

Regulations of Anguilla: 40/2023

Gazette Dated: 22nd December, 2023

VEHICLES AND ROAD TRAFFIC ACT, (R.S.A. c. V10)

VEHICLES AND ROAD TRAFFIC (AMENDMENT) REGULATIONS, 2023

Regulations made by the Governor in Council under sections 13A and 91 of the Vehicles and Road Traffic Act, R.S.A. c. V10.

Interpretation

1. In these regulations, "principal Regulations" means the Vehicles and Road Traffic Regulations, R.R.A. V10-6.

Insertion of new sections 11A to 11C

2. The principal Regulations is amended by inserting the following new sections immediately after section 11—

"Application for a personalised identification mark

11A. (1) An application for assignment of a personalised identification mark as provided for in section 13A of the Act shall be made in Form 3A of Schedule 1.

(2) A registered owner of a vehicle may apply to replace an existing identification mark with a personalised identification mark in Form 3B of Schedule 1.

(3) The applications referred to in subsections (1) and (2) must be accompanied by a fee of \$350.

(4) The personalised identification mark referred to in subsection (2) may comprise the same combination of letters and numbers as the existing identification mark assigned to the registered owner referred to in subsection (2).

(5) For the avoidance of doubt, the provisions of these Regulations that relate to the fixing and illumination of identification plates shall apply to plates forming a personalised identification mark as they apply to the plates forming the ordinary identification mark.

(6) Where a plate forming the personalised identification mark has been lost, destroyed or damaged, an application for the replacement of such plate shall be made in Form 3C of Schedule 1 and accompanied by a fee of \$500.

(7) An application for the assignment of a personalised identification mark shall not be granted where the pattern or combination of letters, numbers and symbols forming the proposed identification mark does not conform to the guidelines for plates forming a personalised identification mark specified in Schedule 2A.

(8) Where plates forming a personalised identification mark for a vehicle are issued to an applicant under this section, he shall surrender any existing plates forming an identification mark for that vehicle to the Comptroller.

(9) The following class of motor vehicles shall not be assigned personalised identification marks—

- (a) public service vehicle;
- (b) motor vehicle used as a rental vehicle;
- (c) cargo trucks (private or for hire);
- (d) service vehicles (ambulance and funeral hearse);
- (e) diplomatic vehicle;
- (f) tractor; and
- (g) heavy machinery.

(10) A personalised identification mark assigned under this section is not transferable.

(11) For the avoidance of doubt, the Comptroller,—

- (a) shall be the only authorised person to issue licence plates bearing a personalised identification mark in respect of a motor vehicle in accordance with the provisions of these Regulations; and
- (b) may authorise any person to make the licence plates referred to in paragraph (a) on such terms and conditions as he considers fit.

Plates forming a personalised identification mark to be held by Comptroller until ready to be affixed to vehicle

11B. (1) A person who successfully applies for a personalised identification mark under section 11A, is not entitled to receive the plates forming the personalised identification mark until they are to be affixed to a motor vehicle that is registered and currently licensed under the Act.

(2) The Comptroller may, on payment of the prescribed fee, hold the plates on the person's behalf for a period not exceeding 6 months.

(3) Any person who uses unauthorised plates forming a personalised identification mark commits an offence and is liable on conviction to a fine not exceeding \$5,000.

Surrender of plates forming personalised identification mark

11C. (1) The Comptroller may require the surrender of any plates forming a personalised identification mark—

- (a) that the Comptroller is satisfied is not affixed to any vehicle, or is affixed to a vehicle other than the vehicle to which it may lawfully be affixed; or
- (b) in respect of which the Comptroller has received any complaint or which the Comptroller considers likely to be offensive to any person.

(2) Where a person fails to surrender any plate forming a personalised identification mark when required to do so by the Comptroller, commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.”.

Amendment of Schedule 1

4. The principal Regulations is amended in Schedule 1 by—
(a) deleting Form 2 and substituting it with the following—

“FORM 2

**VEHICLES AND ROAD TRAFFIC REGULATIONS
(Section 4)**

APPLICATION TO ASSIGN IDENTIFICATION MARK OF MOTOR VEHICLES

To the Comptroller—

I of

owner of Motor Vehicle bearing Chassis Number.....

Engine Number Identification Mark Number

do hereby apply to assign the Identification Mark to the—

* Motor Vehicle bearing Chassis Number

Engine Number and Identification Mark

* Motor Vehicle the particulars of which I shall furnish within three months from today.

Signature of Applicant

Date

* I of

being owner of Motor Vehicle bearing Chassis Number.....

Engine Number and Identification Mark Number

do hereby consent to the assignment of Identification Mark Number to my

Motor Vehicle and the cancellation of the present Identification Mark Number.

Signature

Date

I Examiner of Motor Vehicles hereby certify that
the particulars of the Motor Vehicle given on this application are *correct/not correct.

Signature

Assignment *Approved/Rejected

Comptroller

Date

* Delete as appropriate”

- (b) inserting the following new Forms 3A to 3C directly after Form 3 and immediately before Form 4—

“FORM 3A

VEHICLES AND ROAD TRAFFIC REGULATIONS

(Section 11A)

**APPLICATION TO ASSIGN PERSONLISED IDENTIFICATION MARK
OF MOTOR VEHICLES**

To the Comptroller—

I, of
owner of Motor Vehicle bearing Chassis Number
Engine Number
do hereby apply to assign the Personalised Identification Mark
to the* Motor Vehicle bearing Chassis Number
Engine Number

* Motor Vehicle the particulars of which I shall furnish within three months from today.

Signature of Applicant

Date

FORM 3B

VEHICLES AND ROAD TRAFFIC REGULATIONS

(Section 11A)

APPLICATION TO REPLACE AN IDENTIFICATION MARK WITH A PERSONALISED IDENTIFICATION MARK

To the Comptroller—

* I, of
 being owner of Motor Vehicle bearing Chassis Number
 Engine Number and Identification Mark Number
 do hereby consent to the assignment of Personalised Identification Mark Number
 to my Motor Vehicle and the cancellation of the present Identification Mark Number

Signature

Date

I, Examiner of Motor Vehicles hereby certify that the
 particulars of the Motor Vehicle given on this application are *correct/not correct.

Signature

Assignment *Approved/Rejected

Comptroller

Date

FORM 3C

VEHICLES AND ROAD TRAFFIC REGULATIONS

(Section 11A)

APPLICATION TO REPLACE ONE PERSONALISED IDENTIFICATION MARK WITH ANOTHER PERSONALISED IDENTIFICATION MARK

To the Comptroller—

* I, of
 being owner of Motor Vehicle bearing Chassis Number
 Engine Number and Personalised Identification Mark Number
 do hereby consent to the assignment of Personalised Identification Mark Number

to my Motor Vehicle and the cancellation of the present Personalised Identification Mark Number

Signature

Date

I, Examiner of Motor Vehicles hereby certify that the particulars of the Motor Vehicle given on this application are *correct/not correct.

Signature

Assignment *Approved/Rejected

Comptroller

Date

**Delete as appropriate"*

Insertion of new Schedule 2A

5. The principal Regulations is amended in by inserting the following new Schedule directly after Schedule 2 and immediately before Schedule 3—

SCHEDULE 2A

(Section 11A)

PART 1

DIAGRAM AND DESCRIPTION OF PERSONALISED IDENTIFICATION MARKS

1. Every licence plate bearing a personalised identification mark must be rectangular with rounded corners and bear upon it the index mark P, C or M depending on the use of the motor vehicle. The Index marks shall precede any text or text and symbols displayed on the plate. The text used shall be in embossed text. The colour used on the gradient background across both the upper horizontal and lower horizontal area of the plate shall be a different colour to any embossed text or text and symbols displayed on the plate.
2. (1) In the case of a licence plate bearing a personalised identification mark for a motor vehicle to be used as a private or commercial vehicle—
 - (a) each letter and figure of the index mark and text forming the personalised identification mark shall be $\frac{27}{16}$ inches high and $1\frac{1}{4}$ inches wide, with a stroke width of $\frac{1}{4}$ of an inch;
 - (b) a symbol shall be $\frac{27}{16}$ inches high;
 - (c) the space between adjoining letters or figures shall be $\frac{5}{16}$ of an inch and the space between the index mark and the text forming the personalised identification mark shall be $1\frac{1}{8}$ inches;
 - (d) the space between adjoining symbols shall be $\frac{5}{16}$ of an inch and where a symbols immediately follows the index mark the space between the index mark and a symbol shall be $1\frac{1}{8}$ inches;
 - (e) the margin between—

- (i) the nearest part of any letter or figure of the index mark and text forming the personalised identification mark, and the top and bottom edges of the plate shall be nominally $1\frac{13}{16}$ inches,
 - (ii) the nearest part of any text or symbol and the left edge of the plate shall be not less than 3 inches, and
 - (iii) the nearest part of any letter or figure and the right edge of the plate shall be not less than $\frac{5}{8}$ of an inch.
- (2) In the case of a licence plate for a motorcycle and motor bicycle—
 - (a) each letter and figure of the index mark and vehicle number shall be $1\frac{3}{8}$ inches high and $\frac{11}{16}$ of an inch wide, with a stroke width of $\frac{1}{8}$ of an inch;
 - (b) the space between adjoining letters or figures shall be $\frac{1}{8}$ of an inch and the space between the index mark and the vehicle number shall be $\frac{5}{8}$ of an inch;
 - (c) the margin between—
 - (i) the nearest part of any letter or figure of the index mark and vehicle number, and the top and bottom edges of the plate shall be nominally $1\frac{5}{16}$ inches,
 - (ii) the nearest part of any letter and the left edge of the plate shall be not less than 2 inches, and
 - (iii) the nearest part of any letter or figure and the right edge of the plate shall be not less than $\frac{9}{16}$ of an inch.
- 3. The following inscription must be printed above the index mark and personalised identification mark assigned to the plate as follows—

the word “Anguilla” must be centred across the upper area of the plate, above the index mark and personalised identification mark. Each letter in the word “Anguilla” must be in the font Pristina and must be sized at no less than 32 point and no greater than 40 point in the case of motorcycles and motor bicycles, and no less than 54 point.
- 4. Every licence plate bearing a personalised identification mark shall be 6 inches high and 12 inches wide, save for a motorcycle or motor bicycle licence plate which shall be 4 inches high and 7 inches wide.
- 5. Every licence plate bearing a personalised identification mark shall be made of 28 gauge aluminium of 0.027 inch minimum thickness and be reflective.

PART 2

GUIDELINES AND RESTRICTIONS FOR THE PATTERN OR COMBINATION OF LETTERS AND NUMBERS FORMING A PERSONALISED IDENTIFICATION MARK

1. A personalised Identification Mark may be created using almost any combination of letters, numbers and symbols. In the case of a motor vehicle to be used as a private or commercial vehicle, the plates may have 3 to 6 characters, with a minimum of one letter and one number. In the case of a motor vehicle to be used as motorcycles, the plates may have 3 to 5 characters, with a minimum of one letter and one number.

2. Your selection of a pattern or combination of letters, numbers and symbols will not be accepted on the following grounds—
- (a) the pattern or combination of letters, numbers and symbols selected has already been issued;
 - (b) the pattern or combination of letters, numbers and symbols selected lack clarity or would be difficult to read. This includes combinations with no more than 4 identical characters in sequence. Interchangeable letters or numbers are not allowed, such as S/5, A/4, G/6, Q/O). Also where a plate has been issued with an “S” in its combination and an identical plate request is submitted substituting the “S” with a “5”, this selection may be rejected;
 - (c) the pattern or combination of letters, numbers and symbols is considered objectionable or misleading or could be viewed directly or indirectly as—
 - (i) indecent, including a reference to a sexual act; sexual body parts; excretory or bodily fluids or functions,
 - (ii) vulgar or profane language (swear or curse words),
 - (iii) derogatory (words that belittle, demean, or disparage any person, group, race, ethnicity, nationality, gender, sexual orientation, or associated with an organization that advocates such expressions,
 - (iv) referring to race, ethnicity, gender or sexual orientation, whether the reference is derogatory or not,
 - (v) an illegal activity (including gangs, violence, implied threats of harm, or expressions that describe, advertise, advocate, promote, encourage, glorify, or condone violence, crime or unlawful conduct),
 - (vi) an illegal drug or a controlled substance, or the physiological state produced by such substances, intoxicated states, or expressions that described, advertise, advocate, promote, encourage, or glorify such items or states,
 - (vii) a representation of, or reference to; law enforcement, military branches, or other governmental entities and their titles. This includes any reference or acronym for law enforcement or military rank or status. A personalised plate pattern that refers to a publicly or privately funded colour or university is allowed,
 - (viii) a Pattern set aside exclusively for use on military or other restricted use license plates;
 - (d) The pattern or combination of letters, numbers and symbols you selected closely reflects the name of a licensed business in Anguilla that is not owned by the applicant; e.g. IWAS.
3. Your selection of a pattern or combination of letters, numbers and symbols may be rejected by the Comptroller for any other reason deemed reasonable by him.

Amendment of Schedule 2

6. The principal Regulations is amended in Schedule 2 item 6 by deleting the word “aluminium” and substituting it with the word “acrylic”.

Commencement and citation

7. These Regulations may be cited as the Vehicles and Road Traffic (Amendment) Regulations, 2023 and shall come into force on 1 January, 2024.

Made by the Governor in Council the 21st day of December, 2023.



Julia Crouch, OBE
GOVERNOR OF ANGUILLA