6: if first offence - discretionary - 12 months if second offence committed within 2 years of date of conviction of first offence - discretionary - 12 months if third or subsequent offence committed within 2 years of date of conviction of first offence - discretionary - 36 months Head 7: if first offence - 10 to 14 points if second offence committed within 2 years of date of conviction of first offence - 10 to 14 points if third or subsequent offence committed within 2 years of date of conviction of first offence - 14 to 20 points
Motor Car (Examination, Licensing and Registration) Regulations 1952, regulation 26(2)	Head 5: \$500 per identification plate Head 7: 4 to 6 points	Head 5: \$1,000 per identification plate Head 7: 8 to 12 points
Motor Cycles and Auxiliary Bicycles (Special Measures of Control) Act 1953, section 6(2)	Head 5: \$100 Head 6: discretionary - 6 months Head 7: 5 to 7 points	Head 5: \$200 Head 6: discretionary - 12 months Head 7: 10 to 14 points
Motor Car Insurance (Third-Party Risks) Act 1943, section 3(2)	Head 5: \$5,000 or 12 months, or both Head 6: discretionary - 6 months Head 7: 2 to 4 points	Head 5: \$10,000 or 24 months, or both Head 6: discretionary - 12 months Head 7: 4 to 8 points

SCHEDULE 2

(sections 3, 13, 14 and 15)

DIRECT AMENDMENTS TO OFFENCE PENALTIES

The enactments specified in the first column are amended, in the provisions specified in the second column, by deleting the text in the third column and substituting the text in the fourth column.

Enactment	Provision	Delete	Substitute
Road Traffic Act 1947	section 9	"\$168"	"\$336"
Road Traffic Act 1947	section 35K(1)(b)	"18 months"	"36 months"
Road Traffic Act 1947	section 35K(3)	"three months"	"six months"
Road Traffic Act 1947	section 45	"\$2,100"	"\$4,200"

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Enactment	Provision	Delete	Substitute
Traffic Offences Procedure Act 1974	section 5(3)	"\$100"	"\$200"
Traffic Offences Procedure Act 1974	section 16(2)	"\$150"	"\$300"
Traffic Offences Procedure Act 1974	section 18	"\$75"	"\$150"
Traffic Offences Procedure Act 1974	Schedule 2, fixed penalty notice	"\$75" wherever it appears in relation to the fixed penalty paid within 7 days	"\$150"
Traffic Offences Procedure Act 1974	Schedule 2, fixed penalty notice	"\$100" wherever it appears in relation to payment after 7 days but before trial	"\$200"
Motor Car Act 1951	section 13C(2)	"\$5,000"	"\$10,000"
Motor Car Act 1951	section 15(3)	"\$3,000"	"\$6,000"
Motor Car Act 1951	section 15A(4)	"\$3,000"	"\$6,000"
Motor Car Act 1951	section 25(9)	"\$350"	"\$700"
Motor Car Act 1951	section 35B(2)	"\$1,400"	"\$2,800"
Motor Car Act 1951	section 35I(2)	"\$10,000"	"\$20,000"
Motor Car Act 1951	section 36E(4)	"\$1,400.00"	"\$2,800.00"
Motor Car Act 1951	section 37(1)(k)	"\$10,000"	"\$20,000"
Motor Car Act 1951	section 37A(6)	"\$1,400"	"\$2,800"
Motor Car Act 1951	section 40C(3)	"\$300"	"\$600"
Motor Car Act 1951	section 101A(2)	"\$5,000"	"\$10,000"
Motor Car Act 1951	section 101A(2)	"three months"	"six months"
Motor Car Act 1951	section 101B(10)	"\$4,200"	"\$8,400"
Motor Car Act 1951	section 101B(10)	"three months"	"six months"
Motor Car Act 1951	section 101B(10)	"\$500"	"\$1,000"
Motor Car Act 1951	section 101F(2)	"\$5000"	"\$10,000"
Motor Car Act 1951	section 101F(2)	"three months"	"six months"
Motor Car Act 1951	section 101G(11)	"\$4,200"	"\$8,400"
Motor Car Act 1951	section 101G(11)	"three months"	"six months"
Motor Car Act 1951	section 101G(11)	"\$500"	"\$1,000"
Motor Car Act 1951	section 101H(3)	"\$1,000"	"\$2,000"
Motor Car Act 1951	section 101H(3)	"3 months"	"6 months"
Motor Car Act 1951	section 101I(5)	"\$2,000"	"\$4,000"
Motor Car Act 1951	section 101I(5)	"6 months"	"12 months"
Motor Car Act 1951	section 101K(2)	"\$5,000"	"\$10,000"
Motor Car Act 1951	section 120	"\$2,100"	"\$4,200"

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Enactment	Provision	Delete	Substitute
Motor Car Act 1951	section 122(2)	"imprisonment for 6 months or a fine of \$1,680 or both such imprisonment and fine"	"imprisonment for 12 months or a fine of \$3,360 or both such imprisonment and fine"
Motor Car Act 1951	section 122(3)	"imprisonment for 3 months or a fine of \$840 or both such imprisonment and fine"	"imprisonment for 6 months or a fine of \$1,680 or both such imprisonment and fine"
Motor Car Act 1951	section 122(3)	"where the information is given by way of a sworn declaration imprisonment for 6 months or a fine of \$1,680 or both such imprisonment and fine"	"where the information is given by way of a sworn declaration imprisonment for 12 months or a fine of \$3,360 or both such imprisonment and fine"
Auxiliary Bicycles Act 1954	section 9AB(4)	"\$600"	"\$1,200"
Auxiliary Bicycles Act 1954	section 9AD(5)	"\$200"	"\$400"
Auxiliary Bicycles Act 1954	section 9AD(6)	"\$500"	"\$1,000"
Auxiliary Bicycles Act 1954	section 16(9)	"imprisonment for 3 months or a fine of \$2,100 or both such imprisonment and fine"	"imprisonment for 6 months or a fine of \$4,200 or both such imprisonment and fine"
Auxiliary Bicycles Act 1954	section 16(9)	"\$350 for each day"	"\$700 for each day"
Auxiliary Bicycles Act 1954	section 47(1)	"imprisonment for 6 months or a fine of \$1,680 or both such imprisonment and fine"	"imprisonment for 12 months or a fine of \$3,360 or both such imprisonment and fine"
Auxiliary Bicycles Act 1954	section 47(2)	"imprisonment for 3 months or a fine of \$840 or both such imprisonment and fine"	"imprisonment for 6 months or a fine of \$1,680 or both such imprisonment and fine"

SCHEDULE 3

(section 18)

CONSEQUENTIAL PROVISIONS

Harmonisation of forms and offence codes

- 1 The Minister may, by order subject to the negative resolution procedure, make such consequential amendments to forms, notices, summonses, parking notices, offence codes and administrative references in regulations or other subsidiary legislation as the Minister considers necessary or expedient to give effect to this Act.
- 2 An order under paragraph 1 shall not-

**ROAD TRAFFIC AND MOTOR CAR (ROAD SAFETY AND
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- (a) create an offence;
 - (b) increase or decrease a punishment, disqualification period, demerit point value, fee, duty or charge;
 - (c) alter an element of an offence or a defence;
 - (d) confer or expand a power of arrest, detention, search, testing or seizure; or
 - (e) amend this Act or any other Act.
- 3 An order under paragraph 1 may correct cross-references and terminology arising from the repeal and replacement of section 35BC, the repeal of section 35BD, and the replacement of section 35BE of the Road Traffic Act 1947.
- 4 No order may be made under paragraph 1 after the expiration of 18 months beginning with the day on which section 18 comes into operation.

ROAD TRAFFIC AND MOTOR CAR (ROAD SAFETY AND PENALTIES) AMENDMENT BILL 2026

EXPLANATORY MEMORANDUM

This Bill amends the road traffic and motor vehicle legislative framework to strengthen the deterrent effect of traffic enforcement, increase penalties for road and motor-related offences, and allow the Bermuda Police Service to operate unannounced road sobriety checkpoints without public notice or prior authorisation of the Senior Magistrate.

The Bill is designed to double offence punishments, disqualification periods and demerit points where those matters operate as punishment for offending conduct. It does not double ordinary fees, duties, licence fees, permit fees, inspection fees, examination fees, plate duties, towing or impoundment charges, or cost-recovery amounts.

Clause 1 provides for citation and commencement. Clause 2 defines the scope of the policy and makes clear that fees and other non-punitive charges are not increased.

Clauses 3 to 8 amend the Road Traffic Act 1947. The Bill repeals and replaces section 35BC to permit a superintendent or higher-ranking officer to establish or authorise a road sobriety checkpoint without public notice, Gazette publication or Senior Magistrate authorisation, but subject to written authorisation, a necessity-and-proportionality threshold, neutral vehicle selection, safe-operation requirements, record-keeping and aggregate after-the-fact reporting. The Bill repeals section 35BD, replaces section 35BE to distinguish preliminary breath testing from preliminary impairment and drug testing, and amends section 35BF to include dangerous drug offences and drug screening tests.

Clauses 9 to 12 amend the Traffic Offences (Penalties) Act 1976. They remove the exclusion that prevented ticket-paid convictions from triggering disqualification for accumulating demerit points, insert a referral mechanism

where a ticket-paid conviction causes the 12 point threshold to be met or exceeded, and require reasonable notice and an opportunity to be heard before the court makes a disqualification order on such a referral.

Clause 13 amends the Traffic Offences Procedure Act 1974 to update the Plea of Guilty warning so that a person paying a ticket is alerted to possible demerit points and referral to court for disqualification. Clauses 13 to 15 and Schedule 2 also amend the Traffic Offences Procedure Act 1974, the Motor Car Act 1951 and the Auxiliary Bicycles Act 1954 to replace specified fines, imprisonment terms and daily continuing-offence penalties with their doubled amounts.

Clause 16 amends section 55 of the Criminal Code Act 1907 to provide that, in sentencing for Criminal Code offences, the use of a motor vehicle or auxiliary bicycle in a way that creates a risk of death or serious bodily harm is an aggravating circumstance, while guarding against double counting where the same conduct is already reflected in traffic penalties.

Clause 17 contains transitional protections. Increased penalties apply only to offences committed on or after commencement, and increased daily penalties apply only to days occurring on or after commencement.

Schedule 1 amends Schedule 1 to the Traffic Offences (Penalties) Act 1976 by deleting each current penalty, disqualification or demerit point entry listed in the Schedule and substituting the new doubled entry.

Schedule 2 makes direct textual substitutions in Acts where penalties appear in the body of the legislation or in statutory forms.

Schedule 3 provides a limited and time-limited harmonisation power for consequential amendments to forms, notices, offence codes and administrative references required to implement the Bill, while preventing the creation of offences, alteration of offence elements or defences, expansion of enforcement powers, amendment of Acts, or changes to punishments, disqualification periods, demerit points, fees, duties or charges.