

SENATE*Tuesday, November 28, 2017*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Madam President: Hon. Senators, I have granted leave of absence to Sen. Wade Mark and Sen. David Small, both of whom are out of the country.

SENATORS' APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona O.R.T.T., S.C.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS
AQUINAS CARMONA, O.R.T.T.,
S.C., President of the Republic of
Trinidad and Tobago and Commander-
in-Chief of the Armed Forces.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MS. RAQUEL GHANY

WHEREAS Senator Wade Mark is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me

UNREVISED

by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, RAQUEL GHANY, to be temporarily a member of the Senate with effect from 28th November, 2017 and continuing during the absence from Trinidad and Tobago of the said Senator Wade Mark.

Given under my Hand and the Seal of the
President of the Republic of Trinidad
and Tobago at the Office of the
President, St. Ann's, this 28th day of
November, 2017.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

By His Excellency ANTHONY THOMAS
AQUINAS CARMONA, O.R.T.T.,
S.C., President of the Republic of
Trinidad and Tobago and Commander-
in-Chief of the Armed Forces.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MR. ALBERT WILLIAM SYDNEY

WHEREAS Senator David Small is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, ALBERT

WILLIAM SYDNEY, to be temporarily a member of the Senate with effect from 28th November, 2017 and continuing during the absence from Trinidad and Tobago of the said Senator David Small.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 28th day of November, 2017."

OATH OF ALLEGIANCE

Senators Raquel Ghany and Albert William Sydney took and subscribed the Oath of Allegiance as required by law.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, I am awaiting two further instruments from the Office of the President, so with your leave we will come back to this item on the Order Paper a little later in the proceedings.

VISITORS

PEOPLE'S REPUBLIC OF CHINA DELEGATION

Madam President Hon. Senators, I wish to acknowledge the presence of His Excellency, Ma Peihua, Vice Chairman of the National Committee of the Chinese People's Political Consultative Conference of the People's Republic of China and his delegation. [*Desk thumping*] We welcome you to our twin-island Republic of Trinidad and Tobago.

Hon. Senators, I also wish to recognize His Excellency Song Yumin, Ambassador Extraordinary and Plenipotentiary of the People's Republic of China to the Republic of Trinidad and Tobago. [*Desk thumping*]

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.)

(NO. 2) BILL, 2017

Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 brought from the House of Representatives [*The Attorney General*]; read the first time.

Motion made: That the next stage be taken at a later stage of the proceedings. [*Hon. F. Al-Rawi*]

Question put and agreed to.

PAPERS LAID

1. Ministerial Response of the Ministry of Foreign and CARICOM Affairs to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control with the Public Service. [*The Minister of Foreign and Caricom Affairs (Sen. The Hon. Dennis Moses)*]
2. Ministerial Response of the Ministry of National Security to the Third Report of the Joint Select Committee on National Security, Second Session (2016/2017), Eleventh Parliament on an inquiry into the Operations of the Trinidad and Tobago Forensic Science Centre and the Issue of DNA Sampling in Trinidad and Tobago. [*Sen. The Hon. D. Moses*]
3. Ministerial Response of the Ministry of National Security to the Fourth Report of the Joint Select Committee on National Security, Second Session (2016/2017), Eleventh Parliament on an inquiry into Prison Security and the Status of the Investigation into the Port-of-Spain Prison Break of July 24, 2015. [*Sen. The Hon. D. Moses*]

4. Annual Report on the Operations of the Interception of Communications Act, Chap. 15:08 for the period January 2012 to December 2012. [*Sen. The Hon. D. Moses*]
5. Response of the Trinidad and Tobago Police Service to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control within the Public Service. [*Sen. The Hon. D. Moses*]
6. Ministerial Response of the Ministry of Rural Development and Local Government to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control with the Public Service. [*The Minister of Rural Development and Local Government (Sen. The Hon. Kazim Hosein)*]
7. Annual Administrative Report and Audited Financial Statement of Palo Seco Agricultural Enterprises Limited (PSAEL) for the years 2012/2013. [*Sen. The Hon. K. Hosein*]
8. Annual Administrative Report and Audited Financial Statement of Palo Seco Agricultural Enterprises Limited (PSAEL) for the year 2013/2014. [*Sen. The Hon. K. Hosein*]
9. Annual Administrative Report of the Point Fortin Borough Corporation for the fiscal year 2012/2013. [*Sen. The Hon. K. Hosein*]
10. Annual Administrative Report of the Point Fortin Borough Corporation for the fiscal year 2013/2014. [*Sen. The Hon. K. Hosein*]
11. Ministerial Response of the Ministry of Rural Development and Local Government to the Fourth Report of the Public Administration and Appropriations Committee, Second Session, (2016/2017), Eleventh

- Parliament on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. K. Hosein*]
12. Ministerial Response of the Ministry of Trade and Industry to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control with the Public Service. [*The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon)*]
 13. Annual Administrative Report of the National Flour Mills Limited (NFM) for the year ended December 31, 2016. [*Sen. The Hon. P. Gopee-Scoon*]
 14. Annual Administrative Report of the Betting Levy Board for the year ended July 01, 2014 to June 30, 2015. [*Sen. The Hon. P. Gopee-Scoon*]
 15. Annual Administrative Report of the Betting Levy Board for the years ended July 01, 2015 to June 30, 2016. [*Sen. The Hon. P. Gopee-Scoon*]
 16. Annual Administrative Report of the Evolving TeckNologies and Enterprise Development Company Limited (e Teck) for the year ended September 30, 2016. [*Sen. The Hon. P. Gopee-Scoon*]
 17. Ministerial Response of the Ministry of Works and Transport to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control within the Public Service. [*The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan)*]
 18. Ministerial Response of the Ministry of Works and Transport to the Fourth Report of the Public Administration and Appropriations Committee, Second Session, (2016/2017) Eleventh Parliament on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. R. Sinanan*]

19. Response of the Public Service Appeal Board to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control within the Public Service. [*The Vice-President (Sen. Nigel De Freitas)*]
20. Response to the Auditor General's Department to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control within the Public Service. [*Sen. N. De Freitas*]
21. Response to the Integrity Commission to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control within the Public Service. [*Sen. N. De Freitas*]
22. Annual Report of the Teaching Service Commission for the fiscal year 2013. [*Sen. N. De Freitas*]
23. Annual Administrative Report of the Statutory Authorities Service Commission for the year ended September 2016. [*Sen. N. De Freitas*]
24. Eighth Report of the Judicial and Legal Service Commission for the years 2008 to 2016. [*Sen. N. De Freitas*]
25. Response of the Office of the President to the Second Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the Current Expenditure and Internal Controls. [*Sen. N. De Freitas*]
26. Response of the Integrity Commission to the Fourth Report of the Public Administration and Appropriations Committee, Second Session

- (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. N. De Freitas*]
27. Administrative Report of the Industrial Relations Advisory Committee for the period March 2015 to September 2015. [*The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus)*]
 28. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control within the Public Service. [*Sen. The Hon. J. Baptiste-Primus*]
 29. Annual Administrative Report of the National Entrepreneurship Development Company Limited (NEDCO) for the period October 2014 to September 2015. [*Sen. The Hon. J. Baptiste-Primus*]
 30. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the First Report of the Joint Select Committee on Social Services and Public Administration, Second Session (2016/2017), Eleventh Parliament on an inquiry into the Current Level of Violence Among Students in Schools with Particular Focus on Physical and Cyber Bullying. [*Sen. The Hon. J. Baptiste-Primus*]
 31. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the Fourth Report of the Public Administration and Appropriations Committee Second Session (2016/2017), Eleventh Parliament on Examination of the System of Inventory Control with the Public Service. [*Sen. The Hon. J. Baptiste-Primus*]
 32. Response of the Registration, Recognition and Certification Board to the Fourth Report of the Public Administration and Appropriations Committee

- Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. J. Baptiste-Primus*]
33. Annual Administrative Report of Caribbean Airlines Limited (CAL) for the year ended 2010. [*The Minister in the Ministry of Finance (Sen. The Hon. Allyson West)*]
 34. Annual Administrative Report of Caribbean Airlines Limited (CAL) for the year ended 2011. [*Sen. The Hon. A. West*]
 35. Annual Administrative Report of Caribbean Airlines Limited (CAL) for the year ended 2012. [*Sen. The Hon. A. West*]
 36. Annual Administrative Report of Caribbean Airlines Limited (CAL) for the year ended 2013. [*Sen. The Hon. A. West*]
 37. Annual Report of the National Enterprises Limited for the financial year ended March 31, 2017. [*Sen. The Hon. A. West*]
 38. Annual Audited Financial Statements of Palo Seco Agricultural Enterprises Limited for the financial year ended September 30, 2016. [*Sen. The Hon. A. West*]
 39. Consolidated Financial Statements of Trinidad and Tobago Creative Industries Company limited (CreativeTT) for the financial year ended September 30, 2015. [*Sen. The Hon. A. West*]
 40. Annual Administrative Report of the Trinidad and Tobago Tourism Business Development Limited (TTTBDL) for the year ended December 31, 2013. [*Sen. The Hon. A. West*]
 41. Annual Administrative Report of the Trinidad and Tobago Tourism Business Development Limited (TTTBDL) for the year ended December 31, 2014. [*Sen. The Hon. A. West*]

42. Annual Administrative Report of the Trinidad and Tobago Tourism Business Development Limited (TTTBDL) for the year ended December 31, 2015. [*Sen. The Hon. A. West*]
43. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sugar Industry Labour Welfare Committees for the nine (9) months ended September 30, 1998. [*Sen. The Hon. A. West*]
44. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the Chaguanas Borough Corporation for the year ended September 30, 2013. [*Sen. The Hon. A. West*]
45. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Children's Authority of Trinidad and Tobago, Children Authority Fund for the year ended September 30, 2014. [*Sen. The Hon. A. West*]
46. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Children's Authority of Trinidad and Tobago, Children Authority Fund for the year ended September 30, 2015. [*Sen. The Hon. A. West*]
47. Annual Audited Financial Statements of Caroni (1975) Limited for the financial year ended June 30, 2017. [*Sen. The Hon. A. West*]
48. Audited Financial Statements of the Deposit Insurance Corporation (DIC) for the year ended September 30, 2016. [*Sen. The Hon. A. West*]
49. Consolidated Financial Statements of Petroleum Company of Trinidad and Tobago Limited for the year ended September 30, 2016. [*Sen. The Hon. A. West*]

50. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Point Fortin Civic Centre for the year ended September 30, 2006. [*Sen. The Hon. A. West*]
51. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Port of Spain Corporation for the year ended September 30, 2009. [*Sen. The Hon. A. West*]
52. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Port of Spain Corporation for the year ended September 30, 2010. [*Sen. The Hon. A. West*]
53. Report of the Central Bank of Trinidad and Tobago with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended March 31, 2017. [*Sen. The Hon. A. West*]
54. Report of the Central Bank of Trinidad and Tobago with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended June 30, 2017. [*Sen. The Hon. A. West*]
55. Ministerial Response of the Ministry of Finance to the Eighth Report of the Public Accounts Enterprises Committee for the Second Session, (2016/2017), Eleventh Parliament on the examination of the Audited Accounts, Balance Sheet and Other Financial Statements of the National Gas Company of Trinidad and Tobago for the financial years 2009 – 2015. [*Sen. The Hon. A. West*]
56. Ministerial Response of the Ministry of Finance to the Fourth Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. A. West*]

57. Ministerial Response of the Treasury Division to the Fourth Report of the Public Administration and Appropriations Committee on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. A. West*]
58. Annual Audited Financial Statements of the Trinidad and Tobago Electricity Commission for the year ended December 2014. [*The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte)*]
59. Annual Audited Financial Statements of the Trinidad and Tobago Electricity Commission for the year ended December 2015. [*Sen. The Hon. R. Le Hunte*]
60. Ministerial Response of the Ministry of Public Utilities to the Fourth Report of the Public Administration and Appropriations Committee on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. R. Le Hunte*]
61. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat)*]
62. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Fourth Report of the Public Administration and Appropriations Committee on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. C. Rambharat*]
63. Sixth Annual Report of the Police Complaints Authority for the period October 1, 2015 to September 30, 2016. [*The Attorney General (Hon. Faris Al-Rawi)*]

64. Response of the Personnel Department to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control within the Public Service. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]
65. Response of the Personnel Department to the Ninth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Health. [*Sen. The Hon. F. Khan*]
66. Response of the Service Commissions Department to the Fourth Report of the Joint Select Committee on National Security, Second Session (2016/2017), Eleventh Parliament on an inquiry into Prison Security and the Status of the Investigation into the Port-of-Spain Prison Break of July 24, 2015. [*Sen. The Hon. F. Khan*]
67. Annual Report of the National Information and Communication Technology Company Limited (iGOVTT) for the fiscal year 2015 to 2016. [*Sen. The Hon. F. Khan*]
68. Ministerial Response of the Ministry of Public Administration and Communications to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament on an Examination of the System of Inventory Control within the Public Service. [*Sen. The Hon. F. Khan*]
69. Ministerial Response of the Ministry of Public Administration and Communications to the Second Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh

- Parliament, on an Examination of the Current Expenditure and Internal Controls of the Office of the President. [*Sen. The Hon. F. Khan*]
70. Annual Administrative Report of the Ministry of Community Development for fiscal 2010/2011. [*Sen. The Hon. F. Khan*]
71. Ministerial Response of the Ministry of Community Development, Culture and the Arts to the Fourth Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. F. Khan*]
72. Annual Administrative Report of the Former Ministry of Community Development, Culture and the Arts for fiscal 2013/2014. [*Sen. The Hon. F. Khan*]
73. Final Report of the Police Manpower Audit Committee (Vols. 1 and 2). [*Sen. The Hon. F. Khan*]
74. Annual Report of the Children's Authority of Trinidad and Tobago for the year ended September 30, 2016. [*Sen. The Hon. F. Khan*]
75. Administrative Report of the Office of the Prime Minister for the years 2015 to 2016. [*Sen. The Hon. F. Khan*]
76. Ministerial Response of Office of the Prime Minister to the Fourth Report of the Public Administration and Appropriation Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the public Service. [*Sen. The Hon. F. Khan*]
77. Ministerial Response of the Ministry of Education to the Seventh Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and

- Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Education. [*Sen. The Hon. F. Khan*]
78. Report of the National Institute of Higher Education (Research, Science and Technology) (NIHERST) for the fiscal year 2014. [*Sen. The Hon. F. Khan*]
79. Ministerial Response of the Ministry Social Development and Family Services to the Third Report of the Public Administration and Appropriations Committee Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Inventory Control with the Public Service. [*Sen. The Hon. F. Khan*]
80. Annual Administrative Report of the Ministry of the People and Social Development for the fiscal year 2012/2013. [*Sen. The Hon. F. Khan*]
81. Annual Administrative Report of the Ministry of the People and Social Development for the fiscal year 2013/2014. [*Sen. The Hon. F. Khan*]
82. Ministerial Response of the Ministry of Health to the Third Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control with the Public Service. [*Sen. The Hon. F. Khan*]
83. Ministerial Response of the Ministry of Health to the First Report of the Public Administration and Appropriations Committee, Second Session (2016/2017), Eleventh Parliament, on an Examination into the Current Expenditure of Ministries and Departments under three (3) Sub-Heads: Current Transfers and Subsidies, Development Programme – Consolidated Fund and Infrastructure Development Fund. [*Sen. The Hon. F. Khan*]
84. Ministerial Response of the Ministry of Sport and Youth Affairs to the First Report of the Public Administration and Appropriations Committee on an Examination into the Current Expenditure of Ministries and Departments

- under three (3) Sub-Heads: Current Transfers and Subsidies, Development Programme – Consolidated Fund and Infrastructure Development Fund. [*Sen. The Hon. F. Khan*]
85. Trinidad and Tobago Housing Developing Corporation (Vesting) (Amendment to the First Schedule) (No. 5) Order, 2017. [*Sen. The Hon. F. Khan*]
86. Annual Administrative Report of the Ministry of Housing and Urban Development for 2014-2015. [*Sen. The Hon. F. Khan*]
87. Ministerial Response of the Ministry of Tourism to the Fourth Report of the Public Administration and Appropriation Committee, Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. F. Khan*]
88. Ministerial Response of the Ministry of Planning and Development to the Fourth Report of the Public Administration and Appropriations Committee Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. F. Khan*]
89. Ministerial Response of the Ministry of Energy and Energy Industries to the Third Report of the Public Administration and Appropriations Committee Second Session (2016/2017), Eleventh Parliament, on an Examination of the System of Inventory Control within the Public Service. [*Sen. The Hon. F. Khan*]
90. Ministerial Response of the Ministry of Energy and Energy Industries to the Fourth Report of the Public Administration and Appropriations Committee Second Session (2016/2017), Eleventh Parliament, on Examination of the System of Internal Audit within the Public Service. [*Sen. The Hon. F. Khan*]

91. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2008. [*Sen. The Hon. F. Khan*]
92. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2009. [*Sen. The Hon. F. Khan*]
93. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2010. [*Sen. The Hon. F. Khan*]
94. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2011. [*Sen. The Hon. F. Khan*]
95. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2012. [*Sen. The Hon. F. Khan*]
96. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2013. [*Sen. The Hon. F. Khan*]
97. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2014. [*Sen. The Hon. F. Khan*]
98. Annual Administrative Report of the National Energy Corporation of Trinidad and Tobago Limited for the year ending December 31, 2015. [*Sen. The Hon. F. Khan*]
99. Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year 2013. [*Sen. The Hon. F. Khan*]

100. Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year 2014. [*Sen. The Hon. F. Khan*]
101. Report of the Team appointed to Review the Operations of Petrotrin and make Recommendations for its Restructuring. [*Sen. The Hon. F. Khan*]
102. Delegation Report on the Regional Parliamentarians' Forum – Follow-up to the United Nations High-Level Political Declaration on Ending AIDS by PANCAP and UNDP, Kingston, Jamaica, May 30 to 31, 2017. [*Sen. The Hon. F. Khan*)]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Public Administration and Appropriations

Ministry of Housing and Urban Development

Sen. Daniel Dookie: Madam President, I have to present the following report:

Fifth Report of the Public Administration and Appropriations Committee, Second Session, (2016/2017) Eleventh Parliament, on an Examination into the Ministry of Housing and Urban Development with specific reference to Accountability and Transparency, Inventory Control, Internal Audit, Sub-Head 02- Goods and Services, Sub-Head 03 - Minor Equipment Purchases, and Sub-Head 09 - Development Programme - Consolidated Fund and Infrastructure Development Fund.

Public Accounts (Enterprises) Committee

Telecommunications Services of Trinidad and Tobago

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Madam President, I beg to present the following report:

Ninth Report of the Public Accounts (Enterprises) Committee Second Session, (2016/2017) Eleventh Parliament, on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Telecommunications Services of Trinidad and Tobago Limited (TSTT) for the financial years 2008-2016.

Social Services and Public Administration

Sexually Transmitted Diseases amongst Students

Sen. Khadijah Ameen: Madam President, I beg to present the following report:

Fourth Report of the Joint Select Committee on Social Services and Public Administration, Third Session (2017/2018), Eleventh Parliament on an inquiry into the prevalence of Sexually Transmitted Diseases (STDs) amongst school students and into the general services administered to treat STDs in Trinidad and Tobago.

Local Authorities, Service Commissions and Statutory Authorities

Police Service Commission

Sen. Khadijah Ameen: Madam President, I beg to present the following report:

Fifth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA), Third Session (2017/2018), Eleventh Parliament on an inquiry into the Efficiency and Effectiveness of the Police Service Commission.

2.00 p.m.

ANSWERS TO QUESTIONS

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you. Madam President, the Government is pleased to announce that under oral answers we will be answering all questions save and except question one, which we ask for a two-week deferral, and on written submissions we will be

answering questions 14, 16 and 29, which will be circulated and we ask for a deferral of two weeks for question nos. 13 and 21.

Madam President: So, question no. 1 is deferred for two weeks, 14 days; and questions 13 and 21 are deferred for 14 days as well. Sen. Ameen.

WRITTEN ANSWERS TO QUESTIONS

Federal Villas, Federation Park

(Occupancy of Housing Units)

14. Sen. Wade Mark asked the hon. Minister of Public Administration and Communications:

With respect to the occupancy of housing units at Federal Villas, Federation Park, Port of Spain for the period September 30, 2015 to September 30, 2017, can the Minister provide the following information:

- a) the names of all public officials, including Ministers, who have been allocated or who had use of these units;
- b) the period of occupancy relative to (a);
- c) the terms of such occupancy; and
- d) whether the persons listed at (a) were in receipt of any housing allowance for the corresponding period(s)?

Laptops in Secondary Schools (Details of)

16. Sen. Wade Mark asked the hon. Minister of Education:

With respect to the Government's decision to acquire laptops for use in Secondary schools, can the Minister state:

- a) what are the technical specifications of the laptops;
- b) what are the terms and conditions of the contract for the supply of the laptops; and

- c) what was the tender process or procedure utilised to acquire the laptops?

Housing Development Corporation

(Monies owed)

29. Sen. Paul Richards asked the hon. Minister of Housing and Urban Development:

With regard to monies owed to the Housing Development Corporation by tenants, can the Minister provide a breakdown per development of the following:

- i. whether monies are owed under the rent-to-own and licence to occupy arrangement, and if so;
- ii. the amount of monies owed; and
- iii. how the HDC intends to recover said monies?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper in the name of Sen. Wade

Mark:

Teenage Pregnancy

(Corrective Measures Implemented)

Could the hon. Minister of Health advise: In light of reports that there were over 9,000 teenage pregnancies for the period 2011-2015, can the Minister advise as to what measures the Government intends to implement to reduce these numbers especially with respect to teenagers still attending school?

Question, by leave, deferred.

Gas Supply Contracts

(Details of)

2. **Sen. Khadijah Ameen** on behalf of Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries:

Can the Minister indicate the terms of the gas supply contract recently signed between the following:

- a) National Gas Company and BP Trinidad and Tobago; and
- b) National Gas Company and EOG Resources?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. [*Desk thumping*] The National Gas Company of Trinidad and Tobago Limited entered into gas sales contracts with bp, Trinidad and Tobago LLC and EOG Resources Trinidad Limited on May 4, 2017 and June 13, 2017, respectively. The terms and conditions of the gas sales contracts are subject to contractual confidentiality provisions which preclude disclosure for legal and commercial reasons.

NIB's Expenditure and Contributions

(Urgent Steps to Address)

3. **Sen. Khadijah Ameen** on behalf of Sen. Wade Mark asked the hon. Minister of Finance:

Based on reports that NIB's total expenditure will exceed its contributions and investment income by 2019-2020, can the Minister indicate what urgent steps are being taken to address this situation?

The Minister in the Ministry of Finance (Sen. The Hon. Allyson West): Thank you very much. [*Desk thumping*] Madam President, the Ninth Annual Actuarial Review Report of the NIS was laid in Parliament in November 2015. In July 2016, the legislative amendments were assented to, which allowed the National Insurance Board of Trinidad and Tobago to implement the two most important short-term recommendations of the Ninth AR effective September 05, 2016:

- an increase in contribution rates from 12 per cent to 13.2 per cent; and
- an increase in the maximum insurance earnings from \$12,000 to \$13,600.

Both recommendations were implemented with the immediate impact of increasing the revenues of the NIB. Although these changes positively impacted the NIB in the short-term, recent macroeconomic conditions have negatively impacted the NIB and offset these gains.

Madam President, long-term reform is therefore urgently needed to ensure NIB's sustainability. These adjustments as per the Ninth AR include further contribution rate increases, restraint in future benefit increases, and an increase in the retirement age for the unreduced pension from 60 to 65 over a 35-year period from 2025 to 2060. These major reforms require considerable public sensitization and national dialogue to be successfully implemented. The NIB has taken proactive steps to initiative discussions and consultations on these critical long-term reform measures. This is evident by the numerous stakeholder consultations, seminars and newspaper articles, radio interviews and television appearances by representatives of the NIB since October 2015.

In addition to the ongoing dialogue with respect to reform, the NIB has directed its efforts towards improving aspects of its operations, with the aim of controlling costs and bolstering its revenues from contributions and investment income. As it relates to cost, the NIB has maintained one of the lowest ratios of administrative expenditure to contribution income of social insurance systems in the English speaking Caribbean; 5.3 per cent for fiscal year 2016, well within the established limit of 7.5 per cent. The organization continues to review processes and technology to further reduce this ratio.

Regarding contributions, the NIB has reviewed its compliance structure to

better monitor employers' obligation under the National Insurance Act to remit to the NIB the requisite contributions for the workers they employ. To ensure optimum performance of the investment fund the NIB continues to explore strategies which provide high risk adjusted yield while ensuring that adequate liquidity is provided for the payment of benefits. The NIB is considering increasing the overseas investment limit as one possible way to bolster fund performance. Thank you, Madam President.

Sen. Ameen: Follow up question. Through you, Madam President, to the Minister. Is there a time frame by which to implement these recommendations that you mentioned, and in particular the recommendation to increase the retirement age for the National Insurance Board?

Sen. The Hon. A. West: Madam President, I did mention in my response that the time frame for those significant measures was an extended period which would run from 2025 to 2060, so 35-year implementation period for, in particular, the adjustment of the retirement age.

Sen. Obika: Madam President, through you, for the Minister. Regarding the motive to increase the age in terms of the flows of the fund, what assurances would the people have that should the demographics change, they do not increase the final age for benefits from 65 to another age given that that was the—

Madam President: Sen. Obika, that question does not arise. Okay? If you have another supplemental you can put it.

Sen. Obika: Thank you so much, Madam President.

Madam President: Next question, Sen. Ameen. No, Sen. Ramkissoon.

**Telecommunications Authority of Trinidad and Tobago
(Reuse/Redistribution of Phone Numbers)**

22. Sen. Melissa Ramkissoon asked the hon. Minister of Public Administration and Communications:

With regard to mobile and landline telecommunications providers, can the Minister advise whether the Telecommunications Authority of Trinidad and Tobago has a policy that guides the reuse/redistribution of phone numbers, and if not, why?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, I rise to provide the response to this question posed to the hon. Minister of Public Administration and Communications.

Madam President, it is to be noted that the Telecommunications Authority of Trinidad and Tobago is guided by the Telecommunications Act, Chap. 47:31, in particular, sections 18(j), 22(2)(j), 44(1) to (6) with respect to the management of telephone numbers. In this regard, Madam President, TATT has a document that guides the reuse, redistribution of phone numbers entitled, National Number Plan, Central Office Codes and Home Network Identifiers, Version 1.0. This plan establishes the rules and procedures for the assignment and reassignment of telephone numbers to telecommunications providers for use by their customers. This plan has been revised, consulted upon pursuant to TATT's procedures for consultation, and version 2.0 will be published by the end of November 2017.

Furthermore, Madam President, the Telecommunications Authority has also issued a determination notice, 2016/01 on October 06, 2016, for the implementation of service provider number portability for mobile and landline telecommunication providers pursuant to section 25(2)(j) of the Act. Mobile number portability was launched as required on October 31, 2016, by TSTT and Digicel. Fixed number portability was scheduled to be launched on November 28, 2016, by TSTT, Flow, Digicel Play, Massy Communications, Lisa

Communications Limited and open to telecommunications limited.

The Telecommunications Authority, Madam President, continues to work assiduously with landline telecommunications providers to ensure compliance with the determination notice 2016/01 so that fixed number portability can be made available in Trinidad and Tobago. I thank you.

Sen. Ramkissoon: Through you, Madam President, to the Minister responding on behalf of the Minister of Public Administration and Communications, in relation to the policy or the version 2.0 that will be released by the end of 2017 that you made mention in your deliberations, is it that they would be taking into consideration the measures where members of the public would be using or reusing numbers that can lead to fraudulent activities when you sign up for an account and you have to use your number in terms of payments and other areas, and in order to obtain a mobile number you need to have a valid form of ID, so the ID is related to the number? So that is why I am asking if that policy or that version would be taking that into consideration?

Sen. The Hon. C. Rambharat: Madam President, this version 2.0 that is earmarked for publication by the end of November 2017 has come out of public consultation and taken into consideration the discussions with all the providers, and I believe that the Telecommunications Authority would have taken into consideration best practices and incorporated the required security measures that come with portability of numbers. Thank you.

Sen. Ramkissoon: Minister, are you aware that when you can link numbers to your ID card number, you can also help with law enforcement with cases?

Madam President: Sen. Ramkissoon, that question does not arise.

Sen. Ramkissoon: Okay, in relation to the policy that you are taking into consideration, is there any area that will be looking at not reusing numbers or

redistribution of numbers?

Sen. The Hon. C. Rambharat: Madam President, I would not be able to provide that response. It is not within the context of what I have responded to.

Det Norske Veritas

(Details of Audit)

23. Sen. Melissa Ramkissoon asked the hon. Minister of Energy and Energy Industries:

With regard to the audit that the firm Det Norske Veritas (DNV) was contracted to conduct on the state's energy sector assets in 2015/2016, can the Minister indicate:

- i. whether the audit was completed and a report submitted to the Ministry; and if yes;
- ii. which companies were audited; and
- iii. whether the recommendations in said audit are being implemented and at what cost?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. In response to question 23(i): The audit was completed and a final report was submitted to the Ministry of Energy and Energy Industries.

Response to question 23(ii): 30 companies representing all sectors of the domestic energy industry participated in the audit. The listing of these companies is attached on an appendix, which I will circulate. I would not read out the 30 names in the interest of time.

In response to question 23 (iii): The audited companies were provided with their results to allow them to take corrective action as required at their cost. DMV, which was the consulting firm, also recommended to the Ministry a 16-step plan as

a means of moving forward with Asset Integrity Management better known as AIM. The plan is based on the following:

- A continuous improvement process called, plan, do, check and act;
- a risk-based approach to prioritizing operators by their intrinsic hazard and AIM performance;
- continued use of AI, which is Asset Integrity Audit Protocols to record and monitor progress;
- development of personnel within the industry and the Ministry of Energy and Energy Industries;
- communication and interaction with stakeholders; and finally
- sharing and benchmarking of performance.

The recommendations of the audit are to be submitted to Cabinet shortly for its consideration. In the interim, the Ministry of Energy and Energy Industries is in the process of developing an Asset Integrity Management policy which is expected to inform future legislative reform, and which could have the following beneficial impact:

- (a) Minimizing and possibly elimination of injuries and in extreme cases lost of life;
- (b) Reduction and minimization of damages to plant and equipment with the attendant cost of repairs and adverse impacts on business continuity;
- (c) Mitigation of the impact of energy sector operations on the environment and vulnerable communities; and
- (d) Incorporation of AIM in the development, operations and behaviour culture of energy sector organizations.

Thank you, Madam President.

Sen. Ramkissoon: Through you, Madam President, in relation to the report, as it is not public, it is not made public yet, or maybe it will, I would like to know if there are—the report revealed integrity issues like life span, remaining life, or did it just reveal visual appearances of the assets that were reviewed?

Sen. The Hon. F. Khan: I am not certain, but what the report did show, they ranked the companies, the 30 companies in terms of least compliant, in terms of asset integrity and best compliant, and they did in fact identify shortcomings and remedial action that they think is necessary to correct some of these asset integrity issues. Obviously, the companies at the top of the pack were world class energy sector companies, and those that were in the bottom tier were companies that have been saddled with ageing assets in particular.

Sen. Ramkissoon: Madam President, our oil and gas sector, they use best practices. Is it that DNV was able to provide policy assistance, or were they able to review the asset integrity of our existing oil and gas sectors in these 30 companies?

Sen. The Hon. F. Khan: Largely policy directive as to how to implement a credible asset integrity programme as distinct from physical inspection of assets and preparing a report.

Sen. Ramkissoon: Madam President, I am putting the Minister on the spot a little bit here. These policies we already have risk based inspection in our organizations, we already have plan/do/check/act. What is it different that DNV was able to bring to the table to deal with these aged assets or these only 30 companies looked at?

Sen. The Hon. F. Khan: Well, they could not bring anything, they could just identify to the various companies what are the remedial actions to be taken and what type of systems you need to put in place to preserve asset integrity, bearing in mind those that have performed badly, the issue is cost. It will be a tremendous capital injection to bring asset integrity to that level, and in that sense I referred

specifically to Petrotrin, as you know.

Vide end of sitting for written part of the answer.

Abandoned Babies

(Corrective Programmes Implemented)

24. Sen. Paul Richards asked the hon. Prime Minister:

In light of the number of babies that have been found abandoned and in landfills in Trinidad, can the Minister indicate what programmes exist that give options to mothers who do not want their children?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, I rise to provide the response on behalf of the hon. Prime Minister. There are five options which are available to mothers placed in the circumstances set out in the question. Firstly, Madam President, mothers may approach the Children's Authority of Trinidad and Tobago requesting alternative care for a child. The Authority has the following services and programmes available.

First, once a child is in imminent danger and the Authority is unable to identify family members to offer care to the child, the Authority will take the child into its care and have the child placed at the children's home. This will ensure immediate care and protection of the child, and may lead to long-term care depending on the investigation and the decision of the court.

Second, the Foster Care Programme: The Authority will place the child in the care of an approved foster parent in keeping with the mandate of the Authority to provide care, protection and rehabilitation of children, and in keeping with the decision of a court.

Third, Madam President, the Adoption Programme, which seeks to have the child legally adopted by persons who are approved as parents and seeking the

adoption of a child or children. There is a long waiting list of approved parents awaiting adoption of children. The latest check revealed that there were seventy-five persons on the list. The Authority would investigate and make recommendations with respect to the adoption of children in accordance with the Adoption of Children Act, 2000.

Fourthly, Madam President, mothers may also approach the National Family Services Division of the Ministry of Social Development and Family Services for support. This division has nine district offices in Trinidad, and this division would provide the client with various forms of assistance, including psychosocial and financial assistance, as well as reference of the matter to the Children's Authority as necessary.

And finally, Madam President, the Adolescent Mothers Programme: The Child Affairs Division of the Office of the Prime Minister is reviewing the Adolescent Mothers Programme, which provides support for young pregnant girls. This programme was delivered by the Child Welfare League on behalf of the Government of Trinidad and Tobago prior to 2017. This programme was evaluated in 2017, and recommendations are being crafted for the future development of the programme. These recommendations would be considered by Cabinet shortly. I thank you.

Sen. Richards: Thank you, Madam President. Through you, can the Minister give an indication of whether or not the Office of the Prime Minister has enacted or considered options to deal with identification, intervention or options for fathers who would have impregnated these mothers? Very often, we focus on the fathers and tacitly facilitate the responsibility of the men who abandon these women, causing the abandonment in the first place because the women do not have support—

Madam President: Please ask the question.

Sen. Richards: Is there an issue for a protocol for identifying and intervention of the males in these equations?

Sen. The Hon. C. Rambharat: Madam President, inasmuch as I would like to venture a response, the question is specific to mothers, and if the Senator wishes he can provide another question, and I am sure the Office of the Prime Minister would be happy to respond.

Madam President: Sen. Richards, is there anything else?

Sen. Richards: Not on that question, Madam President.

Madam President: Next question, Sen. Richards.

Sen. Richards: Sen. Ramdeen.

Madam President: Oh, Sen. Ramdeen, I apologize.

Sen. Ramdeen: Through you, Madam President, understanding the limited experience that the Minister would have in this area, can the Minister indicate what steps the Office of the Prime Minister or the Children's Authority would have taken to inform mothers or potential mothers of the options that have been given in answer to the question of Sen. Richards, so that they will know that these are options that are available to them whether they are pregnant or they have just delivered children in these circumstances?

Sen. The Hon. C. Rambharat: Madam President, the communication of the various options—in fact, communications of matters under the legislation relating to children fall with the province of the Children's Authority of Trinidad and Tobago, and the Children's Authority conducts continuous communication with citizens of Trinidad and Tobago in relation to all the benefits that are available, in addition to which this is covered under the respective Ministries, the Office of the Prime Minister and the Ministry of Social Development and Family Services.

Thank you.

**Air Bridge between Trinidad and Tobago
(Private Sector Involvement)**

25. Sen. Paul Richards asked the hon. Minister of Finance:

With regard to the air bridge between Trinidad and Tobago, does the Government intend to allow private sector involvement in the operation of said air bridge?

The Minister in the Ministry of Finance (Sen. The Hon. Allyson West): Thank you, Madam President. The air bridge is an essential service for the citizens of Trinidad and Tobago and as such, the Government of Trinidad and Tobago does not have any plans currently for private investment in that sector. Thank you, Madam President.

Sen. Richards: Thank you, Madam President. Through you, does the Ministry intend to look at reviving possible past associations of airline providers that may have serviced the bridge before?

Madam President: Sen. Richards, that does not arise based on the answer that was given.

**Rent Assessment Board
(Reintroduction of)**

26. Sen. Paul Richards asked the hon. Minister of Housing and Urban Development:

Given the difficulty in finding reasonably priced residential rental units in Trinidad and Tobago, does the Government intend to reintroduce a Rent Assessment Board?

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam President. I rise to offer a response on behalf of the hon. Minister of Housing and Urban

Development. The Government has no intention at this point of reintroducing rent restrictions in general, however the situation is under some active review as we speak.

Sen. Richards: Can the hon. Attorney General provide a timeline within which we can expect some data from that review?

Hon. F. Al-Rawi: I think that the hon. Senator has hit the nail on the head. The data has been the essential point of reference. There is currently a working committee between the Ministry of Housing and Urban Development and the Attorney General's office, and the Ministry of Social Development and Family Services, where the survey of living conditions is impacted against the demand for housing as well as the legislative tweaks that may provide some measure of relief.

The perspective that is afoot right now includes really state and condition of rental premises, the allocation of the government's housing programme as it has now been modified to include the private sector inclusion which, of course, traverses the mortgage market, the rent-to-own market, and the rental market. But also too with the impact of the local government reform that we are doing where state and living conditions in rental premises in the private sector may very well form part of the assessment of this.

To answer the question specifically now in terms of time-frame, as we come to the end of the local government reform process, that we intend to do in this parliamentary session, that is in the year of Parliament ending in September of this year, we anticipate that we should have some degree of settled position which would include a mix of remedies from legislative to operational fixes to treat with these areas. Not quite as simple as it is, it does involve assessment of public and private sector intervention.

Sen. Ramdeen: Madam President, through you, the Rent Assessment Board is set

up under the Land Tenants (Security of Tenure) Act, 1981. Could the hon. Attorney General indicate whether there is an appointed Rent Assessment Board as we speak?

Hon. F. Al-Rawi: Thank you, Sen. Ramdeen, there is no appointment. The effluxion I am told really came into effect in the year 2002. So that that does not apply in the current context. The other three rent restriction bits of legislation from Chap. 50—I cannot remember the actual numbers come down are in there. But a proposal has come forward for consideration. It is under some active review right now, but the operation of that particular limb itself is not something that is alive right now.

Sen. Ramdeen: Through you, Madam President. Hon. Attorney General, the Act for the initial 30 years would have expired by effluxion of time in 2011—

Madam President: [*Clears throat*] The question, please.

Sen. Ramdeen: Of course—but the operation of the Rent Assessment Board under that Act continues beyond that, so there is no Rent Assessment Board now for the purposes of those people who would have renewed their tenancy beyond 2011?

Hon. F. Al-Rawi: Thank you, Madam President, we are giving you some pressure with your voice. I catch where you are coming from, Sen. Ramdeen. Yes, I was looking at it from the Rent Restriction Act itself. I would have to really check. I have not the position from the Ministry of Housing and Urban Development itself. It may very well be that it is in fact there for those that are still alive for tenancies that crossed over the effluxion point, and I can certainly undertake to provide you with that information. Thank you.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, with your leave, I would like to revert to Item 3 on the Order Paper.

VACANT SEAT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President Anthony Thomas Aquinas Carmona O.R.T.T., S.C.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS
AQUINAS CARMONA, O.R.T.T., S.C.,
President and Commander-in-Chief of
the Armed Forces of the Republic of
Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MS. ALLYSON BAKSH

WHEREAS by the provisions of paragraph (e) of Subsection (2) of Section 43 of the Constitution of the Republic of Trinidad and Tobago, the President, in exercise of the power vested in him and acting in accordance with the advice of the Prime Minister, is empowered to declare the seat of a Senator to be vacant:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by the said paragraph (e) of Subsection (2) of Section 43 of the Constitution of the Republic of Trinidad and Tobago, do hereby declare the seat of you, ALLYSON BAKSH, to be vacant, with effect from 28th November, 2017.

UNREVISED

Given under my Hand and the Seal of the
President of the Republic of Trinidad
and Tobago at the Office of the
President, St. Ann's, this 28th day of
November, 2017.”

SENATOR'S APPOINTMENT

Madam President:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

Appointment of a Senator

By His Excellency ANTHONY THOMAS
AQUINAS CARMONA, O.R.T.T.,
S.C., President and Commander-in-
Chief of the Armed Forces of the
Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MR. RONALD HUGGINS

In exercise of the power vested in me by paragraph (a) of Subsection (2) of Section 40 of the Constitution of the Republic of Trinidad and Tobago, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, acting in accordance with the advice of the Prime Minister, do hereby appoint you, RONALD HUGGINS, a Senator, with effect from 28th November, 2017.

Given under my Hand and the Seal of the
President of the Republic of Trinidad

UNREVISED

and Tobago at the Office of the President,
St. Ann's, this 28th day of November,
2017.”

WRITTEN ANSWERS TO QUESTIONS

Federal Villas, Federation Park

(Occupancy of Housing Units)

- 14. Sen. Wade Mark** asked the hon. Minister of Public Administration and Communications:

With respect to the occupancy of housing units at Federal Villas, Federation Park, Port of Spain for the period September 30, 2015 to September 30, 2017, can the Minister provide the following information:

- a) the names of all public officials, including Ministers, who have been allocated or who had use of these units;
- b) the period of occupancy relative to (a);
- c) the terms of such occupancy; and
- d) whether the persons listed at (a) were in receipt of any housing allowance for the corresponding period(s)?

Laptops in Secondary Schools (Details of)

- 16. Sen. Wade Mark** asked the hon. Minister of Education:

With respect to the Government's decision to acquire laptops for use in Secondary schools, can the Minister state:

- a) what are the technical specifications of the laptops;
- b) what are the terms and conditions of the contract for the supply of the laptops; and
- c) what was the tender process or procedure utilised to acquire the laptops?

Housing Development Corporation

(Monies owed)

29. Sen. Paul Richards asked the hon. Minister of Housing and Urban Development:

With regard to monies owed to the Housing Development Corporation by tenants, can the Minister provide a breakdown per development of the following:

- i. whether monies are owed under the rent-to-own and licence to occupy arrangement, and if so;
- ii. the amount of monies owed; and
- iii. how the HDC intends to recover said monies?

Vide end of sitting for written answers.

2.30 p.m.

Madam President: Leader of Government Business.

ARRANGEMENT OF BUSINESS

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you, Madam President. Madam President, in accordance with Standing Order 31(5), I beg to move that the Senate consider Government Business today, instead of Private Business.

Question put and agreed to.

JOINT SELECT COMMITTEE

(APPOINTMENT OF)

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, I beg to move the following Motion:

Be it resolved that the Senate agree to the following appointments to the Joint Select Committee:

1. On the Joint Select Committee on State Enterprises and the Public Administration and Appropriations Committee:
Mr. Ronald Huggins in lieu of Ms. Allyson Baksh.
2. On the Joint Select Committee on National Security:
Mr. Robert Le Hunte in lieu of Mr. Michael Coppin.
Mr. Saddam Hosein in lieu of Mr. Wayne Sturge.
3. On the Joint Select Committee on Finance and Legal Affairs:
Dr. Lester Henry in lieu of Mr. Michael Coppin.
Mr. Taharqa Obika—I will leave out the first name next time—
[*Laughter*] in lieu of Mr. Wayne Sturge.
4. On the Joint Select Committee on Social Services and Public Administration:
Ms. Allyson West in lieu of Mr. Ayanna Lewis.
5. On the Joint Select Committee on Foreign Affairs:
Ms. Anita Haynes in lieu of Mr. Rodger Samuel.
Dr. Dhanayshar Mahabir in lieu of Ms. Melissa Ramkissoon.
6. On the Joint Select Committee on Human Rights, Diversity and Security:
Mr. Saddam Hosein in lieu of Mr. Rodger Samuel.
7. On the Joint Select Committee on Parliamentary Broadcasting Committee:
Ms. Anita Haynes in lieu of Ms. Khadijah Ameen.
8. On the Public Accounts Committee:
Mr. Taharqa Obika in lieu of Mr. Rodger Samuel
Ms. Melissa Ramkissoon in lieu of Mr. Jennifer Raffoul
9. On the Public Administration and Appropriations Committee:
Ms. Jennifer Raffoul in lieu of Dr. Dhanayshar Mahabir.

I beg to move.

Question put and agreed to.

Madam President: Attorney General.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) (NO. 2) BILL, 2017

The Attorney General (Hon. Faris Al-Rawi): [*Desk thumping*] Thank you, Madam President. I beg to move:

That a Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50, be now read a second time.

Madam President, it is good to be back in the Senate and I welcome hon. Senators just arriving at both benches, for the Government and the Opposition, Sen. Racquel Ghany and Sen. Ronald Huggins to their respective positions and I also welcome Sen. Sydney who is no stranger to the Independent Bench and this Parliament.

Madam President, today we seek to amend the Motor Vehicles and Road Traffic Act Chap. 48:50. This piece of law came into effect by an Act of Parliament, No. 42 of 1934. Eighty-three years later and some 95 amendments post, the one thing that we are sure about is that the Motor Vehicles and Road Traffic Act is one which really is tied to the life and blood of the citizens of Trinidad and Tobago. After all, it is the mechanism by which we regulate the use and behaviour of users on the roads of Trinidad and Tobago; it is the mechanism by which we control the manner in which we arrive to our workplaces, to our homes. It is the place where we see life of Trinidad and Tobago in existence. And in the many years that we have come from, 1934 to today's date, the amendments to the Motor Vehicles and Road Traffic Act have really come about and have tied into material improvements in technology and in development in Trinidad and Tobago.

Today, we come with a very short Bill. It is actually two clauses long, seems

to be deceptively simple. The first clause is the short title of the Bill and the second clause proposes two subclauses which treat with, first of all, an amendment to section 62(7) of the Motor Vehicles and Road Traffic Act and also an amendment to the Second Schedule. The aim of the Bill is in fact quite simply put, to adjust the speed limits in Trinidad and Tobago, and specifically the classification of motor vehicles that can be used on the roads. The current law as it is structured in section 62 which falls under Part V of the parent law, Part V dealing with the actual provision for offences, driving and other offences and general conditions relating to the use of roads. Section 62 of the Act is really one which has to have reflection, upon which we must have reflection, to explain the approach that is now before this honourable Senate.

Section 62 is the section which treats with speed limits and permit me to put onto the record to make sense of the amendments proposed, the actual content of some of the provisions in section 62. Section 62(1) says:

“Subject as hereinafter provided, it shall not be lawful for any person to drive a motor vehicle of any class or description on any road—

- (a) outside a built-up area at a speed greater than the speed specified in the Second Schedule...”—et cetera;
- “(b) within a built-up area at a speed great than the speed specified in the Second Schedule...”—et cetera; and
- “(c) whether outside or within a built-up area”—at a—“special speed limit...imposed at a speed exceeding...the speed limit imposed in relation to...that class or description...”—of vehicle.

Subsection (2), that is 62 subsection (2) says that:

“The Minister may by Order impose special speed limit with respect to any road, whether outside or within a built-up area...”

We then go through subsection (3) which provides that:

“The Chief Technical Officer”—at the Ministry of—“(Works) may by Order”—introduce—“a special speed limit...”

We then come to improvements in the law which introduce the offence and the quantification that is to be attracted for a breach of the law. We passed through then the amendments in 2014 which introduced the speed gun and then we come to subsection (7).

“Subject to affirmative resolution of Parliament, the President may by Regulation amend the Second Schedule.”

And in subsection (8), those very important concepts of a built-up area or outside a built-up area fall for first reflection and in subsection (8) it says:

“In this section and section 62A—
 ‘built-up area’ means the City of Port of Spain, City of San Fernando, the Borough of Arima”—or—“any other area or road or portion thereof declared by Order of the Board to be a built-up area for the purposes of this section.”

So, the law as set out in section 62 says to us that there are a couple core concepts that we must have in mind. One, you are to travel at a speed which is specified in the Second Schedule. Two, speeds are to be disaggregated on the basis of general speeds and special speeds. Three, in respect of general speeds there is a further disaggregation for built-up areas and outside built-up areas. In the parent law, 62(8), a built-up area is initially defined as the three cities and any other areas so declared by Order.

When we come to the Second Schedule, the Second Schedule prescribed the

speed limits in this country and section 62 was treated with by 47 of 1956. That is the Act that treated with the first description of speeds that was amended by Act No. 146 of 1969, or I should say, by way of legal notice that would have come in respect of these things. When we look at the Second Schedule, there were one, two, three, four, five, six, seven categories of vehicles described there and there were various speeds prescribed from the perspective of outside a built-up area or inside a built-up area.

In particular, in the Second Schedule we were treating with tractors; a motor omnibus or a bus; motor vehicles constructed to carry more than 10 passengers; a goods vehicle, the weight of which exceeded 2,540 kilogrammes with or without a trailer; a goods vehicle, the licensed weight of which does not exceed 2,540 kilogrammes with a trailer. Then we had private motor vehicle with trailer and any other motor vehicle. And essentially what was set out here, for tractors you could travel outside a built-up area at 35 kilometres per hour, inside at 20 kilometres. For a bus, 65 outside a built-up area and 50 for within. For the class of vehicles at the weight of 2,540 kilogrammes and above, 65 kilometres on the outside areas and 50 kilometres in the built-up areas and then for private motor vehicles with a trailer, similarly, 65 and 50 and any other motor vehicle 80 and 50.

So, that is the orientation in terms of what the current law says. Let us put it into summary form. Essentially, in 1969 we last treated with the amendments to speed in this country. In the law as it stands, if the law is to be changed in respect of the speed limit, the President of the Republic of Trinidad and Tobago which we read in law to mean, the Cabinet, must bring a resolution to this House to amend the law by way of affirmative resolution. And that is the case because in 1935 come forward, up to 1969, et cetera, the roads and arteries of Trinidad were very

few. We did not at that period in time have the four highways that we operate with. We did not have the technology and engineering construction, reflection that our roads are now gauged against. We certainly did not have flyovers, we did not have the embankment and ramping that we have off of the primary roads into the secondary roads, nor did we have the kind of vehicles and the engineering and safety mechanism for vehicles that we have now.

And changing the speed limit in 1969 was something which the entire Parliament got together on an affirmative resolution and decided it must come to the direct focus of the parliamentarians sitting in both the House of Representatives and in the Senate. But we are most respectfully, a far distance away from that, both from a technological point of view, from a delegation point of view, insofar as the technocrats in the Ministry of Works and Transport, in particular, are involved. And the mechanism that we propose now to be considered by this honourable Senate is that we no longer invite the Parliament in section 62(7) of the parent law to move itself to consider an affirmative resolution for changing the speed limit, but that instead we allow the Minister by way of Order to do that.

That is built upon the premise that we would also have to treat with the specific Orders which I referred to. There were two types of Orders when I read section 62 and I will just remind you. One, is the special speed limit Order; and two, is the built-up/non-built-up area Order. So the law as constructed is, you amend the Second Schedule which provides for the speed limit across the classes of vehicles I mentioned, omnibus, passengers vehicles with over 10, any type of vehicle with or without trailer, et cetera, that is the Second Schedule and then the Orders describe what you treat with in terms of built-up or non-built-up and whether they are to be special orders.

Now, special Orders apply, just by way of information, to areas which are not within your built-up or outside of built-up categorization. Under the existing law, the fact is that the built-up areas were treated with, in a very particular way. In the current law, the built-up areas were treated by way of actual definition of what is built-up. The existing law, the Motor Vehicles and Road Traffic Act went through a prescription of every area that was considered to be built-up. That, in fact, is something which we propose to be changed by way of Ministerial Order. What we propose to come after the amendment that this Senate engages in considering, and if it is so minded to pass, is that we will pass a special order which will be a speed limits built-up areas order and what we do, is we propose instead of naming every road that is built-up, what we actually do is to say all of Trinidad and Tobago is in fact to be considered as built-up and these are the following areas which are not built-up and I will tell you why we do that in just a short while.

What we also propose to do is to engage in a second form of Order which is the special speed limits amendment Order which would come after this law is considered and in that Order we will treat specifically with certain secondary roads or ramps and I will explain that in a moment. So, under this current law, we had this peculiar prescription that, for instance, in the island of Tobago, all of Tobago was considered to be built-up. So, in Tobago you could only drive at 50 kilometres per hour. The whole of Tobago, notwithstanding the fact that you had highways in Tobago, such as the Claude Noel Highway, et cetera, come into existence. The law as it stands in Tobago, because it is defined as built-up, is that you can only drive at 50 kilometres per hour. But with the advent of technology and engineering and with the considerable roll-out of highways in Trinidad and Tobago as we now

come to know them and enjoy them and sometimes fear them, what we noticed was people, if we kept with the same formula in the existing law, would be required to adjust their speeds on a minute by minute basis even though you were proceeding along one stretch of road—and just to give you the example.

At the Abattoir in Port of Spain, you would have one speed limit; when you get to Aranguez, you will have another speed limit; when you take the stretch between Aranguez and Curepe, you would have another speed limit. You then change speed limit and the same thing would happen as you progress past Chaguanas, for instance, because as you pass the Chaguanas area, your speed limits will vary.

So the platonic movement as it is referred to from an engineering perspective, from the Ministry of Works and Transport, and that is, how the platoon of vehicles moves. All cars moving at that particular path, at a particular rate would constantly be changing because the built-up and outside of built-up areas simply did not make sense. Let us stick a pin for a moment.

Many people in Trinidad and Tobago said to us that the Government change the speed limit and put in an 80 kilometres per hour. For those of us that drive from San Fernando, it became an instance calf workout. Your legs were measured by restraint because as you stepped on your accelerator you were caused to restrain yourself from stepping lest you crossed 80 kilometres per hour. But it is actually not true that the speed limit was changed. The speed limit since 1969 was 80 kilometres per hour. And what happened was very important amendments brought in in 2014 by the last Government on the back of a series of amendments, including the work done by a Government prior to that, for the introduction of seatbelts, for Breathalyzers, the speed guns when introduced in 2014, caused a shift

in the culture of Trinidad and Tobago when implemented in 2016 with the implementation of speed guns under the present regime in the continuance of governance, starting with the last government and continuing into this. What happened was, the law was in fact not changed to 80 kilometres per hour, the law was simply applied. And lo and behold, the theory of law changing culture as a concept and as a reality came into our fulminations. Because six little speed guns along the highways of Trinidad and Tobago, which as at today's date resulted in 18,000 tickets being issued under these six speed guns, caused the platonic movement of cars along our nation's highways to move to 80 kilometres per hour on the outside built-up areas and 50 kilometres per hour or lower depending upon the categorization of vehicles that we had.

As we come now, the law to take us to this point as now it is standing before the Senate really involved a considerable amount of work and that work was based upon a number of entities coming together. First of all, the Ministry of Works and Transport and the Engineering Division, in particular, had to go and physically inspect every single road in Trinidad and Tobago, every single ramp off of every primary road onto secondary road in Trinidad and Tobago, all of the secondary roads and then treat with the engineering specifications of those roads as a matter of first priority so that we could define what is built-up and what is not built-up and what the speed should be.

The engineering considerations along the major highways of our road had next to be considered and that is the design speed versus the desired speed. And I can confirm today that the design speed of our major primary roads and highways in Trinidad and Tobago is in fact at 125 kilometres per hour. The data which fed into that construct included data lifted in the period 2012 to 2013 under the

microwave sensitivity structures and I will get you the name for that in just a moment. It was, I believe the RTMS system—[*Interruption*] and the structure that fed on top of that was spot analysis and spot speed analysis on the very highways, occupancy rates, travel velocity and time of day considerations across each and every built-up area and outside of built-up area. What fell next into consideration was the passenger information as it related to cars moving against pedestrians, as it also factored against the technology for preventative measures for accidents, railway systems, lighting systems, the New Jersey barrier systems, all of the mechanisms to treat with accidents on our roadways were treated.

So, the Ministry of Works and Transport itself did a significant amount of work but this was ably assisted by non-governmental agency such as, and I wish to single out, in particular, the Arrive Alive movement. And Mrs. Sharon Inglefield who as a citizen of Trinidad and Tobago and as an advocate for change in culture on our roads has produced immense data for consumption in Trinidad and Tobago so that we are not dealing only with a governmental system and recommendation but a societal system and recommendation. And that data, and for the record, included the vehicle information management data and the actual data residing at the licensing office.

When we look to data, it is interesting to note that we are at 1,016,265 registered vehicles on our roads according to the database at the Ministry of Works and Transport Licensing Division. There are 654,895 issued drivers' permits in Trinidad and Tobago. When you factor it that is almost two vehicles to every licensed permit that we have in existence. But when we look to the data coming out of entities like Arrive Alive, et cetera, we note that death fatalities, death and road fatalities, those caused in an accident in the car and those persons killed

outside of a car, we are looking at a distribution of 76 per cent male deaths, 24 per cent female deaths. When we looked at the age brackets, et cetera, and fatalities, 15 to 24, 16 per cent in that age bracket accounted for the number of road fatalities. In the age bracket 25 to 34, it was 23 per cent. In the age bracket 35 to 45, it was 9 per cent. In the age bracket 45 to 54, it was 17 per cent.

So what we saw is that those on the upper end of the spectrum, perhaps mid-life crisis years, 45 to 54, were equal to juvenile drivers as well in the period 17 to 24, 16 per cent versus 17 per cent. So that road fatalities and accidents actually are no respecters of age limit and that these accidents can happen at any point in time.

Madam President, the time in the Senate versus House is slightly different. What is the end time—

Sen. Ramdeen: Quarter past.

Hon. F. Al-Rawi: Quarter past? Thank you very much. Thank you, Sen. Ramdeen. [Laughter] He is quick on the draw.

Madam President: Attorney General, you have until 19 minutes past three.

Hon. F. Al-Rawi: Thank you for the precision, Madam President. [Laughter] Nineteen minutes past. I will take the four minutes extra. So, Madam President, the data which fed into the considerations included road user, time user, platonic user, engineering specification and design information. We also had the very important consideration of these users applied as I have said before, outside built-up area, in built-up area and in the special zones of ramps, et cetera.

Now, what we can say, Madam President, is that there was a further consideration which finds itself in clause 2 of the Bill. Not only was the understanding of what the speed should be across the class of vehicles factored, but

also too, the type of vehicles which we have, in particular, the heavy T users. And what we noticed is that for the Second Schedule reference to 2,554—is it?—kilogrammes; 2,540 kilogrammes that particular measurement for the MGW weight, that categorization where you would have to have the speed at 65 and 50, that caused an area of great concern in recognition of an advance on technology.

Every person with a Hilux vehicle, with certain types of Nissan, Ford, Toyota, et cetera, the SUV class of vehicle finds itself really in the category between 2,540 kilogrammes and up to 3,200 kilogrammes. And even though these vehicles are being used really as passenger vehicles, really more akin to the definition of any other motor vehicle in the Second Schedule at subparagraph (g) of that existing law. What happened was, they would be required to observe a different speed limit and they would obviously affect the platonic movement of the vehicles on the road from an engineering perspective. It affects how fast we get to work, how fast we get home; it affects the ease of doing business; it affects road rage; it affects frustration; it affects us all in every sense of the word because we have a category of vehicle class that just did not fit the type as it did in 1969 where you had a Bedford truck.

I know that Sen. Dr. Mahabir would know these cars and vehicles well. He is a connoisseur of other vehicles and types and he said he is into restoration as am I of certain other vehicles, but the point is, this was really causing and is causing a significant problem for the people of Trinidad and Tobago.

The Government obviously could not just wave the magic wand and submit to the demands of the population to say let us speed up for a number of reasons. Firstly, we really ought not to just be doing things capriciously, it must be data-driven. Secondly, we really did need to factor how the law was being applied.

What is the result of an observed speed limit? And then too, we also had to factor what the law is going to look like across the amendments that we have considered already as a Parliament in this current session and those that are to come.

3.00p.m.

And I am very pleased to say that we obviously had a significant debate in this House to amend the Motor Vehicles and Road Traffic Act and the associated law that went with it, that is the enforcement legislation. We took some very important decisions that we would de-criminalize certain offences described. We would introduce a system of demerit points. We would factor them against red light camera enforcement. We would work out how penalty notices, et cetera, should apply. And in considering those amendments, we have another set of amendments which are to come, one of which has just been laid today, and that is, in fact, the spot speed enforcement mechanisms.

Now I will remind, the Government has taken the approach to amend the road traffic laws, the Motor Vehicles and Road Traffic laws, in stages. Why? As a country, we spent the better part of two decades trying to come up with the perfect law to replace the Motor Vehicles and Road Traffic Act. Successive governments came with motor vehicle authority legislation. It was just too large. It was too complicated. The fine points occupied a lot of time and therefore the law just did not pass muster either in the Ninth Parliament or in the Tenth Republican Parliament. But in the Eleventh Parliament, as we now sit, we have taken the approach of taking it in stages.

And I think it is therefore important that I report that the stages of proclamation and implementation of that which we have already considered, which would be layered by that which is to come—spot speeds which are now laid in this

House and which this Parliament would consider in due course—will also be met with RF ID identification, management, et cetera, as we layer up this approach and amendments to the Licensing Authority mechanisms, in particular how we treat with fraud. But I am very pleased to say that in driving the amendments and in factoring how we treat with speed and enforcement and engineering and designs, we are in a very healthy position, because far too often we have had the experience of passing law which is not implemented because the operationalization takes far too long.

I am pleased to say that, in fact, the provision of drivers' permits via a centralized computer system has been completed. I am pleased to say that implementation of a data centre for hosting licensing, electronic systems databases, has been completed; that the modification of forms, driver's permit transactions, vehicle registration transactions, that is scheduled to be completed by December 2017. The online application request for drivers' permits and renewals is earmarked for February 2018. The data-sharing with police has been completed. The implementation of computerized vehicle registration system has been completed. The online access to basic vehicle records is complete. The printing of certified copies at all licensing sites—four sites—has been completed.

The balance are to be completed by December 2017. The printing of certified copies at TTPost is earmarked for March 2018. The vehicle pre-inspection ports is complete. The electronic ticket system, the hand-held devices, and the enforcement officers which will operationalize the red-light enforcement and other mechanisms that we took, demerit points, et cetera, in the last round of amendments that we considered, that is earmarked for April 2018, and data sharing with the police is already completed, as I mentioned before. It is repeated here,

sorry.

What does that mean in a nutshell? The law which we considered a couple months ago is earmarked for full implementation in April 2018, and that is going to radically transform the manner in which we transact business at the Licensing Authority: the manner in which road enforcement is managed; the direct impact upon police time; the impact upon user time in our court system. It will result in the removal of close to 100,000 motor vehicle and traffic offences in the Magistrates' Courts of Trinidad and Tobago and it would take Trinidad and Tobago into a materially advantageous position, much like that dream that we have all often possessed and expressed we wish to achieve, and that is the ability to go online, obtain your driver's permit, do your renewals, have email reminders and know where you stand in terms of offences which are now violations of the law in terms of demerit points, et cetera.

And, I wish to offer sincere congratulations to the Minister of Works and Transport for driving this process [*Desk thumping*] and the unstinting support coming from the technocratic end of the Ministry of Works and Transport. And I wish to say this: very often, we, as a society, complain about the public service. Indeed, there are some things to complain about. Some attitudes may not be the best, but I want to really express my pride and admiration for the hard-working members of the Ministry of Works and Transport for their dedication in driving this implementation process, and that has been amplified, catalysed, exacerbated, encouraged by the Judiciary of Trinidad and Tobago, by the Trinidad and Tobago Police Service, by the Office of the Attorney General in its coordination in coordinating all of these activities as well and, importantly, by the private stakeholders, such as entities like Arrive Alive and other entities that engage in this

process in a large room. Because when you walk into these rooms there are sometimes up to 26 people on the table, all coordinating the efforts to make sure that we implement laws which we desire.

So, hon. Members, the law before us is, in my view, a step in the right direction. We are occupying parliamentary time in stages along this process because getting policy to match with prescription, to match with consultation, to match with implementation and operationalization, if we take too large a trawl, it would just be significantly delayed in its output, and the citizens in this country are crying for assistance. A word of caution to the users of Trinidad and Tobago's roads: the law has not passed yet. Please, to the media, do not edit the contribution to say that we are considering this and it is a *fait accompli*. The law must be considered by this honourable Senate. If this Senate so chooses to pass this law, declared interests all had—perhaps I should say that any one of us that drives up the highway or down the highway to San Fernando and back, has a declared interest in the speed being a little bit more relaxed. But I want to caution that the law is not a *fait accompli* and that it is only after this law is assented to and becomes the law, that this becomes something which will be applied by law enforcement.

I also offer a further word of caution. We have supplemented the speed guns in Trinidad and Tobago by the introduction of nine new guns and we intend to further supplement the speed limits in Trinidad and Tobago by the introduction of spot speed cameras right along the nation's roads. So we are going to be enforcing the law in the very necessary measure to ensure safety and to ensure obedience to the laws of Trinidad and Tobago from a societal perspective. I look forward to the contributions of hon. Members of the Senate and certainly with an open mind. The

debate in the House of Representatives was a very enjoyable one. I think we were all *ad idem* and in agreement with the aim and purpose of the law, and in those circumstances, Madam President, I beg to move. [*Desk thumping*]

Question proposed.

Sen. Gerald Ramdeen: [*Desk thumping*] Good afternoon, Madam President, and thank you for the opportunity to contribute to this debate this afternoon on an Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50. Madam President, let me say at the outset that I join with the Attorney General in saying that this is clearly a step in the right direction and a progressive move in the development of Trinidad and Tobago and it is long in coming. [*Desk thumping*]

I would also like to say that the approach of taking the development of the Motor Vehicles and Road Traffic Act in a piecemeal manner as described by the Attorney General, I think is a mature way of moving forward with getting our road traffic laws up to date. And I would like to compliment all of these steps that have been taken by the Government in bringing our laws up to date and in building upon what, as the Attorney General has said, the work of different administrations, and I think it is a step in the right direction. This work has started a long time ago, and we are now reaping the rewards of the hard work that different administrations have done.

I do not think this afternoon, respectfully, Madam President, that I can add much to the legislative aspect of the description given by the Attorney General of the two clauses we are here to debate, but I would like to make a contribution to outline some of the ways in which this law, if implemented in a holistic approach, there are certain things we are can do in order to improve where we are with respect to road safety. Because this piece of legislation, as I see it, is really about

road safety and about striking the balance that the Government has to try and balance, of preventing gridlock on our roads, but at the same time, efficiently managing the movement of vehicles, whether they be in built-up areas or whether they be anywhere in Trinidad and Tobago.

Madam President, in preparing for this debate, sometimes it is a very difficult task because when one considers what we have lost, and the lives we have lost as a result of deaths on our roads, I do not think that we can quantify the extent that our country suffers every single year. In the other place, the Minister of National Security indicated there has been a drastic decline in road deaths, but we still are over 100 per year. And I would say from where I stand, Madam President, one road death, like we say with respect to murders, is one too many. [*Desk thumping*] Only last night, Madam President, when one looks at the online version of the *Express* today, we suffered another road death last night in Barrackpore, where, if I can quote from the *Express*: Shamilla Singh, 39 year-old mother, lost her life unfortunately last night. And what is even more unfortunate about this is that it was a vehicular accident where there was a baby involved, and that baby who is eight months old has now lost her mother.

That follows upon a most unfortunate incident that occurred not very far away from the incident that took place last night, which was in Barrackpore on the Penal Rock Road about two weeks ago, where brothers Brandon Roopnarine, nine and Darrion Roopnarine, six, lost both their parents in a vehicular accident. It is a very, very emotional and a heart-wrenching experience, because I attended that funeral of those two parents and to see a nine-year-old and a six-year-old in those circumstances where—I hope that my words can describe the horror of that experience. But you can see a nine-year-old and a six-year-old looking at both their

parents and not even able to go close to the coffin that holds their both parents, and those two children, nine and six, will not have their parents for the rest of their lives.

But at the same time, having described that, Madam President, I want to pay tribute to the two police officers—I do not know if they were from the Penal or Barrackpore Police Station, or from the Children’s Authority—that took care of those two children throughout that ordeal, because I witnessed two police officers that clearly were discharging their duty in the absence of the parents of those two children. And in these dark circumstances, sometimes there is a shining light, and we must pay tribute to those in the Children’s Authority and those in the Trinidad and Tobago Police Service. [*Desk thumping*]

Madam President, I want to implore the Attorney General and the Government, that in the last month we have seen three children orphaned by road deaths, and while the Children’s Authority is there at times to provide that counselling during the first few days after, I think that there is a greater need for the Children’s Authority—whether it be the Ministry of Social Development or the Office of the Prime Minister—to take a greater interest in those children who have lost their parents and are orphaned as a result of road deaths. It is not simply a matter of looking after them on the day of the funeral and then after that nothing comes of it. These are children that would be scarred for life and we have a duty as a society, as a government, as an Opposition, as a country, to look after those children because they depend upon us for the rest of their lives in the absence of their parents. So that whatever steps that can be taken, Attorney General, I want to today implore that we do that.

Madam President, there is one aspect of that incident that I think we can

build upon in this debate, and the aspect of that is that where this accident took place, the sister of the deceased mother called in the report that was reported in the *Express* of November 07, 2017—called for the street lights to be repaired and for pavements to be constructed to make the area safer for residents. Madam President, we have heard from the Government over and over again that we are in times where there are financial constraints but I am sure—and today I can ask the Minister of Rural Development and Local Government and I am sure that the Minister of Rural Development and Local Government would listen to the call and heed the call that, whereas we might not be able to construct pavements on the side of every road throughout the country, I am sure that the local corporations and the city corporations can at least cut the grass so that you will not have people walking on the roads themselves and they might still have something to walk on to give them some measure of safety apart from just walking on the roads. Because it was on the roads that these two parents were walking when they were knocked down and met their deaths.

So today I want to ask the Minister of Rural Development and Local Government, as he always listens, to ask the local corporations, the regional corporations, to take an interest in those rural areas. Because, Madam President, the Attorney General has outlined a lot of progressive steps that have been taken by the Government with respect to speed and safety, but I think all of us here in the Senate will understand that the only place that we really see the speed guns being implemented are on the highways, and there is a need—we have speed limits in built-up and rural areas and we see no implementation [*Desk thumping*] of any enforcement of the speed limits in any areas outside of the highways. And perhaps that is why most recently the road deaths that we have experienced throughout the

country have not really been on the highways but they have been in the rural areas where the police simply do not enforce the law. And as a Parliament, and as a Senate, we can discharge our duty to pass legislation but at the end of the day if the legislation is not enforced, we are not going to benefit from the good work that the Attorney General has indicated—the technocrats at the Ministry, the Lower House, the Senate—and if this Act is assented to, will all amount to nothing if at the end of the day those who are responsible for the enforcement of the speed limit—the speed limits, as the Attorney General has said, are not only for the highways. They are speed limits to be enforced throughout Trinidad and Tobago.

And while I applaud the attempts of not only the speed guns, the fixed cameras that are going to be put up, but, Attorney General, there must—in the developed countries you have the speed cameras throughout the countries, and we have to make some attempt to curb the speeding that occurs off of the highways and that is what is going to help, in addition to what we do on the highways. So the other issue that flows from this, Madam President, is the issue of street lights. Street lights are placed on the road as a safety mechanism for users of the road. And in this particular case, again, we have a circumstance where—even if we look at the Solomon Hochoy Highway, Madam President, there are large areas, very dangerous stretches on the Solomon Hochoy Highway. When you drive at hours early in the morning and late at night, there is absolutely no street light. And, again, I want to make the call today to the Minister of Public Utilities and through the Attorney General—the Minister is not here. But the street lights are there already. All it takes is perhaps to change the bulbs and it will make the road so much safer.

The lack of street lights—I got a flat tyre at Pointe-a-Pierre one morning, at

four o'clock in the morning and as you go to change the tyre the street light goes out. And not only with respect to road safety it is dangerous, it is also dangerous if somebody has an emergency and stops on the side of the highway, because it creates the opportunity for all kinds of things to go wrong with respect to persons' safety. And I want to call today, or make a call today, or a request today from the Attorney General to the Minister of Public Utilities to, please, if we cannot put new lights there, at least let us just change the bulbs and get the lights that are there working. And again, not only on the highways, but in all of areas where you have roads, because the lack of street lighting is going to cause all of the roads, no matter how good they might be, to be more dangerous for all the road users.

So I want to start off by making those two calls to the Minister of Local Government and the Minister of Public Utilities. Now, Madam President, as I indicated earlier, this is a law, the responsibility of which for the enforcement, rests with the Trinidad and Tobago Police Service. And I want to raise an issue here today, frontally, to the Attorney General and in the absence of the Minister of National Security, through the Attorney General to the National Security Council of which the Attorney General is a member. It is a matter that disturbs me very, very deeply, and I will explain why.

We have had seven murders over the last weekend. We have heard a former senior police officer, Johnny Abraham, making comments after the death of the doubles vendor in central that it seems as though the police have thrown their hands in the air. That was the comment that he made. And I am going directly to why I say that. The Attorney General knows very well, and the Government will know very well, that the sanctioned strength of the Trinidad and Tobago Police Service at any material time, is almost 1,500 to 1,800 officers less than what the

sanctioned strength is, for varying reasons. And I do not think the Government, the Opposition or the Independent Bench is going to doubt the fact that we have a shortage of police officers to do the job that they are required to do, to protect the citizens of Trinidad and Tobago.

And let me tell you where I am going with this, Madam President. Anyone who travels the Solomon Hochoy Highway from north to south, after you pass Freeport proceeding south, there is a highway roti shop on the left hand side. And I want to tell you, Madam President, that while the sanctioned strength of the police service is almost 1,500 officers less, we have almost three robberies a day, two motor vehicle larcenies per day; people being raped, murdered and kidnapped throughout Trinidad and Tobago, the Trinidad and Tobago Police Service has the resources to have two police vehicles parked up at the highway roti shop with four officers, two in each vehicle, for about 12 hours every day guarding the highway roti shop. And I refer to them as roti police because that is what they are.

And I want to say this today, and I am going to put it on the *Hansard* today and make no apologies for it. We cannot afford to have four police officers in two police vehicles sitting down for 12 hours guarding the highway roti shop and telling people, “Proceed”, when they stop to buy a roti. Proceed. And, Madam President, do you know why that is so? Do you know why we have—12 by 4 is 48 hours of police service sitting down there with a mike every day guarding roti—is because a Deputy Commissioner of Police in this country wanted free roti for his son’s wedding, and that is why the Trinidad and Tobago Police Service has two vehicles parked up there so that people would not buy roti.

How could that possibly be right in 2017? How? How that could possibly be right when people’s houses are being broken into and when they call you hear a

police station telling you they do not have a vehicle? And you have four officers there, guarding roti, 12 hours for the day. So it is something that deeply disturbs me. And to tell you how deeply it disturbs me, Madam President, today I want the Attorney General, through the National Security Council, to find out where PCU 692 was parked up yesterday for 12 hours, because when I passed yesterday I decided—you know what? Let me take down the registration number so that through the National Security Council, the Attorney General can ask the Commissioner of Police what is really going on with those two vehicles. Let us pull the station diary and see what is the assignment they are put on every single day, because they are leaving a police station to park up there for 12 hours—roti police, I call them; for 12 hours—to simply tell people, “Proceed. Do not stop. Proceed.”

Now, I want to take a step back and deal with the issue that I highlighted at the very beginning, which is that it is good that we have achieved through the speed guns and all of the different mechanisms that the Ministry of Works and Transport and the Ministry of the Attorney General has implemented to cut down on the road deaths, but we must take notice, as the Attorney General has said, of the good work that Arrive Alive has done. And I think Ms. Inglefield must be complimented for the work that they have done. [*Desk thumping*]

But I think a lot of times, as a country, they say in Trinidad and Tobago, we have a very short memory, and when pieces of legislation as simple as this come to a Parliament and we debate it and it is passed—because I can let the Government know, through the Attorney General today, that you will get the support for this legislation, I think, from everyone here, because we understand the forward-thinking approach that this would bring. But I think it is important

whenever we pass legislation like this to reflect upon the mischief that the legislation is designed to achieve. And speeding is a serious problem in this country, and unless we take hold and manage carefully, our roads, we will continue to lose a lot of lives that are very valuable to us.

And unapologetically, Madam President, I say so because in the field that I am in, speaking from where I stand, we have lost, through road accidents, two very, very distinguished individuals who, I do not think the void will ever be filled, more so in the times that we experience today. In 1999 we lost four individuals, one of whom was Justice Carlyle Bharath and his wife, a distinguished member of the Bar and a distinguished judge. And some years later—almost 10 years later—we lost one of the most distinguished members to have graced our courts, our Bar, our Judiciary in that person of the Justice of Appeal, Wendell Kangaloo, God rest his soul.

And I remember when I heard of that accident, I actually was proceeding to the airport that morning when it took place and it was heart-wrenching, because I think the Attorney General, myself and more so you, Madam President, would understand the loss that this country suffered by the loss through a road accident—a most unfortunate road accident—of somebody that I admired, I am sure the Attorney General admired and all of Trinidad and Tobago lost, somebody who was a footstep away from becoming a Chief Justice in this country.

And when I pulled the research last night and one actually—without going into the details of it—saw what the compliments were and the accolades that were paid to someone like that, I can say for myself, from where I stand, Justice of Appeal Wendell Kangaloo was someone that I admired greatly [*Desk thumping*] and someone who was a mentor, and I want to say so unreservedly, that someone,

who if they were alive today, we would not be in the position that we find ourselves in, because he was someone that I can say held the profession and the administration of justice in the highest regard, and what is taking place today would clearly never have taken place if Justice of Appeal Wendell Kangaloo was around today.

And that is why this piece of legislation is so important to all of us. It is important because every single one of us here, as we speak today, would have had experiences where, at the end of the day, we are all filled with experiences where we can understand what it is like.

There is one particular spot on the highway that I would implore the Attorney General to put a speed camera at, and it is at the Claxton Bay turnoff.

Hon. Al-Rawi: Macaulay Junction.

Sen. G. Ramdeen: Not Macaulay, Attorney General, on the flyover itself. And you know, it is really unfortunate, Madam President, because, you know, everybody knows that that is perhaps the most dangerous bend on the highway and you will never find police officers monitoring that particular area.

3.30 p.m.

Just as it is difficult for you, Madam President, it is difficult for me because I had an experience where at 4.00 in the morning I hit the highway, and at 4.00 in the morning hitting the highway, going up the highway one morning I saw a vehicle and I saw fire brigades above the flyover. As I passed, stopped to see what was going on, it was a vehicle, a B14, totally in flames. Firemen were trying to stop it and everybody is there gathering to see what they can do to help, but nobody could help. I passed and realized that—when I reached my office I sat down, and then got a call that the persons who were burning in there were three

young individuals. They were three university students on that morning. They were Nicholas Ramdeen, Kyle Saney and Ryan Ramlagan—25, 22 and 26. I did not understand that when I was passing at quarter past four in the morning, I was actually seeing my cousin burning in a vehicle and could do nothing to stop it, right at Claxton Bay where we all know is so dangerous and yet still there is nothing there to stop it.

You see, Madam President, the Attorney General spoke about the work, administration after administration, that has been built upon to reach where we are today. One of the things that is very disturbing about driving up and down the highway is that the last administration had taken—I thought and I think we all can think—a progressive step in putting the rails to prevent the vehicles crossing the median. [*Desk thumping*] Unfortunately, Madam President, when you drive from San Fernando to Port of Spain every day, you will see that almost all of the barriers are lagging, where there have been accidents that they have prevented, they have not been repaired, and there are large gaping pieces of the highway which have no barriers at all. I do not think any of us here can deny that the putting of those rails are there to protect each and every one of us. They have prevented the loss of lives, and they have prevented accidents, and today, as we have this debate upon the speeding, I want to ask the Minister of Works and Transport to please do something about the rails on the highway. Because it is quite clear, Madam President, when you pass, some of those rails just need pulling to be straight again. That is all it needs and one wonders. You just need to have the will to do it.

Those two accidents that I spoke about, Justice Carlyle Bharath and Justice Kangaloo, were accidents that took place because people crossed the median and crashed with people coming from the other direction. If we can just pull the rails to

prevent those accidents from taking place, it is a step in the right direction—just as what we are doing here today—because we are increasing the speed limit to allow people to drive to up to 100 kilometres per hour in these areas. And sometimes, like the Attorney General said in the debate downstairs, a car is like a weapon in the hands of a driver and we sometimes have to guard those drivers from themselves, and whatever steps we can take to protect all of the drivers on the road, whoever is in Government does not matter. It is steps that we must take. So, in addition to the street lights, the cutting of the grass, can we please have the rails on the highways repaired? [*Desk thumping*]

The Minister of Works and Transport is a very progressive Minister and I am sure that he knows where the areas are. He drives throughout the country, and therefore, I am happy to hear that we can—it might be awarded, but is at risk. All of us are at risk now, because, Madam President, the most frightening experience is to be driving in one direction and somebody crosses the median and comes in the next direction because it is just something that—You can be the most careful driver to protect yourself, but at the end of the day you cannot drive for everyone else. Almost all of the accidents, the very serious accidents where two and three people have lost their lives, it is because cars have crossed the median and there is nothing there to protect those cars coming from the opposite direction from errant drivers. So, if we can get that done, Madam President, that is a step in the right direction, I think.

There is another matter that I want to raise in this debate with the Attorney General and it is this. Whereas we are concerned about the drivers and we are concerned about the speed limits, when people die on the road a crime is also committed, and most of these times when a death occurs on the road, you have an

inquest. Madam President, I am sure that the Attorney General in all of the research that he has done about all the cases in the Magistrates' Courts, the Government has taken a progressive approach with respect to the minor offences and cleaning up the Magistrates' Court with respect to the payment of tickets, and with the automated ticketing system, and not having to go to the Magistrates' Court with 20 and 30 matters in every Magistrates' Court every Monday morning and throughout the days to deal with people pleading guilty to traffic offences, and that is a step in the right direction. But if we look at the other end of the scale, Attorney General, we have hundreds, perhaps, of matters where you have inquests in the Magistrates' Courts arising out of motor vehicle accidents where people have lost their lives, and I think all of us know very well, those who practise in the legal profession, that inquests in the Magistrates' Courts take 10, 11 and 12 years, and that is not justice for those people who have lost the lives of their families.

So can I suggest to you today, hon. Attorney General, that instead of having inquests in every different magisterial district with respect to every loss of life that occurs in every different district, perhaps the time has come for us to amend the Summary Courts Act and provide an inquest court with summary jurisdiction so that it can take control of all of the inquests that arise in all of the motor vehicle accidents that take place, because over 10 years the documents will be lost, as you know the witnesses will die, and what eventually happens in these matters is that they just fall by the wayside and they will eventually be dismissed. And to those families who have lost their loved ones that cannot be justice by any stretch of the imagination.

So, it might not arise totally out of this piece of legislation, but it clearly is a suggestion, a step in the right direction, where we can provide some kind of relief

no matter how it might be. It might provide relief to the family, but it will also punish those people who are responsible for the deaths of innocent citizens on our roads, who would be innocently driving, doing their daily business and succumb to a vehicular accident. At the end of the day, while we are trying to manage road safety in every different way that you can, part of managing road safety is taking off the road, people who do not deserve to be on the road in the first place. [*Desk thumping*]

Now, there is a very peculiar way in which our road traffic management operates, Madam President, with respect to the granting of permission to use our roads, because all of us here who use vehicles have a driver's licence, and the position is that you go once in your lifetime to pass a driving test where it tests your sight and your ability to know what the traffic laws are and then for the rest your life, that is the end of it. So it presumes, in the procedures that we adopt now with respect to our traffic laws, that your sight remains perfect for your entire life, you know what the traffic laws are for your entire life and you are a good driver as you were at 16 and 17 when you are 70 or 80, and that just defies logic. So you have people who are dangerous not only to other drivers, but to themselves because over time their sight is not what it used to be when they passed their driver's permit test, and we have no mechanism in place that reassesses the ability of someone to use our roads by virtue of our motor vehicle and road traffic laws and that just cannot be right.

So, however we devise a mechanism, if we are going to grant drivers' licences for every 10 years or every 15 years, whatever it might be, we have to find a mechanism of reassessing person's ability to know what the traffic laws are and for us to know whether their ability to continue to be a safe driver on our roads to

themselves and to us can be done. It is something that the Ministry of Works and Transport has to look into, and the licensing division has to look into, because there are people who initially would have been proper persons to put on our roads as drivers, but over time and by loss of their ability of sight, and understanding, and movement, they would no longer be safe to be on our roads. None of us would like to deny anyone the ability to use our roads, but at the end of the day this is about the greater good in the public interest for all road users. If persons cannot see properly, they are dangerous to all of us, and if people cannot manoeuvre a vehicle properly on the roads, then they do not deserve to be on the roads as a matter of public interest. So today I want to ask, again, and to make the suggestion that at the end of the day we devise some amendment to the Motor Vehicles and Road Traffic Act to allow the Licensing Authority to reassess perhaps on a 15-year basis. I do not see what the hardship could be every 15 years for someone to go and take over their driving test, or go and take over a test to see whether they can see properly in order, for the greater good, to put people who are properly safe on the roads.

Now that, Madam President, leads to another issue because I do not think that we can overestimate the importance of the Trinidad and Tobago Police Service to the enforcement of these laws. These laws will only benefit us if at the end of the day they are enforced properly, legally, and fairly, and those persons who are responsible for the enforcement of these laws, the Trinidad and Tobago Police Service and the Licensing Authority, they need to get out there and be on the roads. I can tell you as I stand here where all the speed traps are on the highway. How could that possibly be right? You slow down before C3 because six and eight in the night that is where they test on the north-bound lane. You slow down before Seereram Brothers because that is the place that they test. It is absolutely

ridiculous. You slow down before PriceSmart going east because that is where they test. I mean, we cannot really conceivably be right-thinking citizens running a country to think that the Trinidad and Tobago Police Service will just go and have spot test in the same place every day, at the same hours, and expect that that is the enforcement of speed limits in this country. Whereas recently, we have to be very careful about giving the police instructions.

The National Security Council—the police accounts to the National Security Council for what they do, and if we know that that is the position some serious questions have to be asked about, whether it be the divisional heads—
[Interruption]

Madam President: Sen. Ramdeen, you have five more minutes.

Sen. G. Ramdeen: Thank you, Madam President—or anyone else who is responsible for the operations of the Trinidad and Tobago Police Service. In another debate, I think it was when the Attorney General brought the first set of amendments to the Motor Vehicles and Road Traffic Act, the host of them, in that debate I stood here and I showed you that there is a WhatsApp message that goes out telling people when the police have road blocks, when they have speed checks and where they are going to have it, and any police officer who is engaged in that is clearly misbehaving in public office. And when have we heard—just as we want to enforce the laws with respect to speeding, we must enforce the laws with respect to people who are breaking the laws, not only on the roads, but those people who are causing us the carnage on the roads by their own misbehaviour, and where that stone falls in the garden of the Trinidad and Tobago Police Service, those that are responsible for disciplining those officers must do it, and that is where we are falling short. Not only in road safety, in every aspect of our national security, and I

am not apologizing for saying so because the problem we have will never be solved unless you root out the real problems in the system.

So today, as we—Madam President, just imagine there is an article here that is pulled out from February 25, 2016, where a police officer is charged with DUI. I mean, what kind of example is that we are setting, where the people who are responsible for enforcing the Breathalyzer are being charged with drunk driving, driving under the influence? So as with every other piece of legislation that we pass, we can discharge our duty here as a Parliament, to the people of Trinidad and Tobago, by passing good law that is supported by all sides, both in the other place and here, but that law is going to amount to nothing if we do not get hold of the people who are responsible for the enforcement of this law. This might be a simple piece of legislation that is only two clauses, but it is a very far-reaching piece of legislation with respect to exactly what we are trying to achieve, which is to change our behaviour and our behavioural patterns so that we can live together in a society that is safe and secure for all of us.

Motor vehicles are a means to get from point A to point B. Through development and technology, it is a fascinating piece of machinery, but like the Attorney General has said before, I will join him and say, they can be a dangerous weapon in the hands of the wrong people and we have lost too many people, too many lives, too many children, too many mothers and too many fathers to road deaths on the roads, and we must do something to stop it. I hope that those responsible for the enforcement of this piece of legislation will do so in a proper manner, in a dutiful manner, in a fair manner, and in a manner that accords with the law, and if that is done, Madam President, all of us in every part of Trinidad and Tobago will benefit.

Thank you, Madam President. [*Desk thumping*]

Sen. Paul Richards: Madam President, I thank you for the opportunity to contribute to this Bill which is an amendment to the Motor Vehicles and Road Traffic Act, and I want to give thanks to my bench coordinator and colleagues for me, given the opportunity to open batting as it were from the Independent Bench position. It may seem, as many have indicated, as a simple amendment, but I do not see it as that at all. I see it as something quite significant because of the implications for raising or lowering speed limits because of public safety issues.

The AG indicated that the original Act is 83 years old with 95 amendments so far, and it is much more than just lowering or raising a speed limit. If you look at it, to me, in a comprehensive manner, it has implications if you look at it holistically for road safety, public safety, for productivity, for national security, because the use of the roads as we saw unfortunately last week with the Beetham incident, has significant implications for public safety and national security, and the conduit for citizens and visitors alike. It has implications for quality of life, mental and physical well-being, because of the number of hours we spend and our children spend on a daily basis commuting to and from school and work. It has implications for investment in Trinidad and Tobago and business sustainability. It has implications for environmental protection and national development. So I really do not see it as simply as some others may see it and I will take two different approaches in what I hope will not be a particularly long contribution to this debate.

I want to start by looking at the issue of speed and it may seem a bit academic, but I always like the grounding in some sort of empiricism, and according to the OECD 2006, speed encompasses really a suggestion of excessive

speeding, driving above or below the speed limit because driving below the speed limit in jurisdictions also has implications for road safety and can cause accidents and fatalities. It is classified as inappropriate speed, driving too fast or too slow for the conditions in that particular location, because different locations have different implications for the speed one must traverse with. Speed has been identified as a key risk factor in road injuries, influencing both the risk of road traffic crashes and the severity of injuries at any particular point, in any particular road incident.

Higher speeds generally lead to greater risk of crashes and greater probability of serious injury and the severity of those injuries. That is because as speed increases—and this has been studied over and over—so does the distance travelling in a particular time. So the driver's reaction time and distance that is needed to stop, and also, driver error is amplified in a direct correlation with the increase in speed. So speed is a very, very significant issue. Very often also, driving below a speed limit, or at a lower than appropriate speed, has implications because it leads to frustrations, traffic jams, and people reacting in cases of road rage as we have seen in many instances in Trinidad and Tobago and in other jurisdictions.

There are many studies that provide direct evidence that speeds just five kilometres above average in—and the hon. AG indicated in Trinidad and Tobago we classify it as built-up areas and not built-up areas. In most other jurisdictions, it is classified as urban or rural in terms of the application of the speed limits. Speeds of just five kilometres above average in 60-kilometre urban areas and 10 above average can double the risk of casualty and fatalities just like there is a correlation between blood alcohol level in many of these jurisdictions, and research in the US has focused on the effect of changes in speed limits and death on rural interstate

highways.

The factors affecting speed limit choices in any jurisdiction, Madam President, and the safety of road users include speed measurements—as Sen. Ramdeen focused a lot on the operationalization of speed limits which is critical in any jurisdiction—the measurement of traffic flow, traffic volume, the appropriate use of speed to monitor traffic volume, traffic crash data, information from the police on speeding offences, the speed design and criteria used to build or rehabilitate road, because quality of roads is also very important. I am glad that the hon. Minister of Works and Transport has indicated that there is some sort of audit going on in terms of the number of roads and the quality of roads we have in Trinidad and Tobago because you can have—and this particular Bill seeks to, as the AG indicated, relax as it were, the speed limit on the highway. But if the roads are of a poor quality, there are potholes and there are dangerous intersections, this may serve to the detriment of road users, and in other jurisdictions we find that there is a lot of emphasis placed on concentrations of accidents in particular areas.

The Cross Crossing Interchange, I am surprised that that has not been rehabilitated or reengineered after the number of crashes and fatalities we have seen at that area. Sen. Ramdeen just spoke about the curve on the highway. We all know how dangerous that is. In Germany, in particular, that is one of the main bits of research that goes into finding a way to reduce road fatalities; in terms of if there is found to be a high concentration of fatalities at a particular point, that entire stretch is reengineered. The data points to that because there must be a reason that one, two, three, five, 10, 15 persons have died there. It means that it is a difficult point to navigate. And so, the State must take some sort of pre-emptive measure and change the circumstances at that area, and when we are thinking in

the context of speed and increasing, or relaxing speed limits, or reducing speed limits in those particular areas, those sorts of consideration must also take precedence.

The issue of land characteristics and properties adjoining these roads, and the amount of population density around particular areas is also a very significant factor that must be considered when you think of speed in any particular area or location. Because when you have a high population density it means you have a higher probability of persons using that road and as such, a higher possibility of accidents, and so that must also be a significant consideration when you are thinking of raising or lowering speed limits. Also, the issue of distractions in particular areas. There is a circumstance in Trinidad and Tobago as we consider speed and speed limits of an increasing preponderance of huge LED billboards at significant intersections posing major distractions, and that has gone unregulated. There are now concentrations around major intersections because the location is high visibility and the business plan is high visibility means more money that you can spend.

There is one, Madam President, not too far from this august Chamber on Wrightson Road, when you are coming off South Quay onto Wrightson Road, and I do not know how permission could be granted to put a huge LED billboard just akin to a traffic light. Because I will tell you, on many occasions if you are driving in the night and coming onto Wrightson Road, depending on the colour and the luminescence of that LED, it obscures the traffic light totally, so you do not know whether it is a red light or a green light, and that poses a significant danger. So when we are talking about speed limits and road usage, we must also consider these other issues that pose dangers to commuters and pedestrians alike.

Public awareness. Very often, we see in other jurisdictions when there is a move to reduce or increase speed limit, you see a huge campaign on billboards: three months speed limit changing, two months speed limit is changing,— on a specially designed billboard in the area— media bursts to make sure the public is properly sensitized as to these changes and their responsibility in terms of the legal aspects of it. We do not seem to be going through those processes when we are amending the laws in Trinidad and Tobago, and I consider that due diligence on our part in terms of making sure that when we make changes like this, the public is made aware.

The hon. AG made a point, and rightly so, a short while ago, because very often we are discussing issues in this honourable House, and many of my colleagues in the media may jump out and edit or not intentionally, put part of it out, and we know how easily misinformation pervades in Trinidad and Tobago. Or they are debating it in the House, next week there is a perception, well it is a done deal because it has been passed in the Senate even though it has not been assented to and the mechanisms put in place. So we also need public awareness programmes to make these more effectively because we are talking about public safety issues when you are talking about lowering and raising speed limits in Trinidad and Tobago.

Speed limits also have the implication for traffic management and speed management. The benefits of lowered speed or amended speeds include greater time to recognize hazards because there are pros and cons in any argument in terms of raising or lowering speed limits, reduce distance travel while reacting to hazards, reduce stopping distance, increase the ability of other road users to judge vehicle speed before a collision, greater opportunities for other road users to avoid

collisions. And if I may make a suggestion, through you, Madam President, to the hon. Attorney General, I know and I agree with him, and it was underscored by Sen. Ramdeen, that we cannot change all of the laws at once. The measured approach is the more productive approach, but when we are doing amendments like these, we may want to consider parallel amendments such as lane assignments for extremely heavy vehicles, because the speed limit alone, by itself, may not provide the sort of safety mechanism that we envision when we think of the fact that any of us who are users of the road, and drivers in particular, will see heavy-T trucks and the heavy duty vehicles, the chemical transporters, lumber vehicles, swerving in and out of all the lanes of the highways. We may want to consider, as some other jurisdictions have done, limiting the times where these sorts of heavy duty vehicles and transport vehicles use the roads to lower peak times to protect road users. These are the sorts of considerations I think we need to ensure that we give due consideration to, because these are the kinds of things will one, ease up the traffic and also provide a greater safety blanket to road users, because we all know when you are driving behind or astride one of those huge vehicles, you really do not know what is happening, and if that driver does not see you, one false move could mean disaster for many people using the roads.

One of the interesting studies that I was able to put my hands on is a New Zealand study which focused on a lot of issues related to road safety and the fact that when they did their comprehensive research study, which was the foundation for the changes in their laws, they had an interesting phenomenon.

4.00p.m.

There was a fuel crisis in 1973 and the New Zealand Government reduced the rural speed limit from 55 kilometres to 50 kilometres to reduce the amount of

fuel being used; that is how some of these countries think. Because lower speeds mean less fuel and there was a 37per cent drop in serious injuries in urban roads and 24per cent drop in rural roads. Just as a consequence of that, a secondary consequence of lowering the speed limit because of the fuel crisis. It is not always applicable and I know we are talking about relaxing the speed limit on the highway but we also need to look at the whole picture when we are talking about raising or lowering speed limits.

There is a checklist that came out of that study in terms of determining what should be considered when raising or lowering speed limits or changing laws that relate to road use in general. What are the current laws and regulations that relate to road safety and how effectively are they being applied by law enforcement? Because, if they are not applied as being underscored by Sen. Ramdeen and others when we discussed—debated the transport Bill in the last Session, we realized that is a challenge in Trinidad and Tobago. We started off hot and sweaty with seatbelts ten or so years ago, the first three months, lots of charges and tickets given out. Six months, we know it is going to be relaxed. We started off with the cell phone Bill, lots of tickets were given out in the first three months, the road users know it is going to be intensified for three months and then it falls apart. And that has been our history in terms of the enforcement of laws in Trinidad and Tobago and as Sen. Ramdeen indicated, Trinidadians and Tobagonians are so tech savvy now. Before, you did not have *Waze*, you turn on your *Waze* on your phone now, and it tells you where every police stop is. It tells you whether there is a speed gun being enforced, even before you leave your office. It tells you where the traffic build-up is and it has implementations for how the police apply the laws. You cannot end up in the same spot the same time for a consistent number of days. You have to be more

strategic than that, and you are battling technology which is giving, not only errant road users, but the criminal element, advantages in ways they never had before. And the laws and the legislative amendments must take these into consideration.

The other considerations: Are the highways design standards in concert with these new speed limits? Because as speed limits are changed in developed countries, so too, as I said before, are the designs and the reconstruction of these highways and roadways to accommodate increases or decreases in speed limits. To whom does the law apply? Is it to all vehicle users or classes of vehicles? Are there variations, perhaps for heavy-T, learners, cycle lanes? Does the law apply to all types of roads? How are the limits signed and applied and what are the penalties for not complying with the law?

All these are considerations, Madam President, we have to also factor in and I know there was quite a bit of commendation for the technocrats in the Ministry of Works and Transport and rightly so. And might I add my own commendations, because I keep hearing great reports about, well I do not know about St. James Licensing Office, but the Motor Vehicle Authority and the efficiency over and over again. I am hearing it on social media and also electronic media about the efficiencies that are now becoming part of the normal course in Trinidad and Tobago, and I think that needs to be commended because we are always talking down about public servants, but when we see good, we are supposed to say good is happening. Right.

There are also factors that we need to consider when setting or changing speed limits including crash history, as I said before, road shoulder width and pavement quality, the road delineation, the edge and centre line marking, reflectors, guide posts, edge of shoulders and how effective signage is and the

maintenance of signage. Because we are not particularly great at signage in Trinidad and Tobago or the maintenance of signage.

Lane widths should be adequate, at least two to three lanes within a minimum width of three to four metres in this particular New Zealand jurisdiction. Narrow lane widths offer little margin of error, and therefore speed limits must not exceed that required by drivers to heed consistently within that lane.

You know, I always tell this story, Madam President, of the culture shock in Germany 2006, when we went to support our *Soca Warriors* and the fact that we are, and I take no pleasure in saying this, we are somewhat of a lawless society. So, going to Germany and seeing people following the law was a culture shock for Trinbagonians. We were amazed that train tracks and roadways were not separated by barriers and no one was running into trains. That cannot happen in Trinidad and Tobago, at this stage anyway, I have hope for the future.

And the fact is, we must understand our culture when we are implementing changes to laws and trying to apply them effectively. Because we have to know ourselves to know what will be effective and what will not be effective.

Land developments must be factored in when increasing or decreasing speed limits. It must be in concert with the overall national plans for development, because if we know we have huge population densities and developments in particular areas, that is going to lead in many cases to increased traffic flows. So the dynamics of road use are going to change in those areas. So if we are not factoring in those developments, for example, we have this C3 complex now down in south Trinidad and we all know there has been a dynamic shift because of the number of people that is going to frequent that area, and we must make those considerations when we are doing the traffic amendments or the road management

amendments in those areas, inclusive of speed limits.

We also have to look at the types of intersections which are of critical nature and the use of roundabouts which is one of the most effective traffic management and speed management mechanisms used around the world. Because, you have—if you know there is a roundabout, generally subconsciously you know you have to slow down to make a type of navigation around the roundabout and they are used very effectively in terms of managing speeds and traffic flow in various jurisdictions.

Also, the volume and flow of traffic which is kind of self-explanatory and the ability to safely overtake given increases in speed. Because increases in speed or decreases in speed limits also have implications for navigation and acceleration, deceleration, and overtaking. So there are a lot of considerations. It may seem like a simple amendment, but it really is not when you are thinking in the context of public safety and road safety and the number of fatalities we have seen in Trinidad and Tobago.

I have been able to come upon some research in terms of the disparities in rural limits and urban limits as the hon. AG indicated. We classify them as built-up areas and non built-up areas. In Argentina: rural limit, 80 to 100 kilometers, urban limit 40 to 60 kilometres; in Kerala, India, 70 kilometers, in rural 40 kilometres per hour; in Uttar Pradesh, India, rural and urban no limit; in Ghana, the rural limit 90 kilometres, the urban limit 50 kilometres; Indonesia: rural limit 80 to 100 kilometres, urban 40 to 60 kilometres; Malaysia, 90 kilometres rural, and in urban 50 kilometres. So generally, we are within the range of what is being applied in many other jurisdictions.

You know, and as a general rule of thumb, in developing and high income

countries, urban roads which are city centre roads or densely populated areas have limits of between 30 to 50 kilometres per hour and main highways or rural roads, 70 to 100 kilometres per hour and motorways or high speed highways, 90 to 130 kilometres per hour, but those very high speed highways also have many safety mechanisms built-in, so they just do not race, or allow huge speed limits. They put a lot of safety mechanisms in place to make sure that public safety is maintained and fatalities are curtailed as much as possible. And the general stakeholder groupings in terms of speed management in any jurisdiction and I know we probably have a few of these covered here: political and government leaders, finance authorities, road authorities, licensing authorities, road authorities local, police, ambulance and emergency hospital, education department, health department, community leaders, the media, research institutions, employers and transport industry experts, motoring association, NGOs, road safety community groups, insurance sector, and vehicle manufacturers. So, I think we have basically most of those covered.

Madam President, the other aspect of this speed issue that I think, to look at the more holistic approach to me, is along the issue of productivity; and road speed use and traffic management have direct implications to productivity in any jurisdiction because of the importance of road networks in getting goods and services and people from one place to the other. I looked at a report of Eddington R. 2006. It is a case study with the Eddington Transport Authority, and in terms of productivity because you know, I am reading this interesting book, I thought I would just share this because of where we are in Trinidad and Tobago and the challenges that face us.

Alan Greenspan advised five different Presidents on economic policy in the

US, and in my last presentation and I think the last three, I focused a lot on productivity and I do not think this speed limit or traffic management is any different in terms of national development. And productivity is again at the centre of this, because when you think of road use and speeds— lowering or increases of speeds, we also have to think of productivity in terms of goods and services and Mr. Greenspan indicated:

“Productivity is arguably the most central measure of the material success of any economy. The level of productivity ultimately determines the average standard of living, and is a defining characteristic that separates the so-called developed world from the developing world. Innovation, a critical determinant of productivity’s rate of growth and reflects how quickly new ideas are effectively implemented and absorbed into the production process.”

And I think when we are thinking of a larger context of traffic management and road use in Trinidad and Tobago, we really have to think of it in terms of how these changes affect productivity levels in Trinidad and Tobago. And that to me has not really been focused on enough and Eddington comments that transportation networks and roadways play a critical role in economic development but the historical and macroeconomic evidence only take us so far. Good measurement of transport effects on the economy is of fundamental importance. The different mechanisms that underpin the relationship between transport, road use and growth has been discussed at length in many studies. The studies all sought to develop an understanding of those mechanisms which impact on GDP, and transportation and road efficiency is a significant contributor.

There is a SATRA Report 1999, which focused on the mechanisms by which

transportation and road use improvements could in principle improve economic performance in any jurisdiction. When we are talking about lowering and raising of speed limits, we also have to factor in that we can, through these mechanisms of traffic flow management and traffic management in general, look at how we can deal with the deficiencies in Trinidad and Tobago in terms of productivity. Proper traffic management focuses on reorganization and rationalization of production, distribution and land use, defects in labour market catchment areas and labour costs. Increases in output resulting from lower cost of production and transportation of goods and services, the stimulation of inward investment in the jurisdiction, the unlocking of inaccessible—previously inaccessible sites for development and the triggering of growth which in turn stimulates further growth in any particular jurisdiction.

So I think when we are looking at the use of roads and traffic management in Trinidad and Tobago—and we know we have a challenge with that in Trinidad and Tobago. We have too many cars, not an effective public transportation system and so gridlocks and national security risks, as a result of gridlocks. Because we have seen last week in the Beetham, and when we had the prison break a couple years ago, what resulted from that – panic, gridlock, public safety issues, national anxiety. So we need to find more efficient ways of managing traffic flows in and out of the urban centres: Port of Spain, San Fernando and the areas that are showing significant growth like Chaguanas, Couva, Point Lisas and Arima, and also parts of Tobago.

More efficiency, Madam President, in terms of road usage can result in increased business, investment and innovation, supporting clusters, improving efficient functioning of labour markets and increasing competition and also

opportunities for foreign direct investment in any jurisdiction, because they see that the productivity levels are rising because we have more efficient movement of goods and services in that particular area.

One of the areas I would like to focus a little on which is related is, for example, our public transportation system, PTSC, and the fact that we have seemingly accepted that well, everybody has to get a car because we have a poorly functioning public transportation system.

4.15 p.m.

Why can we not look at PTSC as something we can revolutionize, innovate? What are the real issues with PTSC? Why do we have clogs in the roads? Because we do not have confidence, we do not think public transportation is reliable, is efficient, is dependable and it also just takes us to main areas and does not go the next leg, as we see in developed countries and do free transfers to final destinations. Why can we not take a better strategic look at PTSC in terms of how it is functioning and how we can innovate and rehabilitate and reengineer PTSC to a more efficient service, which has implications for traffic, road use and speed levels in Trinidad and Tobago?

Why can PTSC not provide transportation between the main areas and work some sort of strategic alliance with either maxis or smaller buses between final destinations in the villages to pick up people and make it more efficient? It has implications for transportation costs, fuel economy, subsidy reduction, safety of passenger travel, less traffic on the road and a host of other value added, but we are not looking in that direction. Why can PTSC not look at Port of Spain hub, San Fernando hub, Arima and Chaguanas as areas of commerce with libraries, restaurants, information centres, bill-pay centres, because of the volume of traffic

and turn them into these wonderful areas that people feel proud to go through even in the absence of a multibillion rail plan?

Why can we not look at Port of Spain which has a wonderful, beautiful original edifice and break down the unfortunate addition—I do not want to use the unparliamentary term to describe it—but turn it into a hub that we are all proud of, that can also generate money in terms of rental and use in so many different areas for commuters alike in Trinidad and Tobago? Why are we not thinking? And so too for San Fernando, and Arima and Chaguanas. That has implications for all our lives and the quality of lives, because we will then say, this is something I want to use.

Even if I have a vehicle, I do not have to because a small bus will pick me up inside my village or town, take me to the main centre—because we do not have the land space for the parking areas that we see in other jurisdictions—I get a free transfer from that to the main area into Port of Spain—the main bus into Port of Spain—and then I get a final destination leg again, as we use in other jurisdictions, free transfers. Why is PTSC not thinking beyond what they are now? Because we have accepted the incompetence, we have accepted what it is, and then it can turn into a contributor to GDP in Trinidad and Tobago. We have seen turnarounds with TTPost and other agencies. Why can we not do that with PTSC because of the significant impact travel gridlock has on Trinidad and Tobago? This is one of my humble suggestions in terms of us moving forward when we are looking holistically at traffic road management in Trinidad and Tobago.

As Sen. Ramdeen indicated, this move, because of its impact on not only my life but all our lives, is one that is almost a no brainer, a fait accompli. It will get my support, because of its implications for the quality of lives in Trinidad and

Tobago.

We all looked on at people when the limit was imposed a couple months ago, driving up the highway slowly, hoping that the police are not out, waiting until seven o'clock when, you know, the police are more than likely going in to get to our destinations, which is really breaking the law which I am not encouraging. We know it is not as it currently stands, realistic and practical, but to me we have to take a much bigger look, a much more holistic look, at how our national traffic plan or national traffic management plan and road safety plan ties into national development. I am not really seeing that. I know we cannot—as the hon. AG said—do it all in one go, but we certainly need to start to think in that direction because very often we are constantly playing catch-up with our laws and our amendments to laws in Trinidad and Tobago as opposed to passing laws and making amendments that put us 20 years down the road, because of where we know we want to be and what we want Trinidad and Tobago to become to help us out of where we are now in terms of our economic challenges.

Overall transportation policy purposes must have long-term, medium-term and short-term objectives, Madam President. Long-term objectives include effective movement of people, freight, where they need to go in a timely manner, efficient delivery of right infrastructure and services to the right level at the best cost; resilient, which means it meets the future transportation needs and endures shocks in the system. For example, what we saw on the Beetham, our road traffic plan must have contingencies to deal with that. So that if that sort of activity, God forbid happens again, we have a plan B and a plan C that kicks in one time.

You know, I was, Madam President, in shock to hear an admission from the Acting Police Commissioner that well, his men had a gap in the operation. A gap?

This is not the first, second or third time we have had eruptions in that area, and there is no playbook in place now to deal with that? That gap could have resulted in the loss of lives. One of my best friends, Nikki Crosby, was caught in that and several other women and children.

Madam President: Sen. Richards, you have five more minutes.

Sen. P. Richards: Thank you, Madam President. So we need to be thinking more holistically about these things. We cannot wait for the next one to happen, and we certainly cannot simply accept, well the officers had a gap in the operations at this stage in the game, knowing the kind of situation that -occurs in Trinidad and Tobago. What happens next time? We will accept the gap again?

Madam President, in closing, I just want to underscore that very often we look at these sorts of amendments and we are in agreement with them, but we really need to find ways because I know—I am almost certain, not speaking for anyone else—I am in agreement that this is a good move in terms of the suggestion by the hon. Attorney General, but I just want us as we move forward, to take a more holistic look and look at more variables in terms of the amendments and what we could have added to this to make life and quality of life and efficiency and productivity issues be reduced or be improved just that much more in Trinidad and Tobago, because it is never one moving part as any Government or Opposition understands. You are juggling a multiplicity of variables at any one time, and the more we get done now, the more proactive we are, the more forward thinking we are, the less we have to deal with and the more we can move our country forward to make sure that we secure a future for generations to come. Madam President, I thank you. [*Desk thumping*]

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

Madam President, I am grateful for the privilege to present today in the honourable House with specific responsibility for traffic management and enforcement of the Motor Vehicles and Road Traffic Act. Madam President, the Ministry of Works and Transport views very seriously, road safety. It is one of our highest priority. And, Madam President, I am really happy today to listen to the Attorney General deliver my speech—[*Laughter*]*—*however, Madam President, this Bill poses two simple measures: the amendment of section 62(7) of the Motor Vehicles and Road Traffic Act and the amendment of the Second Schedule of the said Act.

In the first instance, clause 2(a) seeks to amend section 62(7) by removing the need to amend the Second Schedule of the Act by affirmative resolution of the Parliament and substituting a practical process by empowering the Minister to amend the Second Schedule by Order, subject to a negative resolution of the Parliament. In other words, Madam President, this amendment would simplify the process in which the law will be amended in the future. This approach is consistent with other Commonwealth jurisdictions.

Secondly, clause 2(b) seeks to amend the Second Schedule of the Motor Vehicles and Road Traffic Act by introducing new speed limits for specific classes of motor vehicles and it is for this simple reason we came here to this debate to increase the speed limit from 80 kilometres per hour to 100 kilometres only on the major highways in Trinidad and Tobago.

Madam President, over the past years our roads have become safer. Statistics from the Trinidad and Tobago Police Service indicate that since the introduction of the speed guns to the regime of the traffic control, many motorists have been prosecuted for breaking the existing speed limits. This new ability to more closely police driving speeds combined with the public's request to update the current

speed limit first enforced in 1969, has resulted in the Bill here today.

Madam President, just going back to my speech, I would just like to correct one thing the Attorney General said. The highways are built for a speed of 110, not 125 miles per hour.

Sen. Ramdeen: Kilometres.

Sen. The Hon. R. Sinanan: Sorry. Kilometres per hour. Kilometres. It is a big difference. So I do not want the public to think it is 100 miles. Madam President, 100 kilometres is significantly less than 100 miles.

Madam President, I just want to go back to the beginning of Sen. Ramdeen. I am happy that Sen. Ramdeen agrees with the Bill. I sat in the other place where the first debate took place, and I think all Members on the opposite supported the Bill. It sends the right signal that when you do something properly, everybody supports it. I want to compliment you, Sen. Ramdeen. [*Desk thumping*] I also agree that one life lost on the road is one life too much. This country has seen a significant reduction in the amount of road fatalities and we are on course to achieve that 50 per cent reduction that we have given ourselves. We are down, I think it is 8 per cent over last year, so this year we should be able to achieve the goals that we would have set and we should reach that in the time that we have given ourselves to achieve that.

Arrive Alive, I have spoken to them, I have worked with them and they have given us their—well, I would not say their blessings on this—they have given us a lot of ideas and certain areas that they want to see corrected, and we have given them the assurance that before the speed limit is in place that we will take all those considerations and have most of them addressed.

We are also—and I am speaking to the Attorney General, where there is a

fund to be operationalized for the victims of road accidents, which has been in place for quite a while but has not been operationalized—I am speaking to the Attorney General—so that some of the victims that you spoke about, especially the two orphans, that we can find a way for victims like that to access the fund.

You also spoke about the speed guns. We have up to 15 speed guns now. You rightly said the onus of where they use them is to the TTPS. I do not think the Ministry of Works and Transport can direct the police where they should put their speed traps and so. But one area that will complement those speed guns, we are in the process of installing—well, we have four pilot projects now. The spot speed cameras: we have one in Trincity, then we have in the Aranguez area and we have two going up, I think, on the Solomon Hochoy very soon. Now, it is a pilot project. Once the legislation is passed, we have these speed guns—I can give you some of the locations. I think one of the locations is the area that you had the concern with, but we will have three phases, almost 30 spot speed cameras and the red-light cameras throughout Trinidad and Tobago. If we have those spot speed and 15 handheld, I do not see why the TTPS cannot use some of them in areas that may not be considered as highways, but in the more rural areas where we do have traffic accidents.

You spoke about the cable barriers. I have spoken to the Permanent Secretary and we are addressing the cable barriers. The cable barriers are not as simple as you said just to pull. There is the contractor who supplies them also has the contract for the repairs. It is a very, very expensive piece of equipment. It is not as simple as just pulling the cables. It has to go with a span and everything. We have spoken to the contractor. The Permanent Secretary told me that very soon they have actually reached new negotiations and the contractor will be working on

it to get them back up to standard. [*Desk thumping*]

Madam President: Hon. Senators, at this juncture we will suspend for half an hour and we will resume at 5.00 p.m. Minister, you have used eight minutes of your speaking time. So we are suspended until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

[MR. VICE-PRESIDENT *in the Chair*]

Mr. Vice-President: The hon. Minister of Works and Transport. [*Desk thumping*]

Sen. The Hon. R. Sinanan: Thank you, Mr. Vice-President. Mr. Vice-President, as I said before, this Bill is a very important Bill, but it is a straightforward Bill, where we are amending the two clauses. I just want to continue from where I left off with Sen. Ramdeen that he spoke about acquiring a driver's permit and there are no checks and balances after a certain—I do not think he was quite correct, because there is a requirement after a certain age of an individual that you have to get a medical and which includes an eye test and things like that. It might be important that probably we revisit it and say after 10 years that you should, because you do not have to be over a certain age to have eye problems. I think I have eye problems, so. [*Laughter*]

The way we get our driver's permit, Mr. Vice-President, this is something the Ministry of Works and Transport is looking at very seriously, because we do have a lot of complaints that people get driver's permit at the Licensing Office without having to undergo certain tests. It is alleged that people can actually buy their permits. As I said in another place recently, part of this proceeds, we understand some of the driving schools it starts there. So the Ministry of Works and Transport with the Licensing Office, we are looking at the way in which

people acquire driver's permit, because with everything in place—speed limits, speed guns, everything—if people on the road who are not trained to be on the road, I do not think they will understand what we are trying to do. So we are looking at the way people get their driver's permit. I just want to say that indiscipline on the road is much worse than speed, because in some countries, roads that have no speed limit have the least amount of accidents, but indiscipline is what causes carnage on the road.

Sen. Richards, you spoke about the balance. Well, in order to arrive at the 100 kilometres per hour, Sen. Richards, several things were taken into consideration. What the technocrats had to do was basically find the desired speed and how you found the desired speed is really the posted speed and, in most instances, the speed that commuters might have been comfortable at, taking into consideration the pedestrians on the road and the design of the highway. As I said before, our highways were built for 110 kilometres and where we are at is 100. So we are within that framework and it was not something that just jumped out of a hat.

I can tell you I was trying to get this Bill here since February of this year, but the Cabinet led by the hon. Dr. Keith Rowley sent me back three times. He said go and redraft all the roads, all the interchange. We had to actually peruse all the interchange and that is why the speed limit is just not simply 100 in some areas and 80 in other areas. If you look at the entire spread, it is down to 30 on interchange. Some areas I think it is 25, 40. So, it was a holistic approach to all the roads that we took into consideration before we came up with this speed limit. It was not something just taken out of the hat. I must say that since 2012 they have been gathering information before they took this decision now. Just to put that to rest,

we did follow all precautions before we did this.

We are at the Ministry, again, looking at all the improvements on the road. Sen. Ramdeen spoke about the traffic lights. Yes, there is a problem with streetlights in Trinidad and Tobago. There is a problem with dark spots where we have continuous accidents and so. All those things were taken into consideration. That is one of the areas that we looked at before we decided where we are going to put the spot speed cameras and some of the red-light cameras. They looked at the intersections that were most vulnerable.

As to the road improvement and so, I must say, Mr. Vice-President, that the highways in Trinidad and Tobago have improved significantly from since 1976 when this speed limit law started. We now have four-lane highways. We have highways in Tobago—the Claude Noel Highway which was, what?—50 kilometres recently—that has now gone up to 80 under this new improvement. So, we would have taken all that into consideration.

The billboards, Sen. Richards, I have recently signed the notice to remove all the billboards on the road reserves. [*Desk thumping*] All. [*Desk thumping*] And for those that are not on the reserve, we wrote the Town and Country Planning Division to visit those, because there is a problem with these bright billboards and they might be on commercial buildings and so. We do not have jurisdiction over that. But I have recently—I think it was close to about 300 billboards that we have asked the owners to take down on the road reserve. [*Desk thumping*]

The whole education before the new laws come into place, the Communication Department at the Ministry is also looking at that. We are looking at the Ministry's social media and we will be doing a campaign, because signage is important, at least it is a part of the requirement of the law. You cannot just change

the speed limit without properly putting signs on the highways, and so that is something we are looking at.

You spoke about the public transportation. Again, that is something that we are looking at. The PTSC has a mandate to get their service up to some standard, and that is why this fiscal year they are going to be taking possession of I think 65 new buses, but 65 new buses would not solve the problem. The problem with PTSC is much more than that. It is a whole culture change in PTSC. Working with the maxi-taxi advisory committee—and I know they met just about two weeks ago—in the 2017/2018 budget, the Minister of Finance spoke about the Maxi-Taxi Association and certain new aspects of it. The conversation so far has been to look at routes that are not manned by maxi taxis. The association has put that forward. We are in consultation with them. Through the PTSC and the Maxi-Taxi Association, I am sure very soon we will have all these routes that are not serviced in a much better position, especially the new housing developments and so that PTSC buses cannot regularly service. The idea is that maxi taxis will be able to service these areas and bring them to a certain point.

Sen. Richards: If you will give way?

Sen. The Hon. R. Sinanan: Sure.

Sen. Richards: Is PTSC looking at developing an app to provide information on reliability of service?

Sen. The Hon. R. Sinanan: Yes. Thank you. Mr. Vice-President, yes. The answer to that is yes. I have mandated PTSC to come up with a map. They have GPS on most of the buses. I do not see why any member of the travelling public cannot use a phone wherever they are and see exactly where the six o'clock bus is—the distance of the six o'clock bus. If you know, look, something is wrong, then you

can probably cross the stand, go to the Priority Bus Route, take a maxi-taxi or go to a hub and take a taxi. Yes, PTSC is looking at an app, and very soon I hope that they can launch that app where the travelling public could have much more information about PTSC.

Hubs: again, if we have a proper public transportation system, hubs are very important. I would like to announce that in Arima we are looking at an area where we can put a maxi hub, because one of the problems in Arima is that on every street there is maxi stand and I do not think that is really productive for Arima. So we are looking at a maxi stand.

Mr. Vice-President, since the introduction of the speed guns, there have been over 18,000 speeding tickets in Trinidad and Tobago. What that told us, clearly, is that we could be very disciplined in Trinidad once we have enforcement. Prior to that the survey was done and what we found is that the average speed on the highway was 120 kilometres per hour; 120 is bad, Sen. Khadijah Ameen. It is bad. It is above what the highway was built for. What the speed guns did is that they put the clamp on that, and it is coming out of that study that we realize we had to move the speed limit, because people were not comfortable driving at 80 miles per hour—I do not think it is a comfortable speed to drive at—that is why we came up with the 100 kilometres. The 80 kilometres is probably over 40 years old. I mean, I would not have been around driving 40 years ago, but 40 years ago, most of the highways were just two lanes. It was basically just main roads, no shoulders or anything like that. The time has come to change that whole aspect of it and this is where we are.

The engineers at the Ministry of Works and Transport, they continue to collect data because from time to time we may have to change the speed limit and

that is why the Bill also allows the Minister going forward rather than coming and taking a whole day in the Parliament just to adjust the speed limit, the Minister will have that prerogative.

Mr. Vice-President, an important part of it is the vehicles. The Attorney General would have said about the Bedford trucks—it is widely known that most of our citizens now, they go for the pickups—we call them the SUVs. This Act will change and allow them to go up to the 100 kilometres just like the regular vehicles. One of the aspects that we are looking at, at the Ministry of Works and Transport now is that the licensing of these vehicles, because most of them have to go to the Licensing Office for the inspection. We are looking at the possibility of having them inspected at the inspection garages very soon, which will again bring some sort of relief for the owners of the vehicles.

Mr. Vice-President, some of the measures that we would have put in place with the introduction of this new speed limit would have been the procurement and the award of contracts for the installation of 25 Zebra crossing. I know Sen. Roach is not here, but one of the aspects of this is the height at which we put the bottoms, the knobs, for the crossing. It has to do with catering for the differently abled in Trinidad and Tobago. So the Ministry of Works and Transport, whatever we are doing now, will pay special attention to the differently abled in Trinidad and Tobago, because we feel for too long we have designed buildings, we have done a lot of things without taking into consideration the differently abled. I can tell you, I was just looking at the design for the walkover at the Ferry Terminal, and one of the things we insist that we put in is an elevator, and that is clearly for the use of the differently abled. So whatever we are doing at the Ministry of Works and Transport, we will be taking that into consideration.

We have also made provisions for 40 back-up supply units at the traffic intersections. We all know what happens in Trinidad if you get a power outage. All the lights just start to blink. That is dangerous and it creates a serious traffic back up. So one of our plans is to install these back-up power supplies at all major traffic lights. This also will help the spot speed camera system.

The provision of road studs on the highways and the main roads, again, safety measures, because you cannot just go to 100 miles per hour and do not look at safety. The use of the barrier system—I spoke about the cable barriers before—we are engaging the contractor to have all these barriers up and running. We have the increase in the road markings on the highway and the shoulders. I am happy to say that in 2017 the Ministry was able to accomplish over 70 per cent of the markings in Trinidad and Tobago—repaint the markings with the thermoplastic paint which we expect will last a lot longer than the regular road paint.

5.15 p.m.

With the improvement of the dark spots with the use of caution signs, meaning, there are certain areas, as Sen. Ramdeen said, that are prone to accidents, and I can tell you, the M2 Ring Road, what we did recently is that we milled the road, and since we milled the road over eight months ago there were no accidents, and the reason for that is that once you hit that area your car starts to bump. Now that was a racetrack before. That was a racetrack. Since then, no accidents. On the Lady Young Road, has been milled recently, no accidents in those areas, and that does not cost the Ministry any set of money. So these are some of the things we are looking at. Securing the barriers, what we find is that the speed some people go at when they hit these concrete barriers they tend to move them. Now, that has to be plenty speed to move these barriers. So what we are looking at is securing them

down so that at least we could cushion that, and even the galvanize barriers by burying the ends of them.

More public awareness and education about the use of roundabouts; I do not know, Mr. Vice-President, a lot of people in Trinidad do not know how to use a roundabout. Sometimes you approach a roundabout and you know you are supposed to move and then somebody just comes flying around. You have the right of way and then somebody just fly out. There are a lot of people in Trinidad and Tobago who do not know how to use a roundabout, and people take it for granted. I remember growing up, you know that you keep on the left lane, except when you are overtaking. That has been a thing of the past. Hopefully, with the new speed limits, and so, we come back to basic in driving.

At the Ministry of Works and Transport, we have the MEND programme where we expect citizens will report any matters requiring attention, not specific just to potholes, any infringement on the roads, any violations that you see. If you see even street lights you can call MEND and we will get on to the public utilities, because it is part of road safety., The constant monitoring of the road surface and on the highway, we have mandated all the division heads to drive on the highways in their areas, because at 100 kilometres per hour a pothole could be very dangerous and we have a responsibility to ensure that we do exactly what is required of us, and the road surfacing is something that we are paying specific attention to.

When we launched MEND earlier this year, or it was December last year, we put 10 trucks on the road. We had 10 vehicles with the new system that we use on the road. This year we are going to put an additional 10, so every division will have two trucks, and their job is just to go to the Agua Santa plant, our own asphalt

plant, collect the asphalt, and just go and pave, patch potholes for the entire day in every district, because we all know about the economic situation that we are in at this point in time, we cannot pave every road in the country. What we try to do is to maintain the roads that we have, so road maintenance is something that we will be paying a lot of attention to.

Mr. Vice-President, I do not want to go into all the details that the Attorney General went into, so I just want to make sure that I cover everything that the Ministry of Works and Transport will be doing to ensure that the roads are safer as we go forward.

Mr. Vice-President, the Second Schedule of the Act must be amended in accordance with the provisions of section 62(7) of the Act. Accordingly, the said Schedule must be amended by the President subject to an affirmative resolution of Parliament. Government is of the view that amendment of the said Schedule must be made easier for future purposes, and ought not to necessarily occupy the Parliament agenda. In the circumstances, it is proposed that section 62(7) be amended to require the Minister with responsibility for transport to amend this Schedule subject to negative resolution of Parliament. Mr. Vice-President, that refers to, basically, the other areas that the speed limit is going to apply to, not necessarily the 100 kilometres or the 80 kilometres; in the areas where we have the 50 kilometres, the 40 kilometres, the 30 kilometres, especially on the interchange, and so, because we have monitored all the interchanges. Some interchanges, like the one in—is it Vistabella?—where that interchange, I think that goes down to as low as 15 kilometres in some areas. So there will be speed limit signs in all the intersections to tell you what speed you have to go at. Do not think that you are coming down the highway at 100 kilometres and you can approach the interchange

at 100 kilometres, it does not work like that. So, you will see signage as you approach the different areas to tell you what is the speed limit in these areas.

Mr. Vice-President, the Attorney General, in piloting the Bill, would have gone into some of the areas that the licensing office would have—some of the upgrades at the licensing office. I just want to put on record that I am happy that the licensing office has actually turned around to some extent. Yes, we have a long way to go in the licensing office, but we have launched a lot of programmes in the licensing office recently, and just last week we launched the driver's permit verification where we can actually go on, and the citizens can go on and check to see if their driver's permit is valid. Even third parties can go on if someone used their driver's permit as an identification card and see if it is valid, and over the last five days we have had over 15,000 hits on the site. It means that over 15,000 people in about five days would have gone and verified their driver's permit.

We saw similar interest when we launched the certified copy, the vehicle verification. The idea is to get to the point where you do not have to go to licensing office in Trinidad and Tobago. The idea is to get to the point where if you have to renew your driver's permit most of it can be done online, and then you can go to a kiosk somewhere and print your driver's permit, and pay for it online. There is no need with technology now that we have to take two and three days to renew a driver's permit. Yes, we are doing well at Caroni, people are telling me, look, in half-an-hour, in some instances, in 45 minutes, and so, but with technology now, you do not need to go to a licensing office to renew a driver's permit. Very soon you will not have to go to get a certified copy, because if you go to your insurance company and they want a physical copy, they can print it. They will pay a fee, obviously, but you do not have to go to licensing. That is a far cry from where we

were a couple of months ago, where if you wanted a certified copy in Tobago, you had to go in Tobago, pay, wait, somebody had to come down to Trinidad and then they will go back up on the boat, and you might get it two or three weeks after. Right now you could get a certified copy in Tobago immediately, it is printed there on the spot. You do not even have to wait 24 hours; you do not have to wait at all. We have that in four sites right now operating. Very soon it will be in all the licensing offices.

Part of the plan at the Ministry of Works and Transport is to upgrade—every year to upgrade one licensing office to international standards. In 2017, we opened Caroni. In 2018, the plan was for Arima. We have a little hiccup with the Arima location, but, definitely, the Arima residents will get a new licensing office very soon, and I am hoping that it happens early in 2018. It may not be the licensing office that was planned for Arima, but the facilities at Arima are just not adequate, and we do not intend to continue with that. I know we are looking at another site, I think it is in Princess Town. Throughout Trinidad and Tobago, the idea is to upgrade at least one licensing office every year to get to international standards. So I am really happy that the licensing office is showing signs of improving.

What we launched again this week, we started the process where the vehicular licensing—licensing a vehicle in Trinidad takes sometimes three weeks, I cannot understand how somebody will call me and tell me they are waiting for a licence over a month, so what we started this week is a new system where—some people may not be too in favour of it, because this personalized number that everybody keep blocking this number and blocking that will be a thing of the past very soon.

We have started where the computer system will generate your number, so

whenever you go to license your vehicle, immediately you will get your number. And at the end of the series where there is this problem of a backlog that people have to wait three and four weeks, it is simple. Somebody blocked a lot of numbers, nobody wants these old numbers, you cannot go into a new system, a new series until you get rid of all the old numbers, and nobody wants it, so then everybody keeps calling the Ministry to say, well, it is there months, a month, three weeks and they are not licensing my vehicle. The reason for that is that because they have all these old numbers there and nobody do not want it. Well, that is something of the past, we have started the new system. Whatever little teething problem we have, we expect to sort it out by the next series. So that once you go to license a vehicle, it is supposed to be a same-day something, and there is no point in going San Fernando to license a vehicle but they have to send the documents to Caroni, or if you go to Port of Spain the documents have to go to Caroni. In this day and age with technology it is not supposed to work like that. So we expect to have that fixed by the next series where you can go to any licensing office and license your vehicles, and the documents do not have to go down to Caroni head office, and then they will send back up a number, and all “dem kinda” thing. Those are the things that technology is going to help us significantly with.

Mr. Vice-President, where we are with the spot speed camera system, I am really happy to announce that the spot speed camera system, which will be done in three phases, and some of the areas that we have earmarked for phase one are the Uriah Butler Highway in the vicinity of the Divali Nagar, the Uriah Butler Highway in the vicinity of the Caroni Bird Sanctuary, the Solomon Hochoy highway, in Carlsen Field near Seereeram Brothers—and I think that is one of the areas that they complained that we had a lot of accidents—on the Solomon Hochoy

Highway in Freeport, Solomon Hochoy Highway in Macaulay—another area that Sen. Ramdeen identified—the Solomon Hochoy Highway in Gasparillo; El Socorro and Trincity have already been installed, and those are the pilot projects. In phase 2, we have the Claude Noel Highway in Tobago, the Trincity Central Road, the Diego Martin Four Roads intersection, Golden Grove, Piarco; the Barataria/Morvant Eastern Main Road intersection, and I can go on, but in coming up with these areas, again, the Traffic Management Branch would have studied the data. They looked at the areas where the most collisions took place at the intersections, and we have 30 sites in three phases that we expect to complete. Couple that with the spot speed cameras and—[*Interruption*]

Mr. Vice-President: Senator, you have five more minutes.

Sen The Hon. R. Sinanan:—the 15 speed guns, I think we should be able to achieve the sort of discipline on the road that we are looking for.

Mr. Vice-President, in closing, I just want to compliment Ms. Sharon Inglefield and her team, Arrive Alive. There are a couple of other organizations that we have been working with, but I just want to single out Ms. Sharon Inglefield and her team because they have worked diligently with our team at the Ministry. I also want to single out at the Ministry, Mr. Adande Piggott, who is a traffic engineer, and also Mr. Marvin Gonzales, who were the key drivers of this legislation and bringing us to this point where we are. These are some young professionals at the Ministry of Works and Transport who have been doing yeoman service to this country, and if we continue to encourage them I am sure our country will definitely have a road system that is equivalent to any First World country. So, Mr. Vice-President, having said that, I thank you. [*Desk thumping*]

Mr. Vice-President: Sen. Hosein. [*Desk thumping*]

Sen. Saddam Hosein: Thank you very much, Mr. Vice-President, for giving me this opportunity to contribute to this Bill, an Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50. Mr. Vice-President, while this Bill is three pages long and only two clauses, the consequences that are associated with this Bill are by no means trivial or small in any way. The effects of this Bill have serious consequences if it is not handled responsibly. I just want to correct one thing that the Minister would have indicated, he said that the Bill is to increase the speed limit on highways, but from reading the Bill, it is to increase all of the non-built—outside of all the built-up areas. So it is really increasing the speed limit based on various classes of vehicles also, so there are two distinctions in this Bill.

We applaud this Bill simply because this speed limit has been existing pre-independence, since 1956. So it is about time that we revisit the speed limit because things have changed, the roads have changed, the types of vehicles have changed, and even the culture of drivers have changed in Trinidad and Tobago. And this is the reason for our Parliament so that we can legislate laws that can be in conformity with the changes in society. While the Members on this side of the Bench are supportive of the Bill, I note some concerns that we have with this Bill in terms of, firstly, it is a populist decision, because this Bill was brought to appease the public outcry, and I would have joined that voice because it is quite frustrating at times to be driving at 80 on the highway. Sometimes you may even cross the speed limit and you do not even know, it is only when you glimpse at the speedometer then you would even realize that you are over the 80.

I note also that no study was presented to us or any statistics. Bills like these should have been data-driven and data-oriented. The Minister indicated that our highways, the maximum speed limit would have been 110 kilometres; now, the

suggested increase here is 100 kilometres. Now, we do not have any studies to suggest in terms of the road usage, or any data at all in terms of the foundation of this Bill. And also we heard that there were no issues of, or rather, there were no consultations regarding the increase of the speed limit. So, therefore, I urge the Government, although we know it is a noble intention, when bringing legislation like this, it must be supported with some sort of evidence so that we can make proper and informed decisions.

Also, when we look at the speed guns, this legislation to implement speed guns in Trinidad and Tobago was created, was brought to this Parliament by the People's Partnership Government, [*Desk thumping*] and it was brought in a way to assist the police is dealing with errant road users and the use of technology in order to secure proper convictions for those who would have violated the laws.

It was also the People's Partnership Government that would have acquired the speed guns, and it was operationalized by this Government. And when it was operationalized by this Government, we saw that there was a culture change because persons now became aware of what the speed limit was because they were being charged and they were being convicted, and they had to pay a fine, and it is only with that awareness then there was the outcry that, listen, we need to change the speed limit. When we look at the speed guns themselves, they serve as a deterrent, and, myself, being a student of criminology for any initiative or measure to actually be a proper or efficient deterrent, there must be three things. The initiative, it must be swift, so we must have swift justice; it must be serious so the consequences must also be serious, but, most importantly, the punishment must be certain. And with the speed guns, it is easier now for the police to prosecute those individuals who are in violation of the laws because of the technology that they can

utilize.

While we are sitting here in the Parliament debating on this Bill, I am sure that there are users of the road currently that are exceeding the 80 kilometre speed limit. Sen. Ramdeen would have raised this point, and I think it is an important point because there is a leakage of the intelligence of the police service in this country, and I say this because there is a WhatsApp group, and this WhatsApp group updates you and tells you where the speed guns are, what time they are there for, and everybody, when they approach these intersections, or they approach these areas, they start to slow down, but when they slow down there, after they pass there, it is “X-to-board” again, and they go, because they know that there is no other speed trap on that stretch, and that is wrong. Because if this continues to happen, it would now show that whatever deterrent, the effects that these guns have are ineffective.

While I am on this topic of the road traffic enforcement, there are certain groups in Trinidad and Tobago that are using our nation’s roads as drag racing tracks. And I say this because there was one night I was driving home—this is on the Narsaloo Ramaya Marg Road, that is the road where the Divali Nagar is, right outside of the Ministry of Agriculture, Land and Fisheries, and there were about 80 persons standing there. This was about 10 o’clock in the night, and they were drag racing on that stretch. There is a new road that was created from that road straight to the Endeavour Road, and they were drag racing. This is extremely dangerous. There is the Price Plaza complex there. There is also the Heartland Plaza. Persons who are going home with their children at that hour in the night, they now face the consequences of being hit by one of these individuals who are drag racing. So I call on the police to please do something about this, that you do frequent patrols so

that these activities do not happen.

Now, when we look at the increase in the speed limit, we must also examine the safety risks that are involved in increasing the speed limit. Now, there is one school of thought that suggests that once we increase the speed limit the risk of accidents becomes higher, and, as such, we as the State must take action to prevent this. If we look at the figures that I got from Arrive Alive, their website, it would suggest there is a linear decline in the amount of road fatalities over the years, from 2008 to 2016. In 2016 there were 135 road fatalities; that is still too much. So we must do more to prevent these road fatalities.

What we must examine also is the cause of these road fatalities. Is it only speed alone, or is it because of driving under the influence, or is it because of defective vehicles, or bad roads; we must also examine this so that we can be data-driven and oriented when making policies such as this. One Senator raised the point of the ages—I believe it was the Attorney General—sorry—raised the issue of the ages of the victims of these fatalities, and between the 2015 and 2016 figures the largest age group is that of the 25 to 34. These are persons who are in the prime of their lives. They have talents to offer our country, and they are dying on our nation's roads. I lost two friends already who I went to secondary school with. Mr. Anstey Payne, he got into an incident on the Rivulet Road, and recently Alex Lalla, who got into an incident outside of the Chief Brand factory about two months ago, and they were very resourceful, very talented individuals. Now that is two less individuals that we have to contribute positively to our society. I say this because we must look at models all over the world in order to try to come with some uniform policy, or international standards when we increase the speed limit.

I looked briefly at Germany and the Autobahn that they have there. Now,

although they have no restrictions at certain parts of the Autobahn, there are not as much accidents as certain countries where there is a limit in the speed requirement, and one of the things that Germany has that we should implement here is strict licensing test system. In Germany, you have to complete a minimum of 25 to 45 hours of professional instructions, plus 12 hours of theory before you can get a driver's permit. In Trinidad and Tobago, we have nothing like that. Today, you go to Licensing Office, you apply for your driver's permit, they issue you with a provisional permit immediately, then you wait for your test, the regulations, you write the regulations, and then you go for your driving test and you are issued a permit. I say that we cannot do this because we are now giving and empowering persons with the responsibilities to be on our nation's roads. So we should look at other models in terms of strengthening the licensing system that we have here in Trinidad.

When I was about 17, I went to the Licensing Office in Chaguanas to get my permit, and as soon as I walked out, there were touts coming from the driving schools, come, come, come learn with us. Now, there are about six or seven schools set up right there, all of these schools are unregulated, and while some schools will do very good service in terms of training the individuals to drive properly on the road, there are those who just are there and they simply collect their money, and these persons do not have the ability or the opportunity to learn to drive properly, because we all know of the corruption that plagues the Licensing Authority. So, I am asking that we look at some form of training of these schools, or accreditations of these driving schools so that these persons will be trained properly. I mean, there is no requirement for you to do a highway test. Some persons are issued a permit and then for the first time they are driving on the

highway. That is extremely dangerous.

One other thing that Germany has is that they have well-maintained roads. The Autobahn is well maintained. It is built up of a series of concrete layers. In Trinidad and Tobago our highways sometimes have potholes, the highway. These contribute to accidents, Mr. Vice-President.

In another place an issue was raised about the inspection of vehicles in Trinidad and Tobago. Recently, there were some exercises taking place across the country where the licensing officers, they were actually conducting various exercises in terms of charging persons who did not have the inspection certificate, who did not complete the inspection after the five years had elapsed of their vehicles. And when you go to the inspection pits, these persons, they do their inspection, and, again, the corruption is known to everybody in the Senate, the inspection that is done. I say this because some persons who have gotten their inspection done are still not issued with the sticker, so when they are stopped they have to present their form that they would have given. So I ask the Minister to look into this issue also.

In Germany, before a vehicle is inspected also, you must have a first aid kit in your vehicle, you must have a warning triangle, and you must also have a reflective vest. So I think these are initiatives that we should look at in Trinidad and Tobago to come up to international standards. We cannot continue to be operating in 2017 with 1956 laws.

Now, I also looked at a study that was conducted with regard to the guard rails, and this study was with respect to the safety performance of the road barriers in Indiana, and the risk of it reducing injuries, and what they did is that the safety was measured with the probability of injury or death after hitting an object. So that

was the percentage; that was the test they used, vehicles would hit these objects and they would now calculate the percentage of damage or injury a person would face. The study compared three items; it compared the guard rails, it compared the concrete barrier walls, and it compared the cable barriers. And from the study it was found that the odds of injuries are reduced by 39 per cent for median concrete barrier walls; it was reduced by 65 per cent for guard rail faces, and it was reduced by 85 per cent for median cable barriers. So while the Minister, he indicated that it is very expensive to maintain the cable barriers, it is, quite frankly, the safest choice, and we cannot be putting a price on the safety of our citizens because for far too long we have lost very noble people due to road accidents. I saw in the Development Fund there was an allocation made of \$6 million for the New Jersey barriers, and I would just ask the Minister if he can clarify where these barriers are going to set up, or if there is a possibility that instead of putting the New Jersey barriers whether or not they can install the cable barriers there because it is the safer thing to do.

When we look at that stretch, that highway, from Mount Hope straight to San Fernando, if somebody gets into an incident, let us say in the vicinity of Couva, Chaguanas, or Claxton Bay, Gasparillo, the closest hospitals are either the Mount Hope, the Eric Williams Medical Facility, or the San Fernando General Hospital. Now, the Couva Children's Hospital was designed with an accident and emergency ward. This is to ensure that persons who get into an incident within that vicinity that they can receive immediate medical attention, and the hospital was equipped in order to deal with these accidents and these emergencies. So I ask that this Government please open the Children's Couva Hospital. [*Desk thumping*]

5.45p.m.

Mr. Deputy President, there is one point that the Minister of Works and Transport alluded to and that was the fund in order to pay victims who would have suffered due to uninsured drivers. In the United Kingdom there is the Motor Insurance Bureau which is a corporate body that is set up in order to deal with those persons who may have been injured and they will now be compensated if the injury was caused, or the accident was caused or contributed by an uninsured driver. I know in Trinidad and Tobago the Accident Victims Compensation Fund was actually set up in 2015. Minister Howai, the Minister of Finance at the time, would have made, I believe, an allocation of \$20 million towards that fund.

So I ask that the Ministry of Finance, and the Minister of Finance, set up this fund because there are certain individuals—the two orphans that Mr. Ramdeen would have referred to in his contribution, they are now left parentless. Who is going to take care of these children? So we need this fund in order to help those citizens. You can be driving innocently on the road, and let us just say for example, Mr. Vice-President, that you are a third party insurer, that you have an insurance with third party coverage, and you are hit by an uninsured driver, and that driver is liable for the accident, you would have to recover from him personally. Normally, this may be a man of no means, now you recover nothing, you have an empty judgment, so this is where the fund will step in, in order to compensate you for whatever loss that you may have suffered via this accident. So I ask again that the Ministry of Finance look into setting up this fund and operationalizing it so that we can bring relief to those citizens who are affected by accidents on the nation's roads.

As I conclude, Mr. Vice-President, I would like to say that I am in support of this Bill, but more has to be done to alleviate the traffic woes. It is not only

increasing the speed limit, but we must also undertake the process of decentralization. For far too long we have used Port of Spain as the hub. We need to remove some of the Ministries and place them in different parts of the country so that the traffic inflow into Port of Spain would now be less, so that we can prevent an incident like what occurred last Thursday with the Beetham, that caused inconvenience to hundreds of citizens on their way home from Port of Spain and also to Port of Spain.

So I emphasize that there is a lot more to be done, but we must ensure that our citizens are safe. I thank you, Mr. Vice-President.

Sen. Taurel Shrikissoon: Thank you, Mr. Vice-President, for recognizing me and allowing me to contribute to this Bill before us in this honourable House. I would really like to commend this Government first for bringing such legislation to this House, and listening to the cries of the population with respect to the speed limit and seeking to find a way to appease the general public, while at the same time trying to change the driving culture in Trinidad and Tobago. I would like to commend the hon. Attorney General, the hon. Minister of Works and Transport and all their teams and their technocrats for the type of work and investment that they would have done to bring this Bill to this House, and then to eventually operationalize, which I am guessing may not be too far from this date.

The Bill before us is a very short Bill I should say, and I want to agree with Sen. Hosein who just said it has wide-ranging implications although just two clauses. So, not to get into too much of the detail of the Bill as it was addressed by many of the speakers before me, this amendment has two clauses brought before this honourable House, the first clause being the short title of the Bill and the second clause introducing a couple of amendments. One of the amendments being

for there to be negative resolution of Parliament with respect to adjusting the Second Schedule of speed limits, and then the inclusion of a new category on that Second Schedule which pertains to goods vehicles, the licensed MGW of which—MGW, maximum gross weight—does not exceed 3,200 kilogrammes without a trailer. The speed limit being assigned 100 kilometres outside a built-up area, and 50 kilometres within a built-up area. And it also changes the speed limit for the classification of any other motor vehicle from 80 to 100 outside a built-up area.

Mr. Vice-President, as I said, I support the type of work that was done to bring this Bill to this House, and I support the consideration of increasing the speed limit from 80 to 100. However, as I have listened to many of the speakers here and to some of the contributions in the other place, I have noted that there is a significant acceptance of this piece of legislation, and while I also want to join in that realm, I have seen some concerns that I would like to raise in this House. I would like us to really think about the points that I would like to raise and really determine whether or not it has value or merit in it.

So what we have here before us, or should I say this: a driver of a vehicle leaves San Fernando just like myself, comes up the Solomon Hochoy Highway, Uriah Butler Highway, Beetham and into Port of Spain. His new speed limit, once assented to, would be 100 kilometres, maximum speed limit. That same vehicle leaves San Fernando onto the Southern Main Road and heads north to Chaguanas, through Marabella, Couva, Point Lisas, where there are areas that are not built up, is that vehicle still obliged, or that speed limit still available, of 100 kilometres?

Then to Sen. Ramdeen's point who talked about the accident on Clarke Rochard Road, and what we know very popularly in South known as the Ring Roads, is that 100 kilometres per hour as well? The Lady Young Road that the

Minister spoke of and areas that are outside the built-up area—that is what I am getting from this, that once a road is outside of the built-up area, such as the Ring Roads in South, the maximum speed limit is 100 kilometres. Were those roads designed for such?

Now, I am asking the question and I seek clarification if I am wrong, but this is what I am getting from the legislation, and if the Minister would like to give way—

Sen. Sinanan: The 100 kilometres is for the major highways. All these roads that you referred to have different speed limits on them.

Sen. T. Shrikissoo: Thank you, Minister, but that just brings me now to another place in my contribution today, and I would really like to quote from the Highways Act, 48:01, of Trinidad and Tobago, which says:

“‘highway’”—according to the Act—“means the whole or part of any road, thoroughfare, street, trail, trace or way maintainable at the public expense and dedicated to the public use whether by way of expressed or implied grant,...”

That is saying to me that every road in Trinidad is a highway, under 48:01 of the Act. So how can we say that it is for specific highways, when the Act that defines the highway is saying that every road—

Sen. Sinanan: It is specified which highway would be 100 kilometres. It is specified. Every road is specified and the areas for 30 kilometres, 50 kilometres, 80 kilometres are specified.

Sen. T. Shrikissoo: Thank you, Senator. But I am confused because that is not before us. That is not before us. That is not before this House. So it is saying according to the Schedule presented or according to the Act or the Bill here, that it

is outside a built-up area, and a highway according to the Highways Act is saying “any road”. So are we really now increasing the speed limit from 80 to 100 on every road according to the Act? And the Minister is very correct. I want to say this early on, that I support the initiative of 100 kilometres on specified highways, but that is not here. That is not here, and that is why I have a concern about it, whether or not the legislation was drafted to bring about the intent that the hon. Minister, and maybe the Attorney General, want to bring about.

So what is the speed limit that a driver is supposed to abide by on the Naparima/Mayaro Road? I do not know, because it is outside. There are areas along that road that are outside a built-up area. Is it 100? Along the Eastern Main Road in areas that are not built up, is it 100? I am not sure and I am not getting that clarity from the legislation before us. I stand to be corrected, but it is just based on my interpretation, and I ask for clarity with respect to it, especially in the context of the way in which a highway has been defined in the Act 48:01.

Section 3 of that same Highways Act provides a classification of roads. It classifies roads as:

- “(a) main roads;
- (b) special roads;
- (c) secondary roads;
- (d) local roads;
- (e) streets;
- (f) development roads,...
- (2) In this Act—
- ‘development road’ means—

- (a) a highway that is a trace, trail or State trace constructed for the

purpose of agricultural or other development; and

(b) is classified as such by Order made under this section;

‘local road’ means a highway that is not classified as a main road, special road, secondary road, street or development road;

‘main road’ means a highway that—

(a) in the opinion of the Minister is of prime importance by reason of being a main channel of communication throughout Trinidad and Tobago; and...

What am I getting at? The Highways Act provides for a classification of roads, and so in this amendment we have here we have the speed limit being adjusted from 80 to 100 according to a criterion which is built-up or not built-up. But here it is we have in the Highways Act a way in which the roads are classified. Now, I am going somewhere with this.

If you take this same Highways Act, 48:01, and you go to the Schedule at the back of subsidiary legislation, there is a Classification of Highways Order which talks about all highways as being classified as main roads—page 126, all highways as main roads. So it lists all the main roads in Trinidad and Tobago, and then it goes on to say a little later on:

“(New classification since 1982)

Solomon Hochoy Highway

Audrey Jeffers Freeway

Maraval Parkway

Uriah Butler Highway

Abattoir Road

Balisier Link Road

Rienzi-Kirton Highway”

So these highways are really classified under main roads, the same roads that we are seeking to increase the speed limit on.

Now, I understand the intent, whether my interpretation is right or wrong I am unsure, but I ask for clarification on it because what you can end up with is all these main roads being classified as main roads, including the highways, having a speed limit of 100 kilometres, which is what I am getting at from the way in which the legislation is drafted, and that I have an objection to. I am not having an objection to the 100 kilometres on the highways. I am having an objection with the 100 kilometres on all the other roads outside of prescribed highways. However, in Trinidad and Tobago, according to the Act, a highway could be any road, and that is the concern that I would have with this. I should say Tobago as well, the Claude Noel Highway.

And just to address this, I am going to ask for consideration to be given to a definition or term used to classify the term that we freely use which would be “highway”, for the main highways of the Audrey Jeffers Highway, the Churchill Roosevelt Highway, the Solomon Hochoy Highway, the Uriah Butler Highway and all the other highways that we would have, and to properly define it, introduce it as a classification of roads and then limit the 100 kilometres specifically to those roads.

I see no reason why roads such as the Clarke Rochard Road, Penal Rock Road, the M1/ M2 Ring Road should have a speed limit of 100 kilometres. I see no reason for that at all. There is no reason to touch the speed limits on those roads. But we have heard a lot today about the engineering of roads, and our roads, in Trinidad—and I am guessing here, the highways we were pertaining to, the speed

at which the highway was constructed was to accommodate up to 110. Was the Naparima/Mayaro Road constructed for 110? Was the Clarke Road constructed for 110? Was the Lady Young Road or wherever outside built-up areas constructed for 110? And if it was not, then we need to be specific to which roads 100 would be applicable to, and that would really help drivers because now we do not know which roads are 100 and which roads are not. So I have a concern with that.

I am saying as a way in which we could improve the legislation, introduce a classification of roads, probably expressways, freeways, motor ways, list the roads or the highways that we have under that, let it be that, whether it is expressways, freeways, whatever term, and introduce a third column on the Second Schedule and leave it specifically to those roads. Because now we are aware that there are several projects of the Government to improve the road network for Trinidad and Tobago, and that we commend, but then how do we incorporate those new roads with the new speed limit? That is my question, so I would really like that addressed.

The second point that I want to raise this evening is that of the adjustment to the Second Schedule which pertains to the MGW. What we saw here in this piece of legislation would be a change to the maximum gross weight of 2,540 kilogrammes changing up to 32,000 kilogrammes with or without a trailer, or goods vehicles, the licensed maximum gross weight of which does not exceed 3,200 kilogrammes with a trailer. So you have over and above 3,200, less than 3,200 with a trailer, so essentially once you have a trailer you are limited to 65. The introduction of paragraph (f) which says:

“Goods vehicle the licensed”—maximum gross weight—“of which does not exceed 3200 kilogrammes without a trailer”

I listened to the presentation of the Attorney General who said that they were caught in a peculiar place, where you had a particular or special type of vehicle having a higher MGW or a heavier vehicle that has the capacity to drive at a faster rate, and in order to allow the free flow of traffic we have opted to increase or allow these vehicles that are a little bit heavier to get to 100 kilometres. So what we have really tinkered with was the MGW, the maximum gross weight.

I want to zero in on this for a reason. I would like to quote from section 50 of the same Act before us, 48:50:

“For the purposes of this Part, there shall be the following classes of motor vehicles:

Class 1 Motorcycles,

Class 2 Wheel tractors

Class 3 Light motor vehicles (including private motor cars, taxis with tare weights not exceeding 2,270...”

Then we have Class 4 heavy motor vehicles including motor vehicles whose maximum gross weight does not exceed 2,950.

So what this amendment is doing when it switches from 2,540 to 3,200 you are actually moving across classifications according to this Act. If most of us take out our driving permits and look at them you would realize on it there is a class for which you are entitled to drive. Class 3, lightweight up to 2,950 and Class 4 to 2,950 and above. When we move the maximum gross weight from up to 3,200, you are now allowing a class 4 vehicle to drive at a speed previously that you were restricted to Class (3).

Here is my question in this: Is it that we are saying now that a Class 4 driver now has two speed limits which he must subscribe to, and in order to determine

which speed that he needs to subscribe to, he needs to come out and look at the MGW of the vehicle? When a policeman points a speed gun at the vehicle and stops it in the middle of the night, in order to appropriately put the penalty, especially when we introduce the tiered version of the ticketing system, when the faster you go there is the higher demerit point, that the policeman needs to go and check the MGW of the vehicle? How is it that we are going to enforce that law? How is it that you are going to put appropriate signage and regulations for a Class 4 driver when there are two speed limits for which he must subscribe, because it is very specific according to the regulation? That I have a problem with. A law is supposed to be simple to enforce, simple to implement and obviously to—
[*Interruption*]

Hon. Al-Rawi: Thank you for giving way. Hon. Senator, I really want to be able to respond properly, and I am not following a certain aspect of your contribution. Would you mind just perhaps repeating or if not restating where it is the obligation of a Class 4 or another type of classification driver is obliged to follow a separate limit? You just mentioned a regulation biting into it. Could you perhaps explain a little bit more fulsome for me?

Sen. T. Shrikissoon: Thank you, Attorney General. If you go to the regulation for a Class 4 driver, you would realize that he is limited to 65 kilometres per hour, and a heavy-T vehicle or a heavy vehicle or a Class 4 vehicle starts at 2,950 and above.

Hon. Al-Rawi: Which regulation?

Sen. T. Shrikissoon: Ours, Trinidad and Tobago's regulation. [*Interruption*] I cannot tell you that but I could let you know; and I wrote that regulation and that is how I remembered.

Hon. Al-Rawi: You mean the driver regulation for testing?

Sen. T. Shrikissoon: Yes.

Hon. Al-Rawi: I see, thank you.

Sen. T. Shrikissoon: So it is up to 65 there, and now you are saying that a Class 4 vehicle can now go up to 100, so I am confused. As a Class 4 driver myself I am confused. Now that you are into the band of a Class 4 vehicle, then is it that I now have two speed limits that I must subscribe to? And that cannot be right.

Here is the other implication of changing that MGW from 2,540 to 3,200. I should say this: consider this category of vehicles, the Hyundai H100 mini truck, MGW of 2,746 kilograms; the Isuzu 1.5 tonne truck, MGW 2,940; the Jack mini truck; the Kia K 2,700 which is a very popular vehicle, MGW 2,850. Each of these trucks has a carrying capacity of 1.5 tonnes when they are hauling cargo. Is it that you are now saying that as you amend or you shift the 2,540 up to 3,200, that this category of mini trucks hauling 1.5 tonnes of cargo, can now go up to 100 kilometres loaded? I have a concern with that. I really have a concern with that.

We are speaking about road safety; we are speaking about the motoring public and safety and ensuring that our public is safe, but here it is we are empowering a vehicle hauling cargo to increase the speed limit. So in doing so, while we are trying to appease one sector, which would probably be the pick-up, the Nissan Frontier, Hilux, Ranger, whatever it may be, we will also have a situation where you have mini trucks now having the ability to drive faster hauling cargo of 1.5 tonnes.

So I am saying here that the manipulation of the MGW as the variable to now permit these vehicles to drive faster, and more so away from the classification according to section 15, should not really be used. It should not be used, because it is bringing about an unintended consequence or a demerit for society, the very

same issue which we are trying to address. So the MGW cannot, or should not I should say, be used as the variable that gives the motoring public of those who would own those heavier pick-ups, the ability or autonomy to get up to 100 kilometres. It cannot be used, because you are creating a demerit.

I thought of a solution and I will just mention it here, and it is not to say that it is cast in stone, but it is just to reflect my thinking and logic on it. If we say goods vehicles with a fastened tray cover—fastened, must be locked—has the ability to get up to 100; I am just saying that—and you define a tray cover as a cover that has been installed at the sides of the height of the tray of the vehicle. So if it is a pick-up it is at the exact height of the tray, and it must be fastened. Why must it be fastened? Because if it is not fastened and it is taking cargo, then it is a goods vehicle, but if it is fastened it is saying it almost has the characteristics of an SUV.

What will this do? One, it can be easily determined by a traffic officer whether the vehicle has a fastened tray cover or not. So a police officer stops you, it can say fastened tray cover or not. If it is open you are not obliged, you cannot be driving at 100. It would restrict all vehicles with open trays from driving over 65. It would encourage vehicle owners with open trays to cover them, and when they are covered the cargo is actually concealed. It omits those who would be using those same vehicles for commercial use, because those vehicles have a dual function; some for personal reasons, some for commercial. So if you are using it for commercial then the tray is opened, then you are not entitled to drive at 100.

Then it is saying here it conforms to the classification of vehicles that we have here, Class 3, up to 2,950; Class 4, heavy T. It addresses my concern of two speed limits for one category of vehicles. And so, in terms of addressing it, it can

just be inserted into the Second Schedule, goods vehicles with fastened tray covers. Fastened tray covers, not one that has been used by a temporary measure, but fastened. So at any point in time those same pick-ups are required to be used for commercial use, the cover could just be lifted, and so you have it. That is just my thought process on it. In that way you would be able to probably permit those with pick-ups to get to 100 without adjusting the MGW and creating a demerit or an unintended demerit in the legislation.

As I come to an end, Mr. Vice-President, I would like to say as long as we maintain according to this Second Schedule outside a built-up area or within a built-up area, I would like to see the words—and I am just suggesting—within a built-up area the word “approaching” also be inserted. So approaching or within a built-up area, the speed limit should be adhered to, not just within.

As Sen. Richards said, in one of my earlier contributions I too raised the issue of electronic sign boards, and I am glad that the Minister has responded and said that he has given an authorization to move the illegal ones, but the LED sign boards really create a difficulty. If you pass outside this Parliament at night the ones across the street actually lights up the entire street at night, and it is creating a problem. One of my recommendations that I would like to be considered would be stop signs or give way to merging traffic on entrances onto the highways. Especially sometimes at Gasparillo or Claxton Bay, people make their entrance onto the highways and they come onto the highways as though they have the right of way. They should be giving way to oncoming traffic or flowing traffic. So I am for that to be considered.

Given the concerns that I have raised here, Mr. Vice-President, I have asked for clarification on the roads on which 100 kilometres would be allowed. If it is

that we cannot separate or appropriately classify the roads for which 100 kilometres would be permissible, then we need to do so. It cannot be that 100 kilometres would be for highways, and according to the Act, 48:01, a highway could be any road. I have a concern with that. To be using the MGW as the variable that we want to tinker with or manipulate so as to achieve a desired result, I have demonstrated that tinkering with that variable has an unintended consequence which is a gap. I have proposed or offered one solution, and I am sure there could be many and I am sure it could be corrected, so I am just using that to demonstrate that the MGW variable is insufficient to be used.

So I have raised three other brief amendments to consider. On the Third Column in the Second Schedule whether we could consider using the word “approaching” as well as within a built-up area, so approaching or within a built-up area. My fourth point was that of electronic signboards, and fifth stop signs or give way to oncoming traffic at entrances onto our nation’s highways.

With those few words, Mr. Vice-President, I thank you.

6.15p.m.

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): [*Desk thumping*] Thank you very much, Mr. Vice-President. Mr. Vice-President, it is an honour and privilege to stand here to contribute to this Bill, a Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50.

I will be making a brief intervention today just to raise a couple of points, more historical than anything else so to set a template in which we are debating this legislation. And I think I was tempted to join this debate as a former Minister of Works and Transport myself on matters that I am quite seized of, if I might say so.

First of all, let me congratulate the Attorney General and the Minister of Works and Transport for presenting a well thought out legislation which obviously has the support of the Opposition Bench and the Independent Bench also. [*Desk thumping*]

Like the Minister of Works and Transport and like the Attorney General, I really want to congratulate the hard work of the legal department of the Ministry of Works and Transport led by Mr. Gonzales, and the Traffic Management Branch with Mr. Piggott. I know these two gentlemen personally and I know they are very, very dedicated professionals, young professionals and I know that the future of the Ministry of Works and Transport is in very, very, good hands, and it has always been my position to support young talent because the future is with the youths. [*Desk thumping*]

But I will really want to discuss this Bill very briefly in the context of two issues: one, road safety, and two, traffic management because that is what the whole automobile industry and mobility is all about. And speaking about Mobility, let me just go back to the beginning.

Mr. Vice-President, as a student of history there were three major inventions that propelled the Industrial Revolution. The first is something called the Bessemer converter and that was when steel was mass produced in Europe for the first time and that is what catapulted the Industrial Revolution in Europe. The second was the printing press and we all know the story of that. And the third and probably the most significant of them all, coming at the end of Industrial Revolution, was something called the internal combustion engine. And let me just quote from the *Economist* magazine, August 12 to 18, 2017, just a couple of months ago. And I quote:

“Human inventiveness...has still not found a mechanical process to replace horses as the propulsion for vehicles,’ lamented *Le Petit Journal*, a French newspaper, in December of 1893. Its answer was to organise a Paris-Rouen race for horseless carriages, held the following July. The 102 entrants included vehicles powered by steam, petrol, electricity, compressed air and hydraulics. Only 21 qualified for the 126 km race, which attracted huge crowds. The clear winner was the internal combustion engine.”

Mr. Vice-President, the quote goes on to say that.

“Over the next century it would go on to power industry and to change the world.”

The internal combustion engine, probably more than anything else, has changed the world.

Again, in the historical context, because you have to understand what countries are facing today. It started with the Ford assembly line in 1913, for the first time the mass production of vehicles. It was followed by the age of American and European cars which were Ford and General Motors in the US and European vehicles probably championed by the Volkswagen group out of Germany. As a matter of fact, today, Volkswagen is the largest manufacturer of vehicles in the world, eh. They have surpassed Toyota, I think, up to a couple of years ago. And then came, after the war, the period of the Japanese: Toyota; Nissan; Honda. And then coming on the tail end, starting with the low-end market were the Koreans: Kia and Hyundai and what have you. Today, they are considered very, very credible vehicles.

[MADAM PRESIDENT *in the Chair*]

But what all this mass-production caused, today as we speak, there are 1.2

billion vehicles on this planet. The population is just over six billion, you know. The corollary to that was that every single country now has access to cost effective, I do not want to say cheap, but affordable vehicles. And just as the cell phone is now, everybody wants a cell phone, it is now personal market; it is the ambition of every single person in the Third World and the developed world to own a vehicle.

The consequences to that, Madam President, is that countries have to build connectivity and that takes place at two levels. At the first, at the level of the major thoroughfares are the highways and then there is the feeder and the secondary and the tertiary roads. The classic example of highway systems obviously would be the US Interstate, and as Sen. Hosein mentioned, probably the best in the world is the German Autobahn.

But what that has led to is, especially in Third World countries, gridlock, traffic congestion and major road safety issues. And it is in the context of traffic management, because it makes no sense having an invention of man to create mobility and the mobility has been created to such an extent that it is shooting itself in the feet because the mobility is stopping the mobility, it is because everybody has a vehicle and the road network is not sufficient that it is in itself defeating the purpose that the vehicle was made for. So you might as well walk to work or ride a bicycle to work than driving your vehicle. So it is that aspect of it that I want deal with, traffic management because traffic management and the speed go hand in hand.

Traffic management is—there are two basic concepts in traffic management, the first is called road storage, and second is called intersection management. Road storage is simple. A two-lane highway versus a three-lane highway, the three-lane highway has a greater storage capacity than a two-lane highway. By the same

token, a four-lane highway has greater storage capacity than a three-lane highway.

The classic example of that is when I was Minister of Works and Transport in 2002 to 2005, everybody was clamouring for the Grand Bazaar interchange which was subsequently built, but I said at the time, the more pressing priority was to build a third lane from Grand Bazaar to Chaguanas, because if you do not increase the storage capacity of the Solomon Hochoy Highway from Grand Bazaar to Chaguanas, you are wasting money on the interchange. Because with a signalized traffic light, there was still traffic backed up from Grand Bazaar to Chaguanas on an evening. So all the interchange would have done was to accentuate that problem. So, concurrent with intersection management you have to deal with storage. Storage means creating new roads, getting additional lanes on the correct highway.

One of the weaknesses of this country over the decades is that, with all the amount of traffic that is now on the road, we have not built enough roads, the storage capacity in the country is limited. If you do not take the addition of lanes on the highways, no new highway has been constructed in this country for over 30 years, you know. The extension in the Sir Solomon Hochoy Highway in going down into Point Fortin now will actually be the first, and then we start the Cumuto to Manzanilla highway, that will be it. Other than that, it is just maintaining the same base, the Southern Main Road, the SS Siparia Erin Road, the Naparima/Mayaro Road, the Southern Main Road; that is all we have, you know. So the connectivity of this country is paramount.

Under the Manning regime he had a plan when he said that, no part of this country should be more than two and a half hours away from any other part, and that was the basis of the national highways programme, that included the Point

Fortin Highway, the Sangre Grande highway into Manzanilla, the San Fernando to Mayaro highway, and there was to be another highway starting somewhere in Curepe and going down in a diagonal direction to somewhere down Rio Claro. So, you would have had something resembling the interstate system in the United States. Good plan, we cannot implement it now because of financial constraints, but we are committed as a Government to conclude the highway into Point Fortin and to do the highway from Cumuto to Manzanilla. And then the other third new road will be the Sangre Grande to Toco first-class road that will be linking up north-east Trinidad into the whole development process; so storage.

The major concept is intersection management. Where two roads meet is an intersection. So the simplest of intersection management is major road, minor road. So a minor comes out in a major road, major road has right of way, you wait until the traffic clears. But then what happens now if the major road has continual traffic and continuous traffic and the minor road vehicle cannot get a chance to come out? You have to make a system for that. The two systems for that was traffic signalization. It is a traffic light, green, red, the length of the green time on the main road will be much more than the length of the green time on the minor road. And the British system which is the roundabout.

We have followed the American system almost by rote over the last two decades, because those of you, Sen. Dhanayshar Mahabir, you remember the Kirpalani roundabout? You remember the Curepe roundabout? [*Crosstalk*] We got rid of all of that—[*Interruption*]

Sen. Dr. Mahabir: No. Curepe is still there.

Sen. The Hon. F. Khan:—and we put traffic signalization, probably it was the way to go at the time. So as the Minister of Works and Transport mentioned, there

are people who do not even know how to use a roundabout, and I am seeing to my pleasant surprise and I am happy for, the reintroduction of the roundabout system in Trinidad and Tobago, and I think it will work very, very well. Barbados has it, Barbados has no traffic signalization on its highway, but the only difference with them is that they have enough good cricketers to name their roundabouts after.

And the third level of intersection management is the overpass or the interchange, and that brings us to the concept of freeways, because it is linked to mobility from A to point B especially if you are going over a large distance. We virtually only have one freeway in Trinidad which is the Uriah Butler and Solomon Hochoy Highway that starts at Barataria I would say or the Beetham and continues straight into, well Debe into Penal now. Okay. That highway will eventually end up in Point Fortin. It is the only freeway.

It is also our intention to convert the Churchill Roosevelt Highway into a freeway by creating overpasses at the major intersections. The first one was done at Grand Bazaar there and the one that a contract has been awarded for already is the Curepe interchange, and that will coordinate Curepe, Macoya and some of those areas and probably it will be two more, probably one at Piarco and one further as we go to Arima.

So, when we get the Churchill Roosevelt into a freeway and that links to Cumuto, and then Cumuto goes onto Sangre Grande and Sangre Grande goes onto Manzanilla. The plan was to upgrade the Manzanilla road into a major first-class artery and we will get a loop around the island. The plan is there, the plan is workable.

So what we have now is to develop a road network and a traffic management system that caters for storage and intersection management, and that is the context

in which I want to place this Bill. And the concept of the road safety issues; let me just deal with road safety very briefly.

Sen. Hosein spoke about the Autobahn in Germany, but I will deal with that very shortly. The road death statistics are alarming especially in the United States and this pattern has followed throughout the world in that context. At the turn of the century, it was virtually zero. Believe it or not, in the year 1901 there were 54 road deaths in the United States of America, right now it is 40,000 road deaths per annum in the United States, and the graph went up and it really peaked in terms of road deaths in the 70s and 80s and it has been declining since then largely because of new road safety measures, in particular seat belts, and you can see the clear difference of road fatalities prior to the introduction of seat belts in these countries. By and large, it is going down and it is going down in developed countries at a significant rate.

But let me just deal with the—this is my favourite highway system, I have travelled on it several times, it is the German Autobahn. I “doh” want to repeat too much of what Sen. Hosein said, but this is an article eight reasons that the German Autobahn is so much better than the US highways.

First and foremost in a very paradoxical sense, the Autobahn has no speed limit, as was said. You drive at whatever speed you want. The recommended limit is a 130 kilometres per hour, but if you want to go “X-to-board”, feel free. It is the safest highway system in the world. So what this proves is that fatality has nothing to do with speed, up to a limit obviously. Okay?

And the second thing and it was mentioned by Sen. Hosein is that German drivers are especially good because of the strict licensing system. And Sen. Hosein mentioned it, tonnes of lessons and you have to go on the highway and take a test

and there are extensive examinations, and you have test and test and test. It is as difficult to get a German driver's permit as it is to pass an exam, with a serious exam. Because as the AG and the Minister of Works and Transport said, you are putting a weapon into the hands of somebody, you know. So you cannot issue a licensed firearm to somebody and they are not trained to use it. So by the same token, you cannot issue a driver's permit to somebody and they are not trained properly to use it because technically it is a weapon.

The third aspect as was already mentioned by Sen. Hosein, is the road pavement is extremely well maintained, and in the context of pavement here, pavement means the road surface. Pavement is not the sidewalk, the pavement is the road surface.

Autobahn roads are also inspected regularly for irregularities in the road surface or any damage. If anything is found during these inspections, the whole area of the road around the damaged section is replaced. So, I compliment the Minister of Works and Transport for his pothole patching, but in Germany it is a much wider area that is excavated and then re-sheeted. That is fundamental to speed because the slightest variation of elevation going at a 120 kilometres per hour or 130 kilometres, you could lose your stability at those high velocities.

Signage is very critical; reflectors. We are getting there, I “doh” think we are not quite there as yet. Okay? But road signage, markers and all the paraphernalia, barriers and what have you, as was mentioned before, the cable barriers and what not, these are all very, very fundamental especially on the highway system.

Well, this is one I like—passing on the left is strictly enforced. It was mentioned here by the Minister of Works and Transport that he knew all these years as a young person, not so young again, that “keep left except when

overtaking”, and you will be surprised to know how that impacts on traffic management. Everybody here has had the experience, two trucks alongside on the highway going at 40 kilometres or 50 kilometres per hour and they are blocking the traffic, and nobody is slowing down or accelerating to go back on the left lane to let the traffic flow. In Germany “yuh getting real charge for dat”. Okay? Because that is what keeps the mobile society alive, because they know, as—who mentioned productivity?—I think Sen. Richards. Yeah. The connectivity is to increase productivity at the end of the day. Look the very connectivity that you are aspiring for is hampering productivity, you have to find systems to solve it, you know.

In these developed countries you think big, you think outside the box and nothing is wrong, in my view, in playing trump and follow suit with them. Invent something, we follow suit. Well, let them trump and we will follow suit, and we have to learn because it is shared experiences. The world is interconnected and we could take shared learning from all over the world.

Inspection, vehicle inspection, very, very critical because you cannot have TKD was totally knocked down, you weld them back in two parts here and you put it on the road. In Japan, “what yuh” think they did? It is the influx of foreign used vehicles. After you have spent four years on the road in Japan, your emission quality gets so low that they abandoned that, you know, either you compress it and put it in a landfill or you export it to the Third World. Okay? So we have become the landfill sites for Japanese and Korean vehicles, you know, but it is affordable and it is still workable. So, you know, if we manage that system properly, we can have the best of both worlds.

And through you, Madam President, that is what makes the First World first,

it is their systems. That is all. The systems, procedures and the innovation and the compliance to the law of their population. Development is not a per capita income, you know, as Sen. Mahabir will tell you. It is the building of institution, it is having systems operating to the benefit of the people.

And it is in that context, Madam President, that I want to really and truly add my support to this piece of legislation, a small path on a long road, but I think it is a step in the right direction.

Again, I want to close off by complimenting the staff at the Ministry of Works and Transport, the Minister of Works and Transport himself, and all these matters coordinated ably by the Attorney General in putting it into the form of legislation to the interest of Trinidad and Tobago.

So with those few words, Madam President, I thank you. [*Desk thumping*]

Sen. Taharqa Obika: [*Desk thumping*] Thank you, Madam President, for recognizing me as I make my contribution to the Motor Vehicles and Road Traffic (Amdt.) (No. 2) Bill.

I want to join with Sen. Ramdeen and Sen. Hosein in acknowledging and registering my agreement with this change to the laws. The main issue here and the context with which the amendment is being framed have been dealt with by and large. As a result of that, I would want to tailor my contribution to the parts that I have noted that I have not seen developed and probably add my voice, just as Minister Khan did to some of the things that I think are important going forward. All right?

Now, it is the role of Government to craft policy in an omnibus manner that will ensure a holistic approach is taken. However, given the urgency with which it will be required administration of a policy for speeding in Trinidad and Tobago,

we can acknowledge the requirement for this piecemeal form of amendment.

Now, just over two months prior however, the *Trinidad Express* in an article titled “Speed limit change approved...” got the nation excited. In fact, I have been traveling most of the time, apart from driving, and taking a taxi from Port of Spain to San Fernando, the driver would tell you “The speed limit has changed since October, so we could go 100 now”. However, some of them remember that the speed limit is 80 when they reach the anonymous check points, which they are very aware of and which several Senators have referenced, so I would not go into that.

Now, as I am trying to get to the parts that have not been dealt with—I listened to the hon. Attorney General’s contribution which, as always is lively. What I would want if the Minister of Works and Transport or any person from the Government Bench coming after, could give information regarding the methodology, because the nation has always been asking, it is a hot topic: What was the basis for arriving at the 100 kilometres per hour? We understand the limit, based on the design of the roads, whether it be 110 or 120 kilometres per hour, we understand all the different limitations of the vehicles that we use, the categories, the size, the tare, et cetera. However, it will be good to understand what exactly was the methodology.

And at this time as we mention methodology, I would like to register for the record my acknowledgement of the work of the staff at the Ministry of Works and Transport [*Desk thumping*] and congratulate them. Myself having worked in the public service, not as a public servant, but as a Government employee in, at least, three Ministries, I recognize that it is a lot of thankless work and I want to register my thanks.

However, at the same time, notwithstanding that the majority of public

servants have the nation's interest at heart, I would like to bring to the attention of this House through you, Madam President, an article titled "\$3,000 to buy a driver's permit"; subtitled, "Minister says, corruption cannot continue", written by Anna Ramdass *Trinidad Express* newspapers, the 3rd May, 2017.

"Where the writer indicated that for TT\$3,000 a person can obtain a freshly minted driver's licence at any licensing office in Trinidad without doing the regulations or driving test..."

So in an exercise of posting and mailing, you can basically post your \$3,000 and your permit will be posted to you.

Now, given that the majority of Trinidadians tend to understand what the Minister is saying, it is alarming that in that same press conference or press briefing the transport Commissioner at the time, I do not know if he is still there, Mr. Wayne Richards expressed a contrary view. In fact, he said that:

"I'm waiting on you..."—the member of the press—"...to bring information so we can start to deal with it."

So he is expressing, what would give one the opinion to believe that, here is what, "What you are saying is news to me", that "I am not sure that is actually is happening, and unless you bring proof, I think you should leave that alone."

6.45 p.m.

However, the Minister directly after rebuked that and also stated for the national interest that he is going to look into it. I will like to ask the Minister, at least in subsequent contributions, what exactly is being done? Because that is of concern, because you may have persons who are successful in the driving test, albeit sufficient or insufficient, as Sen. Hosein and Minister Khan mentioned,—there are persons who have been successful in the regulations and the driving test

and they have not been granted their permit, and they would want to know if this was just or unjust. And there are persons who may have failed, but by virtue of paying \$3,000, you do not know if they would have failed or not, they received their permits. That to me is a travesty, and it may also lay waste to all this work that we are doing here by preparing and presenting good law for the people of Trinidad and Tobago.

Madam President, I would like to add my voice to some other matters, given that the majority of my contribution has been hammered by several other Senators. I do not want to add that to the national record. I want to focus on issues regarding national road infrastructure, and to give my spin on it. The tension barriers on the highway, and I noted that, and this is before I even knew I would become a Senator. Why would we have these barriers down? It gives you a sense of fright, especially if you are going south and you are stuck in traffic. If you are stuck in traffic it is like a carpark, you cannot move. And if some vehicle, on some bend, for some reason may decide to cross or may have no choice but to cross the median because it is an accident, you and your entire life, and the lives of the persons in the vehicles around you could be at risk. And I would like to urge and request that the Minister of Works and Transport and the Ministry of Finance see this as a matter of urgent public interest, and whatever the cost, fix that. Because you do not want us to be crying, “Woe, is me”, for reasons that could have been avoided. So that is one.

There is another issue regarding the speed limits; that is the rough roads. Now, on the Solomon Hochoy Highway, which happens to be the main thoroughfare from Port of Spain to San Fernando and beyond—I live Point Fortin—you have two patches. If the Minister of Works and Transport could note

these two patches, and which he is probably aware of: Chaguanas, if you are heading south on the southbound lane, after you pass Chaguanas, the flyover, there is a rough part there by the Edinburgh 500 turn off, very rough. I think even if you are going at 70 kilometres an hour you can find difficulty with manoeuvring your vehicle. It is like a boat on the ocean, it is very, very rough. Then there is the Tarouba stretch, on both sides, south-bound and north-bound side; the Tarouba stretch is horrible. So, if that could be addressed as well. There may be others, but I am sure they can attend to those. But those two, to me, are very important.

Now, going away from the highways of the country—again, as I say I am curtailing my contribution, so the main issue I would have would be the state of the main roads. The old roads as we like to say. However, the area in Trinidad where I am from is not the old road, it is the only road. [*Laughter*] The road from Point Fortin to San Fernando. I know all of us here in this august House mean well, and I know to err is human, therefore I am extending an opportunity to a Member from the other place, who happens to be the MP for an area that had protest on the 30th of October this year, 2017, where there were massive protests. Now, the newspapers of the following day, the 31st of October, carried comments from the Minister of Works and Transport, the hon. Minister, and the MP for La Brea. However, for some reason those articles mentioned specifically the Grants Road protest, and the words “politically motivated” came up.

Now, Grants Road for persons who are not familiar, is a part of South Trinidad that the councillor for the area is not with the Government. So they mentioned Grants Road, stating that the protests were politically motivated, however, neglecting to note that one protest occurred on Grants Road. But at least seven occurred on the main road from the junction where they call Pepper Sauce

Junction at the beginning of Rousillac at the end of La Brea. There was one in Rousillac by the, I believe it is an Open Bible Church, there was a couple in Aripéro, and there was another at South Oropouche, just before Dow Village. And I had the fortune or misfortune to be stuck in that traffic that day. I had to actually go back to Point Fortin because I was not driving, I was traveling, and to take a taxi to Erin, from Erin to Siparia, and Siparia to San Fernando, to get around the traffic.

Now, when I reached at the protest, the head of the Taxi Association—Mr. David John—for Point Fortin to San Fernando, he indicated that he could not get on to the MP at the time. I happened to have a contact for the councillor for the Grants Road area, so he spoke to the councillor and he was satisfied with what the councillor was planning to do regarding the patching of the road in Grants Road. But he wanted to get on to the MP, so he subsequently—despite the fact that the MP mentioned that the protest was politically motivated—did try to meet the MP afterwards, and he said the discussions with the MP were not fruitful. So, I am encouraging the Member of Parliament for La Brea to really help the situation of her constituents. The taxi drivers—and I asked Mr. John, I said I did not know you are a politician, because your MP is saying that you are politically motivated, and he was disgusted by that claim.

So I am appealing to the MP, despite your—to err is human. So, you can come and set the records straight, and give a more empathetic response to the persons. There are taxi drivers, if you sit in their vehicles you would realize that the vehicles are not functioning well. The shocks—there is one driver, Mr. Matthews, he told me he entered a pothole and he burst a tyre and a shock immediately. [*Laughter*] This is a man who has a couple of children to take care of.

He has a family, he has a wife, he has responsibilities with a mortgage and everything. So you have persons who are affected financially, and he has to still fix his vehicle because if he stays home for the day, he loses pay, there is no no-pay leave. If you leave you get no pay. You understand? So there is no paid leave.

Madam President: Sen. Obika, I am listening very attentively to what you are presenting. I want to just remind you of the subject matter that we are debating, and I just want you to tie what you are saying to the subject matter. Okay? If you cannot then I will ask you to just move on to another point.

Sen. T. Obika: And I thank you for that, Madam President, because by your interjection, your very gracious interjection, it actually brings to light the connection between what I have said and the Bill. [*Laughter*]

So, the reality is, drawing from what I mentioned on the highway, the state of the road is so bad that the speed limit may actually [*Laughter*] contribute to accidents, when persons are respecting the speed limit but the road, because of its deplorable state may not allow you to achieve even half of the speed limit. There are speed limits in our main roads where there are no highways to service our population, and because the road network is so horrible, and their neglect is so apparent, persons may even suffer the same fate. You may lose your vehicle, you may cause an accident which may cause you to lose your life, which is outside of the built-up areas, I am being reminded.

On the same highway another impact—so basically my contribution is focusing on the infrastructure that prevents this law from actually being effective, so the state of the road itself is one; the tension barriers as I mentioned and then the lighting. Whilst road work is being done there is a stretch from Oropouche junction to Grants Road, there is a long stretch of that highway that is without proper

lighting, and the road itself is not painted well. So, for someone like me who is familiar with Point Fortin, I would traverse that highway respecting the speed limit and be okay—may not cause an accident—but there may be someone else who is coming up or going down and they may not be familiar with the area at all and they can actually cause an accident by virtue of the lighting being inappropriate, inadequate, and the markings on the road surface leaving much to be desired. So, that being the third point, the state regarding the lighting.

I do not have much more to add at this point in time, but I want to echo some other sentiments regarding—because I know sometimes when a second voice is added to an issue, the person charged with the responsibility of effecting the change, being in this case the Minister of Works and Transport, may add a second note to it. So, you have Sen. Richards who mentioned the PTSC, and issues such as the—he is not here at the moment, but a national pass. I think that is a viable thing. I am someone who also uses the Coach. I use the bus sometimes to come from Point Fortin when I do not feel to drive for four hours through traffic to come to Port of Spain; I would take the bus from Point straight to Port of Spain, leaving at 4.30 in the morning. I left Point Fortin this morning at 4.30, but I drove.

Sen. Richards also mentioned a national development plan with contingencies that could be articulated at a moment's notice to the population. Because you found that the Lady Young was clogged when the incident on the Beetham took place and persons could not get out of Port of Spain, and they were not aware as to what are the options coming from the Government. So the Government should have this prearranged plan, just as we have contingencies with ODPM and the regional corporations, and it should not be limited to the capital city, because incidents could happen wherever there are industrial areas without

human interventions. It could happen for many reasons.

Now, the last point I want to bring to your attention would be the relationship with the press. So, to echo, to relay, rehash my initial point, whatever decision Cabinet makes, please inform the press that the headline should not read X. So, especially to echo the sentiments of the hon. Attorney General, the headline after today's sitting should not read "Speed limit approved to 100". All right? It should read that there is a final step before—I am not a legal person, I am a finance person—it must be proclaimed.

Sen. Ramdeen: And assented to.

Sen. T. Obika: All right, it has to be assented to before it is proclaimed. But the bottom line is, even if you say that, someone like me needs to be told it is not law. It is still 80 kilometres per hour, do not go above 80, because assented and proclaimed, that still confuses people in Trinidad and Tobago, and maybe some form of communication to the maxi association, the taxi association, so that they know what the correct speed limit is, so they do not unknowingly break the law. Thank you very much, Madam President. [*Desk thumping*]

Sen. Melissa Ramkissoon: [*Desk thumping*] Thank you, Madam President. I could reflect with Sen. Obika, because I work at Point Fortin, so I drive from San Fernando to Point Fortin every single day, and I am very much aware of every concern he raised because it is true, and in fact very difficult where you have to choose which pothole you have to go in. And I had to upgrade my vehicle because I was driving an SUV before and I damaged two disks in my vehicle from going into a pothole. So, it is unfortunate that—and these are areas that are under the Government. It is PNM areas, unfortunately. But nevertheless.

Madam President, we are here to speak on velocity, speed, distance over

time, simple, but I like how the AG put it; it is deceptively simple. Madam President, I really had to think twice about speaking on this piece of Bill today, because driving from San Fernando to the Senate today, I do not believe that the speed limit is in fact 80. I am driving at 80 and there is a line of traffic to overtake me. I am like causing traffic on the highway. [*Laughter*] It is funny but it is true. And people are on the edge of my bumper to pass me, and I am saying like what am I supposed to do? Stop? Go on to the side? Go on to the shoulder? It is really like bullying. I mean, it is not a speed limit we should really be debating. A legislator really should not be telling a man or a woman how to drive their vehicle. This is something, it is aggressive driving on our nation's roads that is causing the traffic or the accidents.

Sen. Ramdeen—everyone has spoken about touching stories of losing someone on our nation's roads. We spend a whole hour and a half to see the accident when we are passing on the highway and right after we speed off. So pictures, billboards are not helping us deal with the fact that we need to get it under control. I am a registered engineer of Trinidad and Tobago from the Board of Engineering. I have my stamp. I am a mechanical engineer by profession, and I did learn about the engineering division from the Ministry of Works and Transport. Now, what can an engineer tell you about the design of 110 being safe? What are the factors? Obviously, you have to make assumptions, Madam President, assumptions that you are not an aggressive driver. You have flat roads, or if you have the underlying schedule of your roadway, you would have that design factor in place. You would also have a safety factor. You would have different things you would put in place, but all of these are assumptions. An engineer cannot say that Melissa could drive at 100 kilometres per hour safely. Melissa needs to know her

limit. I need to know if I can go at 50 or 60 or 70. We the legislators are putting something in place where we say no more than 100. But I am telling you it is difficult to stand here before you to debate something which is being broken every single day, and it feels very difficult to stand here and say, “Okay, I agree with 100 kilometres per hour, but you know what, when I am going home tonight and nobody else is following it, what am I supposed to say?”

Coming from Senate, because this is the main time I would really use the highway, because I work in Point Fortin so there is no reason for me to come to Port of Spain other than to serve in the Senate. Leaving the Senate one night going home, there is a car that—so again I drive within the speed limit, so I am an 80 driver—passed quickly, like I could barely see the number plate of the car that passes me. I calmly sit down and continue on my way, because I am not an enforcer. A few seconds later a whole cloud of smoke is in front of me. I see a car dancing. I do not even know if it is the same car. Again, we cannot all react the same way. This car now spins around and hits the barrier and another car ended up into the drain. I called the police and I was happy to hear that there was operator five who served me, and I reported the accident. They had a few questions about if there is any fatalities. I said I am uncertain because one car is overturned; another one, the two drivers, a guy and a lady they are okay, but they are against the barrier. But, should I have told them that you are going too fast? No. They should know what is too fast, what is too slow, or what is good. You are driving a machine.

So, Madam President, it really gives me a heavy heart that I have to stand here, and I am sure the AG has so many other pieces of legislation he would want to bring, that he has to come here today and speak about speed limits, which is all

about aggressive driving. So, Madam President, before I do start, well I did dive into it, but I really want to commend the Ministry of Works and Transport. During the debate in June, I spoke about the website and I got a promise from the AG that it would be operationalized, and yesterday I went on to the website and I was able to verify Melissa Ramkissoon is a driver and when I am expiring. I thought it was very good that the address was not there. [*Desk thumping*] I also went further in and I checked my vehicle registration, I had to go and find my chassis number—I did not know it by heart—and I entered it along with my number plate, and I was able to verify the name, the colour of the vehicle, the model, and everything. I thought that was very, very commendable, so I must say hats off to the functioning website of Trinidad and Tobago. I do believe also this can be a measure where you can look for stolen vehicles, because I know we are thinking about having police officers with handheld devices. This is definitely a point where you can say, okay, if this is a stolen vehicle or not, because the name of the registered person is on the website page. So that is a very good measure, and I thought it was commendable to raise at this point, because I did raise it in June and it is good to see that it is being done.

Madam President, I want to speak about the fact that there is—we heard today about the statistics of approximately half a million licensed drivers and about one point one million licensed vehicles, which is a 2:1 ratio. So now, this puts another factor into our nation roads which leads to fatigue which maybe can lead to aggression, because there is a lot of cars on our nation's road. I know Sen. Khan just spoke about traffic management and Sen. Sinanan spoke about roundabouts. I am surprised that Sen. Obika did not speak about the amazing Point Fortin roundabout. That is the only roundabout in Trinidad and Tobago that you can go

left and not around. That is the only roundabout I have seen that you can take a left and not go around the roundabout by RBC.

So, the use of a roundabout or a traffic management system is something that you can use but not as an aggressive driver. You are just not going to be obedient, you are not going to follow the law, and you are just not going to be aware or considerate, and you are just going to feel that you can do all things. So, I was looking at this in the sense that, okay, we have a 2:1 ratio of cars. Now, we are trying to address the speeding aspect, and the hon. AG raised the Special Speed Limits Order, and I pulled it up when he was speaking and I saw it really dealt with speed limits for the different areas and different parts of the roadway. But it did not address persons or vehicles that had special privileges to go over the speed limit. For example, police vehicles, escort vehicles. I did not even know that hearse could be escorted by police vehicles, until one evening I was at PriceSmart traffic light at eight o'clock in the night and I am being sped past, I am waiting for it to turn green, they broke the lights, I could have only catch the letters of the number plate, which is PCJ, a hearse being escorted. I did not think this was a need to have that kind of level of escort. But, it would be good for the citizens who have to learn from example to know who are the people, or who are the agencies that are allowed to be going at 120 kilometres per hour.

I can understand the President and the escort, or the Prime Minister, because it may be a security reason that they cannot be at 80, but let us know who these persons are. Because it really does not set a good example, and if I think they are doing it then why can I not do it? And if they are doing it, Madam President, well, you know what, I also am in a hurry as well. And that is the mentality that is trickling down, because you already have an area where we are driving in this level

of, my vehicle is designed to go 200 kilometres per hour, I want to go at 190. I am driving a brand new vehicle, it just came out of the firm, I need to test the ability of my vehicle on the nation's roads. And it does not go with an age, unfortunately. Because you can be driving a new brand vehicle at 140 and not even a feel of a shimmer on the steering, because it is designed for that. But we are putting a limit, and they need to have that connection of, is it safe for me to be going at 140? Maybe. But we are going to give you a ticket because this is not what our system is designed for. Many Senators have spoken about the roadway and the design, I do not know how the engineers came up with 110, because there is so much disparity, there are so many anomalies on our nation's roads for them to come up with a designed speed.

So, I did even check-up the RTMS system that was referenced in the introduction of the Bill, and I saw that it is more of a management system, and not really of a calculation per se to say how to determine. The RTMS brought up a really good factor, which is with goods vehicles. I know Sen. Shrikissoon highlighted a major fact about goods vehicles, but what about goods vehicles that are overloaded on our nation's roads? We do not have a measure of how much gravel we are transporting, we do not have a measure of how much trucks of bricks we have, because we just see the bricks what will be offloading. Most of the time they get flat tyres maybe because they are overloaded. But we saw in the RTMS system where there are significant risks dealing with the braking system with these overloaded vehicles. Now, that is a big point. Because I am telling you when you are driving on our nation's roads, they pass you with such speed. I literally slow down really, really far away just for them to pass me and go forward so I would not be at any risk. Because you are now raising the risk of operating on our nation's

roads.

So, in terms of the escort police, I really would like to hear who are these persons, and if they are really breaking the law, then maybe we can call the 999 when we see it. But other than that, it does not set a good example, and all the work that the Ministry of Works and Transport is doing is going to be lost when you do not have these compliant agencies.

So, I spoke about the fatigue and the aggression. Now, what is a short-term solution that could probably readjust our culture? In Gasparillo and Point Fortin, there is a system that is used that I feel very, very—it is working really well, and that is the use of the traffic warden system. They may not give you a ticket for speeding, but they help with the presence of authority, they help with parking, they also direct traffic so we do not have a pile up, you do not have that delay when you are going into Gasparillo, they are pulling traffic off the highway. That kind of system assists the drivers and does not leave you confused to try different things, to turn around in the middle of the road. You do not have that uncertainty, and that really could help with the driving style and really would not leave that aggression. Because I recall one of my friends who works Pointe-a-Pierre, they live in Gasparillo, so that is a 10-minute drive, they came to a training in Point Fortin, which went up to a two-hour drive after spending about an hour on the Creek.

Now, Madam President, their expression today is, “Melissa, I don’t want to give anybody a chance because I just want to go home.” And that is the level of aggression we have on our highways, because people take almost three hours from south to Port of Spain. I know we have tried many, many measures with removing traffic lights, trying to get roundabouts, different systems, and it really is a culture change, and persons have to see something different happening and they will

conform.

I want to just touch briefly on why I believe that setting a speed limit is very, very tricky. Because when you do defensive driving, they tell you that once per week you are supposed to check your oil level, your washer fluid level, your tyres. They say every month you are supposed to check your automatic transmission fuel, your brake fluid; and every six months your wiper blades, your tyres and your power steering. Normally, what we would do, Madam President, for your wiper blades you just wait for that noise on your glass, or for your power steering you wait for that different feel. We have a tendency in Trinidad and Tobago, and probably many areas in the world, we use our mentality of run-to-fail. Yes, we change our oil regularly, and we change our systems to make sure that, okay, we can operate at an optimum efficiency because speed is related to efficiency of your vehicle. You cannot have a vehicle that you just made or welded up together and want to operate it at 200. It just does not work. We all saw the vehicle in Valencia that split in half.

7.15 p.m.

So, Madam President, it is something that persons who are using their vehicles have to be mindful of. They do not have to be engineers because they are driving their vehicle, but they have to be aware of what they are using. Just like how we try to have a culture of when we are using our cell phones or social media, you have cybercrimes. It is the same mentality when you are driving your vehicle there is a high level of risk that you come across every single day and you just cannot say, "Okay, I am at 100, I am within the speed limits and I am safe". It does not work like that, because, as legislators we are not going to say, okay, when the rain is falling drive at 60 kilometres per hour. We are not going to tell you that. So

it is a level of common sense, a level of knowing your own ability and just a level to think differently.

I believe there is one aspect that I needed to bring up today and I have been searching many different legislation to see who addressed it best, and that is swerving. I do not know if the hon. AG has seen this, but I have heard in Germany that if you switch lanes and you do not stay for a few seconds and you switch back lanes, you could be charged. I could not find the piece of regulations that dealt with that, but our nation's roads have that. They will switch in front of you then switch back, realize there is a vehicle coming up, so they cannot make it, go back onto your lane. And that is a big hazard and a risk.

On the 23rd of October, my parents were involved in an accident where a truck was speeding. They were on the slow lane. They were taking their time, they are retired so they are taking their time, going down the highway on a south bound lane. A truck wants to overtake them, goes onto the fast lane, realizes he cannot make it, there is a car coming up, and hits the back of their vehicle, then hits two vehicles in front of them, then goes into the barrier. And that is a goods vehicle, a truck. So, you are not going to have police at every avenue on every—yes, we have a camera system but the camera does not prevent, it just charges the person who has been, [*Crosstalk*] yes, responsible.

Now, it really took a culture change, Madam President, for me to change my driving style to go to 80 kilometres per hour. And I recalled when I had now got my licence, I saw this sign, because I believe as a new driver you are so aware of every single thing. And I still see the sign but nobody is following it so I thought it was an error. I thought those 80 kilometres signs along the roads were an error. Even the little 20 kilometres you see on the Main Road, I also think those are in

error as well.

So it really took me a culture change, but after driving at 80 I realized that I am still reaching the same place, just maybe five minutes more. I am still not relaxed because everybody is trying to overtake me so I feel like more of a risk on the road now, and I really feel that our legislation needs to—I did not bring it up in June so that is probably why I am bringing it up now. The aspect of swerving on our nation's roads needs to stop. You cannot overtake on the shoulder; they do it. You cannot overtake. You cannot go in front of me and go in front of another person and expect me to stop in time. It is really something that I hope can be stopped. I know there is the cry for 100, so we did our research and our homework and we said 100 is okay.

I am telling the nation, the persons who are listening, maybe the persons who are listening are not the offenders, Madam President, but I am making the appeal now, I am putting it on public record that just because the speed limit is 100 does not mean that you should drive 100. Know your vehicle, know your abilities. An engineer did a design—[*Crosstalk*—if you drive 65, I am telling you they will try to run you off. I have tried it as well. It is very difficult because we have that type of—, everybody needs to reach first. I do not know why they are so hurry. We are now going into the Christmas season, it gets even worse. Unfortunately, Madam President, every single person has been touched by speeding and accidents, every single person, but yet everybody feels that it would not happen to them. We have that behaviour and mentality.

And, I would like to close by saying as an engineer, this is a device that has been designed to be 200. You have a vehicle that is five years old, it is no longer designed to be 200, okay. That is why we have the validation going—the insurance

companies, but they do not really do it very well. So you yourself need to know what you are driving, check your brakes, do not wait until it is screeching to know that the brake system needs to work and the braking system is what is going to affect your speed as well. All of these things, Madam President, tie into the right speed for your vehicle. Do not feel like an odd one when you take two hours to reach Port of Spain, but at least you have arrived alive.

So, Madam President, I do thank you for listening and taking this time to acknowledge my willingness to join this debate. I do commend the Minister of Works and Transport for trying to make the systems work. I look forward to the barriers, charging the persons who damage the barriers accountable for that, they should fix it because it costs a lot to repair these barriers, Madam President. It is not as simple as pulling a rope. The fact that we have barriers again, aggressive driving, if we can get that under control, definitely we would not have to waste so much of our taxpayers' dollars.

So, Madam President, with that, I thank you. [*Desk thumping*]

Madam President: Attorney General.

The Attorney General (Hon. Faris Al-Rawi): I am taken by surprise. Thank you, Madam President. I rise with pleasure to wind up this debate. I wish to thank all hon. Senators for their excellent contributions. It is a wonderful experience in a Parliament which is designed on an adversarial construct to have the opportunity from time to time to just simply agree. It is a refreshing and positive experience and I thank all hon. Senators for their reflections on something which I think Trinidad and Tobago is well interested in, well-motivated to accepting and which we certainly agree is past its time.

But, there were some very important observations made by learned

colleagues which must be addressed and if only for the perfection of the record. In a nutshell, contributions ranged from, if there is a harmony in voices without singling any contributor specifically:

1. Enforcement.
2. State and condition of our roads and the mechanism used to ensure safety, be they the cable barriers, the railway barriers or lights on the road, potholes and other conditions. So that is the second point.
3. The issue of corruption as it prevails in the enterprises which govern and manage the systems of Trinidad and Tobago and the road utilization of the operations of the Motor Vehicles and Road Traffic Act.

Apart from that, there were certain central issues raised. Sen. Ramdeen touched on a very, very, very important issue which related to a coroners court and he had some very genuine reflections upon that particular operation and indeed some recommendations which I hope to touch. And importantly, Sen. Shrikissoon stood out in his submissions, which I think are reflective of the need for some further clarification. Because if Sen. Shrikissoon himself made those submissions, then indeed there needs to be a bit more clarification on the issues as presented.

So I thank all hon. Senators for their contributions and I hope to make a quick contribution to answer some of these concerns. Let me start with the contribution made by Sen. Shrikissoon. Sen. Shrikissoon raised an important interpretation question. The hon. Senator pointed out in particular, as he put it, the apparent or perceived conflict between the Highways Act and the amendments which we are seeking to deal with via the amendments to the Motor Vehicles and Road Traffic Act, Chap. 48:50.

The hon. Senator also made reference to regulations and there being in his mind, a conflict between regulations and the law. Upon enquiry, I understood the regulations to be the drivers' regulation test and not regulations in the context of subsidiary legislation which falls under the primary legislation. The hon. Senator also raised a very important position as to the MGW versus tare categorization for the class of vehicles which we seek to treat with by amendment to the Second Schedule and that is, of course, in moving from 2,540 kilogrammes to 3,200 kilogrammes. So those are the three points that I took away, there are a few other points.

So permit me to clarify the position if I may. In piloting the measure before us, I started off by pointing hon. Senators to the provisions of Chap. 48:50, in particular, the effect of understanding how this speed limit change was going to work. I had reference to section 62 of the Act. In section 62 of the Act, in subsections (1) through (8) there is the mechanism as to how we go about changing the law. In summary, section 62 allows for one, the definition of built-up versus outside of built-up areas.

Section 62 also allows for reference to a speed limit which is set out in the Second Schedule to the Act. Section 62 allows for the ability to have special speed limits inserted as they relate to information coming out of the transport division itself. Section 62 also allows for the application of how the law is to be changed and that is specifically in section 62(7) where we say that if you want to change the speed limit you have to, in the current law, move the Parliament by way of affirmative resolution to actually change the Second Schedule.

Sen. Shrikissoon pointed out and he asked for clarification, because in his submission to the honourable Senate he said, look I cannot see how this thing is

going to work. You have had a look, the hon. Senator said, to the speed limit Orders, et cetera. So permit me to clarify in this manner.

What is before us is the only thing that we can change at present. There is a process to enforcing this law in the context of what we are discussing. The first thing we must do, in the primary law, which causes us to move the whole Parliament to do it, pursuant to section 62(7), we must amend the Second Schedule. That is the primary law. For us to change the speed limit which is set out in the Second Schedule we have to call the whole Parliament together and if we follow the existing law, we would have an affirmative resolution that we change the Second Schedule. That was open to us. In it we would change 65 to 100 or we would change 35 to 65 or we would change the classification of 3,200 kilogrammes moving up from the 2,540 kilogrammes. That is what we would do.

However, what would happen on the next occasion is that if we were to adjust the speed limit anywhere, in a built-up area, anywhere outside a built-up area or if we were to modify the classification of vehicles specified in the Second Schedule, we would have to move the Parliament again by affirmative resolution. So, what the Government did is to bring a Bill which says, look, from henceforth we will no longer ask the Parliament to move itself to affirm a resolution of the Parliament. What we would do is allow the Minister to do it by way of Order. We would amend the Second Schedule now, but we are going to change section 62(7) to allow the Minister in the future to simply do it by way of Order. Therefore, harmonizing the law because it is open to the Minister under section 62(2) of the Act to publish special Orders for speeds in special areas.

So right now we had on the one hand speed limit being done by affirmative resolution in section 62(7), and he had to do that by way of moving the Parliament.

And on the other hand, in section 62(2) of the same Act, you could deal with special limits by way of Order simply. So the two were not in harmony. So we sought to harmonize these two, simply put, from henceforth if this law passes through this Senate and His Excellency the President is invited to assent to the law, we will do everything by way of Order: special speed limits, Second Schedule amendments, all by Order.

The second thing is, we actually moved away from the current law. So the current law in relation to how you are to treat with speed limit is set out by a combined interpretation of the Second Schedule of the Motor Vehicles and Road Traffic Act, Chap. 48:50, and also by way of reference to the Special Speed Limits Order. And by way of reference to what is going to be built-up or not built-up. Those are the three things you do to know which road you could drive on at which speed. Because Sen. Shrikissoon asked in his three things of clarification, three items of clarification that he wanted, he wanted to know—Sen. Richards joined him, how do you know which road you drive on what? And of course, all the corollary items, who puts up the signs? Did the signs tell you what you can do? All of those things are contained. Because the existing law tells you, you could be charged for driving in excess of a speed along a particular roadway, but it is a defence, I think it is 62(4), for you to say, well, there was no sign on the road and therefore I did not know that that could be the case. So, three things to tell you which road, which speed, what time.

1. The Second Schedule of the parent Act;
2. The Special Speed Limits Order;
3. What is built-up or non built-up as is defined within the meaning of section 62 which says, you should do that by way of Order.

Remember the parent law said, initially, section 62(8), the following areas are built-up areas:

“...Port of Spain...San Fernando...Arima...”—or—“any other...”—place or Borough so described by way of Order.

So, two Orders and the Second Schedule.

What we did is that we moved away from the 1979 position. The 1979 position to tell you where you can drive. Also the 1969 position telling you the speed in the Section Schedule. These positions told us in the Speed Limits (Built-up Areas) Order, which is a 1979 Order, it said this:

- “1. This Order may be cited as a Speed Limits (Built-up Areas) Order.
2. The roads or portion of roads specified in the Schedule are hereby declared to be built-up areas for the purposes of section 62...”

So in 1979 the Government of Trinidad and Tobago then, the laws of Trinidad and Tobago then described what is a built-up area in this Order. And they described built-up areas across several paragraphs of law, 59 paragraphs in total. So for example, Item 59:

“All roads in the Island Ward of Tobago”—are built-up roads, in a built-up area.

“47. All roads lying within a radius of two kilometres of the Police Station, Oropouche.”

That is a built-up area.

“49. Clarke Road in the County of St. Patrick and all roads lying within a radius of five kilometres of the Penal Police Station.”

That is a built-up area.

“6. Diego Martin Main Road.

5. Saddle Main Road.
4. Long Circular Road.
7. Beetham Highway from its intersection with Wrightson Road...in the vicinity of the Central Market”—to the—“NP Flyover.”

Those are examples of what were described in law, is the current law of what is built-up.

What we are migrating to after this law is passed, because remember the only thing that we can do now is to amend the Second Schedule, change it from affirmative resolution and put it to be by Order and then we publish Orders afterwards. And what we are going to do next, as soon as the law is ready for assent if it is passed, we will then table up two Orders. One will be an Order to replace what I just read. So we will replace the 1979 Speed Limits (Built-up Areas) Order. What we would do is, we would amend that by saying, the speed limit in built-up areas is going to be amended. We are no longer going to describe all roads that are built-up. What we are going to say, all roads in Trinidad and Tobago are built-up all, every last road in Trinidad and Tobago is built-up except the following. And the roads that are not going to be built-up are described as follows:

The Beetham Highway, from 1.53 kilometre mark at Market Overpass in the vicinity of Central Market to 4.81 kilometre mark at Barataria Over pass. I am just giving you what it will be. Churchill Roosevelt Highway, and then it gives certain distances. Uriah Butler Highway, gives distances. Solomon Hochoy Highway. Solomon Hochoy Highway from another mark to Golconda. Audrey Jeffers, Diego Martin Highway, Eastern Main Road, South Trunk Road Extension, Claude Noel Highway, Shirvan Road from Claude Noel Highway to Grafton Road. Buccoo Bay, Rienzi Kirton Highway, et cetera, from Rushworth Street to Ciperio Road.

Those are going to be the roads within specific markers that are going to be outside of a built-up area. Everything else in Trinidad and Tobago is going to be inside the built-up area. These things mentioned will be outside a built-up area. On these roads mentioned you can drive at 100 kilometres per hour; you can drive at 65 kilometres per hour; you can drive at 35 kilometres per hour, et cetera, depending upon whether you are a tractor, a bus, a goods vehicle, et cetera. So the classes now tell you which roads you can drive that in. Senator.

Sen. Shrikissoon: Thank you, hon. Attorney General. Hon. Attorney General, I am following you, but what I am understanding is like, the example you used, Rienzi Kirton Highway from Rushworth Street to Cipero Road will be defined as a non-built-up area and therefore—but that is the road that has three or four schools along it.

Hon. F. Al-Rawi: Let me finish.

Sen. Shrikissoon: Sure.

Hon. F. Al-Rawi: I am coming to the next layer which will explain those things. So the general position is, built-up outside of built-up. What the Government is doing next is to then modify the speed limits built-up area—sorry—we are going to modify the special speed limits amendment Order. What we have done is to then issue out one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, pages of specific ramps, roads, secondary roads, intersections and merges, because the issue of how one merges was described and asked to be factored. Sen. Shrikissoon, you yourself, through you, Madam President, raised this issue and specifically in this Special Speed Limits Order is where we factor how you merge, onto which road, at what speed, in which location, between start point and end point.

And, for example, that incredibly mad interchange that we have in San

Fernando called the Cross Crossing Interchange, that it takes you several times—it is like a ride in a park where you have to take it on several loops to make sure you are going on the right road for those of you who do not know San Fernando. But, it is like a Scalextric track in the old days for those of you who still remember what Scalextric is. But along the—I know Sen. Sinanan knows that well. But anyway, along the Cross Crossing Interchange loop L1 off ramp is 20 kilometres per hour. Interchange loop L2, 20 kilometres; L3, 20 kilometres, et cetera. Another ramp, the Corinth Ramp, it will be 30 kilometres. On Munroe Road Flyover Ramp, it will be 40 kilometres.

So what the Ministry of Works and Transport did, it went to the Highways Division. It went to every single ramp, name, number, design specification, engineering specification. It factored centripetal forces, centrifugal forces; it factored the traffic load analysis, occupancy analysis and then it came up with these recommended positions of desired speed versus engineered speed to try and create that harmonious relationship so that we would not have too much of a negative impact upon platonic movement of vehicles across highways, across ramps, across secondary roads. It is that platonic movement which must become harmonious between engineered speed and desired speed.

And for the record, that platonic movement was measured using historical data which is the RTMS system. And for Sen. Ramkisson's benefit, that RTMS system actually was data which ended at 2013 because the system broke down at 2013, but we had historical data. It was not cost effective then to repair it and so it was left alone. But what was done was not only the number of cars that passed; it was the average speeds, the average occupancy, the total volume, the average hourly volume. And then data at current basis was taken so that we would do it by

way of spot analysis on the same parameters just described.

So, far from Sen. Hosein's—[*Interruption*]—yes, please.

PROCEDURAL MOTION

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, in accordance with Standing Order 14(5), I beg to move that the Senate continue to sit until the completion of the business at hand.

Question put and agreed to.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) (NO. 2) BILL, 2017

Hon. F. Al-Rawi: Madam President, may I ask what time I am due to complete, official time?

Madam President: At six minutes past eight.

Hon. F. Al-Rawi: Thank you. I promise not to be that long. So, far from the submission that this was a populist request, this was not a populist request. What this was, well, I perhaps should not say that that is true. It is true that the population reacted negatively to the imposition of the existing law, but when one describes it as a populist reaction; a reaction to populist demand, it can betray the level of scrutiny and the empirical data which was used to drive the informed change of position. But it is true that a number of people in society complained.

To stick a pin and to throw a little humour into the Senate, I recall vividly when I was in Barbados at the University of the West Indies studying law. I was a religious karateka, would always go to my karate classes and I recall being at the Dojo one day and this fellow came in, a Trinidadian fellow, large fella I used to spar with. And he was blue vex, angry. So I asked him, what had happened to you? Huffing and puffing and upset. So I said well, look, what happened? He said, look, can you believe they stopped me on the road for speeding. So I say, what do you

mean? He said, well, I was only travelling at 160 kilometres per hour. So I stopped and I looked at him and said to him, this is Barbados, the road does not allow you to even travel at 160 kilometres per hour because you would run out of road and secondly, they actually enforce the laws.

But so lost was he as an average Trinidadian to the fact that there was a speed limit, people enforced the speed limit and that the speed limit is not as fast as you can go. That was very symptomatic of Trinidad and Tobago. So in that populist demand, Trinidad and Tobago did of course complain about the imposition of the existing law, the special speed limit, but I do not want for one moment for us to be betrayed that there was not empirical data considered in the production of this recommendation for a new speed limit.

To address a concern raised by Sen. Ramkissoon, I can certify that the roads so described as ready for 100 kilometres per hour are those roads which are designed, number one, within the capacity of an engineering recommendation, having shoulders; having three metre chain links; having designed parameters which allow for 125 kilometres per hour. And that the 100 kilometres per hour is the desired harmonized speed ratio between 125 and the 110 and the 80—110 is where we found most people driving at if they tried to obey the law. Perhaps those very people who were riding your bumper whilst you drove at 80 kilometres per hour up the road today.

Sen. Ramkissoon: May I—

Hon. F. Al-Rawi: Yes, please.

Sen. Ramkissoon: Thank you for giving way. Are these engineering analysts or persons, are they local engineers, are they consultants?

Hon. F. Al-Rawi: Sure. I am very proud of say that they are local. They are based

upon recommendations coming from the Ministry of Works and Transport, but, they also included reference to international specifications. So there is a design engineering handbook, forgive me I cannot remember it off hand and the international position was factored against the local position. But our Ministry of Works and Transport and the transportation in particular have excellent people on board that have been doing this job for a very long while and are well accustomed to this. But this exercise of making a recommendation for a change of a speed limit really came about because of a whole analysis of the road conditions of Trinidad and Tobago which takes me to a common theme, enforcement. What is the point of us talking all of this if you are not going to enforce the law? What about those people that bullet past you? What about those so-called special conditions for people who are allowed to break the speed limit?

7.45p.m.

No, the law is the law is the law. It is the question as to who is enforcing the law and who then seeks exceptions in respect of the law. Ambulances, for instance, have to stop at a red light, but they may break the red light when it is safe to do so, and the courts are replete with decisions to that effect.

So the position that came about from the inspection of the roads and the engineering factoring, et cetera, brought us to the very excellent question of enforcement. Now, it is an admission that the approach that we are taking is a layered approach, not a piecemeal approach. I want to take away that expression. We are not engaged in piecemeal legislation. We are engaged in layered approaches because number one, it must be such as it can be digested in terms of the issues before the Houses of Parliament and the population, and number two, we are operationalizing at the same time.

I want to assure Trinidad and Tobago that enforcement ties in to anti-corruption. Enforcement ties in to policing. Enforcement ties in to capacity in the courts of Trinidad and Tobago and licensing division. Enforcement ties in to data analysis. Enforcement ties in to use of technology in addition to use of persons. And what the Government of Trinidad and Tobago is recommending and is implementing—as in my piloting I went through some of the deliverable milestones that we were obliged to meet to operationalize our red traffic light camera enforcement and our demerit points system, et cetera.

In doing this inspection of engineering analysis, et cetera, and in laying the spot speed Bill which is now on this Order Paper, so without breaching the rule on anticipation—I would not go too far into that, but what I can say, we have earmarked every light-pole, every bridge, every ramp, primary roads and secondary roads, because Sen. Ramdeen made a very powerful point. It seems that we are only enforcing the law on the highways, and it is the secondary roads or rural communities, as he put it, or rural areas, that seem to have fall prey to accidents and fatalities of the tragic kind that we have seen.

That is why, bearing in mind the human resource difficulties we have, we will be installing spot speed cameras on appropriate location poles, on bridges, on passways, in rural, in urban communities, in built-up and in outside of built-up areas. And that use of technology is to be layered with the use of the RFID identification plates. So that you actually can monitor the condition of your road users, not only in their velocity but in allegations of criminality. Is a getaway car found at this location? Did the tag buzz under this arch? It gives crime fighting a better chance.

And in dealing with enforcement and in tying in to the observations made by

Sen. Hosein, we had the issue of corruption at the licensing office. And Sen. Sinanan in his public statements has said, as has the Prime Minister, as have I, as have many Members of the Government, corruption is the number one issue in our country, be it, what one calls, innocent corruption, VIP complex. Let me label it that. You know someone who knows someone who could “geh it done fuh yuh faster; yuh know someone who could take a little small ting tuh get de ting done”, a licensed registered copy of your motor vehicle registration, your licence; the Anna Ramdass story of May 2017 which spoke to \$3,000 for a driver’s licence, all of these things.

Sen. Hosein was correct in making those observations, which is why the automation in the Ministry of Works and Transport licensing division where we have completed data entry and we are driving it, not only so that you have your data, but so that you can conduct your transactions in a cashless environment, and where it is associated to user PINs—personal identification numbers on your birth certificates and your marriage certificates and your certificates of citizenship, et cetera, have meaning in our country. We have just never used them before.

And so what we are doing—and this Parliament would be brought into the loop very shortly—we are tying in the data which we have that has been left in, what I call—and I borrowed it from someone so it is not my own paternity—cylinders of excellence—very excellent cylinders with perfect information that is just not talking to the next area. Left hand does not know what the right hand is doing. And what we are doing is, we are harmonizing the data. And this data is also being harmonized into the National Operations Centre which already has licence plate identification technology. Trinidad and Tobago—let me say that again. The National Operations Centre, from any camera which is tied in to it,

which is going to be all cameras, can already identify every licence plate that is picked up. That is a fact.

Tie that in to driver's permits; tie that in to vehicle registration, and now you are talking about Trinidad and Tobago sobering itself up into truly dealing with crime fighting. You see, we have not paid, as a society, any attention to our systems, where the Ministry of Finance knows what its balance of accounts looks like on a daily basis, where the Judiciary in the Magistracy knows what its caseload looks like from a computerized system. These things did not exist.

Sen. Ramdeen raised a very important point which dealt with the coroners courts. I am very pleased to say that the Government is well on track to the amendments that Sen. Ramdeen reflected on. In fact, we intend to approach the Parliament to deal with the creation of a criminal division. Hon. Senators will remember we created a Family and Children Division of court, we harmonized the High Court jurisdiction with the Summary Court jurisdiction. We dealt with certain things. Well, the same thing is coming in relation to the criminal division so that we can actually improve the administration of justice and, in particular, in the special courts which are to come there, in the proper management of the coroner's inquests which take far too long and cause savagery to the emotions of people who have to relive the experiences, once, twice, thrice, over and over again, each time they come to have the tragedy brought to the fore all over again.

There are just a few more points I would like to touch on, Madam President. Sen. Shrikissoon raised the issue of section 50 in the Highways Act. The Highways Act, Chap. 48:01, was a consolidation of laws in the 1970s which treated with, basically, how we would create highways, monitor highways, improve highways; how we would take private roads into public roads, and the definition of a

highway, so included—

Sen. Shrikissoon: Through you, Madam President. Hon. AG, it was the section 50 of 48:50 and not 48:01.

Hon. F. Al-Rawi: I know. Thanks. You are correct. It was section 50 which is the classification of driving permits under Part IV of the Motor Vehicles and Road Traffic Act, Chap. 48:50, and the reference was whether there was a conflict with respect to the definition of how we treat with roads under this amendment that we are proposing, as against the Highways Act which describes any highway as all roads. So you made reference to the definition of highways under Chap. 48:01. You then said that this law appeared to be colliding with highways because a highway could be any road.

And in dealing with the submission as I have, in explaining how section 62 of this Act in operation, amending Second Schedule, utilization of new orders to amend built-up areas and special speeds, we are not actually dealing with the Highways Act which was a law designed for a different purpose; how we bring private roads into “the road systems” of public users where the State pays for and maintains those roads at state expense. So this law is not intended to traverse or to be read alongside with the Highways Act. The only law that speaks with speed limits, where speed limits are to be applied, how they are to be applied, is the Motor Vehicles and Road Traffic Act, under section 62 of the Act, under this part where section 62 falls, and that specifically deals with offences.

Sen. Shrikissoon raised, as well, the concept of section 50 of the Motor Vehicles and Road Traffic Act. But section 50 which sets out the categorizations of driver’s permits—because that is the section it falls under—that part of the law, section 50, must be read with that part of the law. It treats with the classification of

driver's permits, whether you are class 1, 2, 3, 4, 5. Motorbike, class 1; class 3, ordinary vehicles; 4 or 5—I think the one person in here that has multiple—more than three or four classifications is probably Sen. Kazim Hosein. But the point is, classification of driver's permits is not to be read with the MG—is to be read with the speed limit points. There are not two laws that apply. It is only going to be one law.

Let us deal with the issue of the MGW, the motor vehicle gross weight and deal with tare. I understand the point that the hon. Sen. Shrikissoon was making, but I want to put it this way. The maximum gross weight, the MGW—sorry, I said it wrong earlier. The maximum gross weight is the weight when fully loaded. The tare, or unladen weight, is the weight when it is not loaded. So when we say 3,200 kilogrammes, that is the maximum load. So we specifically intend that the class of vehicle, including those small trucks that have MGW weights at 3,200 that can hold a tonne, that is intended to move at the speed limit that we are now prescribing, because that MGW is designed that way. It is the tare weight—because the hon. Senator, if I understood what was being said, cautioned, “Look, you have got 3,200. What happens if it has a tonne on it?” That is now something moving, mass times acceleration. Acceleration is factored by mass. It is directly proportional to the mass in terms of ratio, and therefore you were raising the point, what happens if the mass is increased, therefore you are moving potentially into a dangerous zone. But the MGW is such that that is the actual amount.

And, in fact, the law prescribes in regulations that—you remember Sen. Mahabir raised it in a previous debate—having to write MGW and tare weight in white letters on the right-hand side of a vehicle in no more than 65 millimetres on a black background, and we reflected on it in a previous debate saying that that

seems to be archaic, et cetera. But that is the law. You have to have specified on the vehicles, the MGW and the tare weight. And we specifically except out now the use of trailers.

That is why, in fact, the Bill is amended from the House of Representatives. We recognized in the amendment that came in the House that we were unwittingly treating with a class of vehicles which had trailers associated with them that we would have, if the Bill was unamended in the House, it would have allowed for something which is much heavier and should not be moving at that speed to move at that speed. And so we adjusted the Bill in the House of Representatives.

So there are not two classifications of speed. You do not have to jump out of the car and look to see if your MGW applies. It is not to be read in reference to section 50 of the Act because section 50 of the Act treats with your class of permit, not your moving speed, which only the Second Schedule of the parent law and the special speed limits orders and built-up area orders actually manage.

We already had clarification, for the record, from the hon. Minister of Works and Transport, that there is specific attention being paid to the railing systems, to the cable systems on the highways, and that has been a matter of trying to get value for money, because we are—face it as we must—in a serious financial situation. Members will know, from just a cursory glance in the media, that paying students' fees on time by scholarship winners, that paying public servants on time, that these require a lot these days.

On Monday, yesterday, I had to perfect two bonds for over \$1 billion each to make sure that we could pay public servants' salaries in Trinidad and Tobago. And I am given the assurance by the Minister of Works and Transport that this is something that is a high-priority item and will be attended to. I thank hon. Senators

for raising it. I am told by the Minister of Public Utilities, specifically in relation to T&TEC, that we are at best able to deal with repairing about 50,000 street lights per year. There are 350,000 street lights in Trinidad and Tobago and on any one year, at best that we can achieve, is 50,000 street lights in repair.

Now, I heard Sen. Obika say something which I wish was a reality: “Whatever the cost, just do it.” Trinidad and Tobago is not in that financial position right now. [*Crosstalk*] I do not say that to say anything other than the economic condition of this country is in a terrible state, but there is immense hope because we are coming out of it very nicely. And one of them treats with the observation on road conditions in Point Fortin, and the statements which implore the hon. Member for Point Fortin, Maj. Gen. Dillon, to speak to taxi drivers, who the hon. Sen. Obika said, were being put into a political environment. I want to just—I do not want to be negative in this debate but I just want to remind the country: The highway to Point Fortin was not \$1 billion in cost, or \$2 billion in cost, or \$3 billion in cost, or \$4 billion in cost. How much was it? [*Interruption*] \$7 billion and counting.

Madam President: Attorney General, you have five more minutes.

Hon. F. Al-Rawi: Thank you, Madam President. I will make this one quick. So much for not using all my time. It was \$7 billion and counting. It was built out of the Exchequer of Trinidad and Tobago. It was not on international financing. And I say that because when you take the rubric of an IDB loan or other sort of loan, there are certain matrices in place which, if they were utilized, would have resulted in us not seeing variations in the contract which did not allow us to fire OAS for going into bankruptcy when there were changes to the addendums to the contract, and, very importantly, which tricked us, but fortunately we succeeded in

recovering close to \$1 billion out of that OAS contract.

And I want to say this. The reason—and I will put it in a very constructive way. The reason why we still have potholes in Trinidad and Tobago, the reason why we have railway barriers that are not complete, or railings or cables that are not complete, or we have blown lights that are, you know, causing us jeopardy, as Sen. Ramdeen correctly reflected upon, is because this country, for years—not just in the last five years when the UNC was in power—not just then. I may say more at another point when the mood changes. [*Laughter*] But for years our country has been engaged in a lack of value for money appreciation. And with every little nickel and dime that is scraped and saved in ensuring value for money, in every bit of scrutiny applied to making sure we save a dollar here, it means that we can spend a dollar there.

And the hon. Minister of Works and Transport, the Minister in the Ministry of Finance, the Minister of Rural Development and Local Government, the Ministry of Energy and Energy Industries, the Ministry of Trade and Industry, the Ministries are in a combined effort to save money. And I ask for us in Trinidad and Tobago to cut our cloth appropriate to our budget. We have to remember that a call to sobriety is what is required in our country. We will get through it. We can get through it. The beautiful thing about an austere environment is that everybody learns that the situation is one which we have to grapple with. It is not—Sen. Obika, most respectfully—that whatever the cost, just spend it. The days for that in Trinidad and Tobago are over. But I take your point on the most positive end, we must prioritize expenditure. And I agree with you that the priority of expenditure is a critical item.

Madam President, thank you for allowing me the opportunity to participate

in the Senate today. Even though there is a right of audience, it is still a pleasure and a privilege to be in this honourable Chamber. I enjoyed the contributions of hon. Senators, all present. I thank the honourable Senate for its attention. We are, of course, open-minded to any further observations in committee stage, and I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed: That clause 2 stand part of the Bill.

Sen. Dr. Mahabir: Madam Chair, clause 2, I have some concerns. I did not participate in the debate because I did not catch your eye in time. But, really, I do have some concerns with (f), (g) and (h) in the Second Schedule. You see, hon. Attorney General, all three of them, (f), (g) and (h) are carrying a speed limit of 100 kilometres outside of a built-up area. So we are equating them as being identical with respect to risk to the population. With respect to (f), we are dealing—and it is a question similar to what Sen. Shrikissoon has raised, where the MGW does not exceed 3,200 kilogrammes. Can you give the assurance that the Ministry of Works and Transport will be having weighing mechanisms so that they can weigh vehicles—small pick-up trucks, so that pick-up trucks going at in excess of 3,200 kilogrammes—going in excess of 100 kilometres per hour are not in excess of this MGW of 3,200? Because I am not aware at this time of whether the Ministry of Works and Transport is in the process of weighing. I also have a

concern with (g) as well, but first (f).

Mr. Al-Rawi: Madam Chair, if I could address the concern. It is important to understand what the licensed MGW is versus being overladen. The licensed MGW is done at the time of licensing. At the time of licensing the MGW is recorded, and that is the vehicle at its maximum gross weight. That is the specified amount. That is the maximum amount. So in respect of the licensing point, the MGW is certified. If you have a six-passenger car, it is with six passengers on an average of X weight for the passengers, taking into account what the trunk space utilization may be, et cetera.

The issue of being overburdened, something which is in excess of what your MGW is, or your tare weight is—because if it is a goods vehicles, as the Schedule describes in (e) before, in the old law, so “goods vehicle”, the licensed MGW of which—right? In a goods vehicle you not only have the MGW, we have the tare weight. You must have the two, pursuant to the regulations. The point of weighing stations is a feature which not only exists right now but is one which is to be expanded by the Ministry, and I will tell you why. It has to be expanded because our secondary roads are being cannibalized and slaughtered by heavy containers and goods in excess, using these roads when they are not supposed to use these roads, and therefore the Ministry and the people of Trinidad and Tobago constantly have to pay to fix.

There was an excellent submission about utilization of roads at particular hours. I cannot remember if it was Sen. Ramdeen or Sen. Richards who raised the point. That is something which the Ministry is also looking at now. So what I can say, there is a distinction between licensing at the point of licensing for MGW and tare weights. The issue of overburdening is currently something which is treated

with under the laws of Trinidad and Tobago. The ability to enforce it by way of weigh stations is something which exists in not as many locations as we would like, but it is something which we are looking to expand right now.

Sen. Dr. Mahabir: Thank you very much, AG. I have another substantive issue and this is with respect to, in the Second Schedule, (g); (g) says, a private motor car with a trailer has a maximum speed limit of 100 km and any other motor vehicle has the same 100. But what I did not get clear—

Mr. Al-Rawi: Sorry, Senator; (f), which is now (g), private motor vehicle with trailer, was specifically—that is the amendment we had in the House. We took that out.

Sen. Dr. Mahabir: Okay.

Mr. Al-Rawi: That is not going to be 100. That will still be at the lesser rate. It is only any other motor vehicle without a trailer that will be moving at the 100.

Sen. Dr. Mahabir: So it is any—I need to get it clear because what I have before me probably is different from what you are now telling me.

Mr. Al-Rawi: So a private motor vehicle, a private motor car with trailer, the only thing we do to that line in the old Second Schedule is we changed the letter (f) to (g).

Sen. Dr. Mahabir: Okay. So it remains at 65.

Mr. Al-Rawi: It remains at 65.

Sen. Dr. Mahabir: Very well. Thank you very much.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Question put and agreed to: That the Bill be reported to the Senate.

Senate resumed.

Bill reported, without amendment, read the third time and passed.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, I beg to move that this Senate do now adjourn to Tuesday, December 05, 2017 at 1.30 p.m. That will be Private Members' Day and it is my information from the Acting Leader of the Opposition Bench that we will be debating Motion No. 3 listed under Private Members' Business.

Madam President: Hon. Senators, before I put the question on the adjournment, leave has been granted for a matter to be raised on the Motion for the adjournment of the Senate. Sen. Ramkissoon, you have 10 minutes.

8.15 p.m.

South Oropouche Road, Mosquito Creek (Government Assessment after Flooding)

Sen. Melissa Ramkissoon: Thank you, Madam President. The matter I have highlighted for this evening is the need for the Government to cause an assessment to be conducted of the South Oropouche Road alongside the Mosquito Creek to determine its integrity following the recent floods experienced in the area. [*Desk thumping*] It was recent because I laid this November 03, 2017. Today is the 28th. So almost a month later, "recent" meaning these floods occurred on the 18th of October, 19th of October, 20th of October, 21st, 22nd.

Madam President, since I have laid this since November 3rd, I would hope that the Minister can share today some factual findings on the structural integrity of the Godineau Bridge and the roadway as we have local registered structural integrity engineers from the board of engineering, we have registered civil engineers and we have asset integrity engineers. So we know that this roadway to the creek is a construction site. The given completion date was February 2018. I do

Motion of the Adjournment
South Oropouche Road, Mosquito Creek
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Sen. Ramkissoon (cont'd)

not know if this date still stands, and I would hope the Minister can share the new expected completion date for this highway to Point Fortin.

I would like to jog all memory because it is some time ago, that on Divali Day, the 19th of October, the rain started. On the 20th of October, which was a Friday, we all proceeded to work, normal working day, but the rain was still falling. I passed on my journey from San Fernando to Point, there was water on the creek, but, however, that was due to the clogged drains and the non-functioning pump alongside the creek road. So we were able to pass. The traffic was passable and we were able to pass.

The rain did continue, unfortunately, which led to when we were attempting to come back, or return home on this Friday afternoon on the 20th of October—which I could remember because it was my birthday. I am returning home, 4.00 p.m., a little bit before—I left a little bit before—and I could not reach the Godineau Bridge. This was a very, very hopeless day because I took almost an hour to get to the Oropouche roundabout in traffic from the—I do not even know what you call that bend before the Fishing Bay to the Oropouche—[*Interruption*]

Hon. Senator: Otaheite.

Sen. M. Ramkissoon: Otaheite, thank you. To the roundabout it took me an hour. I then decided, okay, I am going to go through the field road through Fyzabad and make all the rounds to go through Woodland, which was a big error because Woodland was flooded. I did not know this. There was no alert, no bulletins. We just had social media, but you have the hope that the floods would have subsided and I could have passed.

I drive a very high vehicle so I thought I could have gone through, but there

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Sen. Ramkissoon (cont'd)

were some residents—not even officials, or police, or fire, nobody, but residents with tractors—with their tall boots assisting members of the public and telling you do not pass there, turn around or go through some road in Penal. And I remember from seeing on social media that Penal was flooded, so I did not go through that route. Now, this is myself alone, in a vehicle, just trying to get from work to home, and this is one of the reasons I am raising this. I was not going to raise it because I said it is a construction site, but after the feeling, the level of hopelessness that afternoon—because I am not only a citizen, but I am a member of the public service, or public office, a Senator—I am not seeing any assistance to the residents, or to the citizens, or to the persons who are assessing this road. This is a workday, a Friday afternoon. They said it was flooded; the rains were falling all day. There was speculation that there was water on the creek from lunchtime, but you are thinking it is a few inches of water that you can drive through.

I did not know that the water was as high as the barrier, which is about two feet high. How am I supposed to know that? Thank God, because after going through Woodland, getting blocked, turned around again and went back into the queue to get to the creek—so that now is turned into three hours driving for me alone—sitting here now in this line-up, called some of my co-workers, they are also stuck in the traffic to realize we do not know what is happening. We just know it is water on the creek.

So there is one passageway that is blocked with traffic, and another passageway is blocked with water. Okay, no problem, we are just hearing there is water. Thank God people who are going to south, or going to Point Fortin area, they are driving towards that area, they stopped to tell you. Thank God for citizens

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of Trinidad and Tobago for being so heartfelt that they stopped and tell you, people have shut down in your lane and they are blocking you, so you have to wait. How am I supposed to know that? What am I supposed to do? I am just sitting here waiting.

Thank God it is not the Beetham or any of these rural—we are in a very safe area, south. Thank God for south people being law-abiding citizens. We do not have the fear of being robbed, but now it is coming into darkness. It is eight o'clock and I am still not home. Thank God I turned around and I went by a friend, but I attempted to cross the creek 2.00 a.m. in the morning and my van tyre was covered with water. The water was at the level of the barrier.

Now, why am I raising this issue? This was like a natural disaster for us. This was an emergency. Why was there no police to direct or tell us what is going on? Why could we not get persons to park up their vehicles by any of the police stations, or even in the new passageway, the barrier of the highway, the new area? We could park by the creek and we could have used a bus to get to get across the creek. Some kind of measure could have been a short-term measure because some of us just wanted to get home. It is not like we went voluntarily to lime. We went to work, we want to return home. There is no help. The only police vehicle I saw was one escorting a crane and they did not even stop to tell you, okay well Ma'am, something is happening. They have no concern. They are just driving on because their job is to escort the crane.

I tell you, citizens had to help other citizens. No assistance from the public authority. So what I am trying to get at, what is the integrity of the road? Now, we are a month later, we are driving on the same road, the potholes are larger. We

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know that there was a report of a 30-foot crack on the roadway. I also know that the road has now caved, the potholes have enlarged. Yes, there is a risk now because on the 23rd of October there was a—sorry, on the 4th of November, there was a three-car accident at 4.00 p.m.; on the 5th of November, 10.30 a.m., there was a car that hit a lamp post; on the 18th of November, 12.46, a van ran off the road; 24th of November, 1.00 p.m., a car hit from behind; 25th of November, 5.00 p.m., another accident. So there have been issues, even though there—and Sen. Obika during his debate he spoke about the roadblocks—on the 30th of October, they blocked the roads for the condition of the roads.

My thing is, do we have an evacuation plan for these areas that when you are blocked, for persons who are not living in the area, to get home? Is there anything that exists such like that for citizens who are in flood-prone areas? Is there any kind of agency equipped to set up a plan in light of these weather conditions? We know that we are going into the rainy season, we expect a larger rainfall, what is the Ministry or what are the alternative plans being set up for motorists in a short-term measure for these high risks involved in driving through flooded waters because you know—

Madam President: Sen. Ramkissoon, you have one more minute.

Sen. M. Ramkissoon: Oh, thank you—there is a water management and flood control programme for \$2.9 million. Madam President, we want to know what plans, or what can assist us to know what is the integrity of these roads?—and the bridge also, it was flooded. There was water on top and below the bridge. It is not designed to operate like that, the weight and everything like that.

So, Madam President, I am bringing this matter because we are driving on

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the road and we do not know what to expect next. I do not want to say I was privy to all this information and a vehicle ended up in the sea, or helpless, or something. There are children, parents accessing these roadways and I feel like I will be disheartened to my country if I did not raise this at this time. So thank you for giving me these opportunities. With the few seconds I have, I really would like to hear something from the Minister of Works and Transport.

Thank you. [*Desk thumping*]

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

[*Desk thumping*] Madam President, based on the Motion before us today, which seeks to establish whether there is need for the Government to cause an assessment to be conducted on the South Oropouche Road along the Mosquito Creek to determine the integrity following the recent flooding experienced in the area, I am compelled to respond once again to this honourable Senate on the concerns expressed. In my response to this Motion, I will attempt to show and to ensure the population that the roadway is sound.

Madam President, the Mosquito Creek is located between the Paria Suite and the Godineau Bridge in the south-west part of Trinidad and Tobago. I prepared for the Motion of the condition of the road, but I understand why you went into flooding, and a significant part of your contribution was based on the flooding. So I will want to go into the flooding on that specific day.

What happened on that day—we got a significant amount of rainfall, and in the Oropouche area two rivers breached the bank: the New Cut Channel and the Oropouche River. What happened on the creek is that normally water would come either from the rain or from the sea because of the location if they have a spring

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tide, and I think that day was the spring tide which is probably the highest tide that we get for the year. What we found is that water was coming from the rain—significant amount. We were getting water from sea and water was also coming from the two breaches that we had.

So there is no way the pumps—on that day we had three pumps operating on the creek. Normally, we have two. On that day we brought in a third pump, but that volume of water there is no way these pumps could have taken that water out. So that is the cause of the flooding on that day. It was just not a normal day, and with the breach the water was coming through the mangrove. I think it is probably the first time they saw that volume of water coming through the mangrove because of the breach of the two rivers. So that would have accounted for the flooding on that day.

But, Madam President, let me get back to the road. We are all aware it is a construction site, and that phase of the highway is not one of the package that work has started on, the bridge the work has started on, but that roadway is supposed to be coming out for tender within the next month. That is probably the most technical part of the highway to be completed because that part of it goes through the Mosquito Creek area where we have to surcharge the road, and that is why that is taking such a long time. But my understanding through NIDCO is that that phase is going to be tendered out by, if not by the end of December, by the first week in January. So we expect within a couple of months that work on that creek to be started.

Once that is started, the plan is to bring the existing road 1.2 metres higher than the wall. So we expect that to be the end of flooding on the creek because if

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you look at where they are surcharging it, it is about five feet on average higher than the road. Both roads will be at the same level. So we really will not have a problem then. However—

Hon. Senator: That is real material.

Sen. The Hon. R. Sinanan: Well, we do not have a choice because of the sea level there. Now, I understand the challenge that the Senator has and I give the assurance that the integrity of the road has not been compromised. What we have on the road, we have some surface damage. Now, this road was built in the 1950s. It was refurbished in 1980 to 1984, and in 1990 some significant work went in. From 1990 to now, no significant work has gone on on that part of the roadway.

In 2017, Madam President, just about a month ago, the AECOM, the senior engineers of AECOM, had a thorough walk along the roadway of the creek and they confirmed that there were no deficiencies on the road. What they found is the surface cracks and a lot of potholes on the road. This has been caused by the amount of rainfall. If you know, and for the little that I have known so far about road paving, is that water damages the road, and once there are cracks in the road and water gets in, that is where we have the big deterioration on the road.

There was also a challenge with the drainage on the Mosquito Creek. A lack of maintenance, and what we have there is that the water on the road has to go into the drains. These drains have not been maintained for a while and there was a big delay in water settling on the road and continuing to further damage the road. NIDCO has completed the restoration of all the drains. They have put in additional pumps and they have also done the estimate for the repaving of the entire creek.

Now, it is money that we really do not want to spend right now because that

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phase of the highway is supposed to be completed within 18 months. However, we cannot leave the road as it is because it is a danger. It is a danger and I am sure that might be the cause of some of the accidents that we are seeing there because if you try to dodge from one pothole to the next this could be the cause. I have been given the assurance by NIDCO. They have already done the estimates and the drainage part of the work has been completed; now is for the surface patching and in some areas re-milling the road and repaving it. So that will be done, but I can give you the assurance that there is no structural damage to the roadway.

So, Madam President, having said that, I hope I can satisfy the Senator with her answers. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.32 p.m.