



BERMUDA

MOTOR CAR (CONSTRUCTION, EQUIPMENT AND USE) AMENDMENT
REGULATIONS 2010

BR 41 / 2010

The Minister responsible for Transport, in exercise of the power conferred by section 102 of the Motor Car Act 1951, makes the following Regulations:

Citation

1 These Regulations may be cited as the Motor Car (Construction, Equipment and Use) Amendment Regulations 2010.

Regulations 44, 45 and 46 added

2 The Motor Car (Construction, Equipment and Use) Regulations 1952 are amended by inserting the following next after regulation 43—

“Hand-held mobile telephones and other hand-held devices

44 (1) No person shall drive, or cause or allow any other person to drive, a motor car on a road if he is using—

- (a) a hand-held mobile telephone;
- (b) a hand-held device that can perform an interactive communication function by transmitting or receiving data, other than a two-way radio; or
- (c) a hand-held electronic entertainment device that can produce music or gaming systems (wireless and non-wireless).

(2) A person does not contravene a provision of this regulation if, at the time of the alleged contravention—

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- (a) he is using the mobile telephone or other device to call the police, fire, ambulance or other emergency service;
 - (b) he is acting in response to a genuine emergency; and
 - (c) it is unsafe or impracticable for him to cease driving in order to make or receive the call.
- (3) For the purposes of this regulation—
- (a) a mobile telephone or device referred to in regulation 44(1) is to be treated as hand-held if it is, or needs to be, held in the hand at some point in order to operate it;
 - (b) “interactive communication function” includes the following—
 - (i) sending or receiving oral or written messages;
 - (ii) sending or receiving facsimile documents;
 - (iii) sending or receiving still or moving images; and
 - (iv) providing access to the Internet;
 - (c) “two-way radio” means any wireless telegraphy apparatus which is designed or adapted for the purpose of transmitting or receiving spoken messages;

Prohibition of display screen visible to driver

45 (1) No person shall drive, or cause or allow any other person to drive, a motor car that is equipped with a television, computer or other device with a display screen on any road if that display screen is visible to the driver of the vehicle.

- (2) Paragraph (1) does not apply in respect of the following—
- (a) a global positioning system navigation device that has no other function than to deliver global positioning for navigation;
 - (b) a logistical transportation tracking system device used for commercial purposes to track vehicle location, driver status or the delivery of packages or other goods;
 - (c) a collision avoidance system device that has no other function than to deliver a collision avoidance system; and
 - (d) an instrument display screen that is used to provide information to the driver regarding the status of various systems of the motor vehicle.

Exemption

46 Regulations 44 and 45 do not apply to the driver of an ambulance, a fire-fighting vehicle or a police vehicle.”

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Made this 23rd day of June, 2010

Premier