
Legislative and Regulatory Analysis of Traffic Management in Belize

Final Report

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1.0 Introduction and Acknowledgements

The analysis is commissioned by the Belize Social Investment Fund/Belize Municipal Development Project (hereinafter referred to as “BSIF”) to provide an assessment of the current legislative and regulatory framework for municipal traffic management and make recommendations for modification of existing laws and regulations aimed at enhancing the capacity of municipal governments to manage municipal traffic and to improve vehicle safety, vehicle registration and inspection, and driver licensing services. The analysis will review the provision of services under the traffic management system in the following areas; the licensing of vehicles, licensing of drivers, traffic enforcement, provision of traffic officers, traffic management and planning, provision of traffic signs and other traffic infrastructure and all other responsibilities related to traffic within the various municipalities.

The Inception Report sets out the critical issues that will be addressed in this Project Report as well as the structure of the report itself. This Project Report will present the major findings on the analysis of the traffic management system in the various municipalities and make recommendations for strengthening the legal capacity of the various municipalities with regards to the traffic management system.

2.0 Background & Objectives

2.1 Overall Project Background:

The present study is a part of component 2a of the BSIF Project being implemented with funds from the World Bank, viz.:

“Town-Council Capacity Building (i.e. improving council accountability, citizen participation, revenue strengthening, financial management, traffic management, and town planning capacity (including disaster risk management)”

The project seeks to identify gaps in the legal framework supporting the management of the traffic management system by the municipalities and to provide recommendations to address these. In 2009, the responsibility for the management of traffic operations in cities and towns was handed over to municipalities under a National Policy on Local Government (NPLG). Since then however, there have been concerns as to the capacity of the municipalities to adequately manage and develop the traffic management system within their municipalities and that in comes cases they lack the necessary legal authority and jurisdiction to effectively do so. This report will investigate that. The report will focus on the seven municipalities within Belize including one city (Belmopan), and six towns (Benque Viejo del Carmen, San

Ignacio/Santa Elena, Corozal, Dangriga, Orange Walk, and Punta Gorda) that are a part of the municipal development project.

2.2 Objectives:

The overall purpose of the research effort is to:

- a) Analyze all existing policy and legal/ regulatory information pertaining to traffic management.
- b) Recommend appropriate reforms of the policy, legal and regulatory frameworks.
- c) Assess whether it would be beneficial to consider changes in enforcement practices in parallel with the introduction of new traffic management systems being proposed by the “Municipal Traffic Management Studies and Plans” consultancy.

The research will provide the parent project with:

- Insight into existing laws and regulations being used at the national and municipal level under the existing traffic management system.
- Recommendations for amendments to existing laws or recommendations for the creation of new laws and regulations to better support the planned municipal developments proposed.
- Recommendations for capacity development needs to ensure effective enforcement of the traffic management system in Belize.
- Recommendations for policy and other needs of the various agencies within the traffic management system of Belize.

As set out in the Inception Report, supervision for the project has been provided by the Project Coordinator with the assistance of the Social Officer and the Local Government Officer who together are hereafter referred to as the “Supervising Committee”.

3. 0 Methodology

3.1 Project Methodology:

The project methodology as set out in the inception report included:

1. A documentary review of existing laws, subsidiary legislation and policies underpinning the traffic management system in Belize. The documentary review will form the primary basis for the analysis of the legal framework of the traffic management system in Belize.

2. On site observations of the implementation of laws, regulations and policies by each municipality under review. The on site observations will be done in three primary settings:
 - a. the administrative offices of the municipalities
 - b. field observations of traffic managers and other offices implementing regulations on the road and interfacing with road users
 - c. on site observations of the workings of the traffic court in Belize City and the enforcement mechanisms of the other municipalities.
3. One on one interviews of key stakeholders responsible for the administration, management and enforcement of the traffic management system in Belize as well as other respondents who provide redress to the public users of the traffic management system such as insurance agents.
4. Focus group discussions where appropriate with road users to gain their feedback on the implementation of the traffic management system and to gather some of their experiences.

3.2 Reporting Framework:

The reporting framework will be that set out in the Inception Report viz.:

3.2.1 Structure and Content

The project report will contain a table of contents setting out the specific areas of reporting. The report itself will be comprised of an introduction, background and objectives, methodology, overview of the legal structure, findings, recommendations, conclusions and appendices.

The findings and recommendations will appear under the headings presented above in the critical issues and will address those issues.

The Appendix of the project report will contain the critical issues considered in the project report as well as contain samples of the questionnaire and consent forms utilized in the project.

3.2.2 Length and Language:

It is expected that the main body of the report itself from introduction to conclusion will not exceed 60 pages. The report will be written and presented in English and all interviews will be conducted in English, where translation is required, the consultant will request the provision of translation services by the BSIF.

4.0 Critical Issues to be Addressed

4.1 Documentary Analysis

The Inception Report sets out the critical issues for legal analysis in relation to traffic management in the seven municipalities and establishes that the documentary analysis or desk review would be the primary analysis methodology employed. The critical issues for this stage of the analysis are set out below, viz.:

1. Which agency(ies) has overall legal responsibility for the implementation of traffic management laws, regulations and policies?
2. Which agency(ies) has the overall responsibility for the management and enforcement of traffic management laws? If different agencies bear portions of the responsibility what provisions are there in law for their multi-sectoral coordination?
3. Which agency(ies) has the legal right to make legislative amendments to laws and regulations regarding the traffic management system?
4. Whether the laws and regulations currently in place are suitable to promote optimal management and development of the traffic management system? If not, what gaps are present?
5. Whether policies exist to make laws and regulations operative in the practice of administering and managing the traffic management system in Belize? If policies exist, what gaps are there in operational procedures?
6. Whether reports and studies done on the traffic management system identify any legal, regulatory or policy provisions that need to be incorporated into the traffic management system?
7. Whether the reports and appraisals and revenue plans adequately address development needs for traffic management within the various municipalities?
8. What are the rights of the public vis-a vis traffic management authorities? Are enforcement mechanisms effective to protect those rights?

4.2 Interviews

Where the documentary review does not provide adequate information to properly assess the critical legal issues identified above, supplementary interviews will be done by key stakeholders identified in the Inception Report and listed in Appendix A. These stakeholders are the persons in the seven municipalities with direct responsibility for management, supervision and implementation of the traffic management system in each municipality. Confidentiality was afforded to all interview participants as such names and titles will be withheld where reference is made to particular municipalities in relation to the findings of the interview process and the informant where necessary will be referred to as a key informant. The legal issues that arose for the interviews were:

1. Whether town administrators, traffic managers and municipal planning authorities possess a working knowledge of traffic management laws, regulations and policies?
2. What are the specific knowledge and capacity levels and gaps for town administrators, traffic managers, enforcement officers and municipal development authorities?
3. Whether traffic management administrators and staff have a working knowledge of their agency's role in the traffic management system and their specific job roles and responsibilities within the agency?
4. What training traffic management administrators and staff have received in carrying out their roles and responsibilities?
5. What are some of the experiences of traffic management administrators and staff in the function of their duties? Are there gaps in system policies, regulations and operation systems that they have identified?
6. Are staff aware of the organizational structure of their specific agency? Are they aware of the structure of other agencies with responsibility for other areas of the traffic management system?
7. Are job appraisals conducted? What is the usual outcome?

4.3 On Site and Field Observations

It was also necessary as set out in the Inception Report to supplement interviews with on site observations to make an assessment whether policies and procedures were known by staff and were being implemented in the way set out as well as to identify training needs for the recommendations made in this report. The key legal issues being assessed during the observations were:

1. Whether the operational systems are aligned to the legislative, regulatory and policy framework?
2. Whether the practice of traffic management staff at the various agencies and municipalities are in line with job roles and responsibilities?

3. Whether job roles and responsibilities are effectively carried out?
4. Whether the traffic court process effectively enforces the regulations for the traffic management system? What limitations are present?
5. Whether the other enforcement agencies of the municipalities are effective at enforcing traffic laws and regulations?
6. What observable practices may create problems for road users or limit road safety?
7. What observation staff interaction or operational procedure limits the effective development of the traffic management system?

4.4 Focus Group Discussions and Interviews

1. What are the experiences of staff in making recommendations to promote better management of the traffic management system?
2. What are the experiences of administrators in addressing staff inefficiency and or inadequacy? How might any negative or limiting factors be overcome?
3. Is there a complaint procedure for the public? What is the usual outcome of complaints?
4. Are there any existing law suits against traffic management agencies? Have there been any in the past? What was the outcome?
5. What are some of the experiences of private sector organizations such as insurance companies in defending rights of members of the public against traffic management agencies?
6. What are some of the concerns that members of the public have in relation to the traffic management system and the practices of its agencies?
7. What are some of the experiences of members of the public in interacting with traffic management authorities during times of disaster or abnormal traffic movement?

5.0 Executive Summary

Major Findings:

- **Substantive and Subsidiary Laws:** Current Motor Vehicles and Road Traffic Act are outdated and have no current regulations. In addition, overall responsibility for and process of legal reform not clearly set out. Practices common to municipalities and common to traffic management by Ministry of Transport and Municipal Traffic authorities not legally standardized in City Council and Town Council Acts. No legal authority for enforcement proceedings hiring of private prosecutor not adequately dealt with in current laws.
- **Gazette Notices and Statutory Instruments:** Absence of proper instruments legalizing signs and road markings already erected in towns as well as license plate design and driver's license card designs. No provisions for bob-tail trucks, gas delivery trucks.
- **Policies:** Standard Operating Procedures in use in Traffic Management in need of modernization and some areas not compliant with law – age for driver's license and registration of new owner upon death, fees and fines need to be updated.
- **Practices:** Operating systems, database need to be harmonized and need for shared database to exchange information on registrants and also to allow payment of fines in other districts. Lack of municipal development and disaster preparedness plans that address traffic management.

Recommendations:

- **Revision of laws.** Motor Vehicle and Road Traffic Act and Regulations to be revised.
- **Statutory Instruments.** Statutory instruments to be passed for all existing signs and road marking and one way streets.
- **New laws.** The Municipal Government Bill to be passed to consolidate Town and City Councils and grant wider powers to make own statutory instruments to manage traffic and to widen enforcement powers of wardens to include offences under the Insurance Act.
- **Polices.** New operating policies need to be created that will reflect revised laws. Policies to also include employee handbook setting out code of conduct and disciplinary proceedings and revising driving test to test for greater competence and skill.
- **Training.** Training of traffic management staff on professionalism, laws, preparation of case file for court, giving evidence in court and on new policies and procedures.
- **Public Education.** Public education campaign using all media to widen knowledge of traffic laws and offences.
- **Special Needs.** Addressing special needs of disabled persons and elderly road users, creating bicycle lanes and bus lanes and greater regulation of taxi operators.

6.0 Key Findings – Documentary Review

6.1 Overall Legal Responsibility for Implementation of Laws and Policies:

The divesting of the management of traffic was granted to the municipalities by a Policy document. The Policy document while setting out the government's intentions for the municipalities to be responsible to manage traffic systems within their respective municipalities does not have a clear legal framework to support its implementation. This means that while there is a policy directive saying that municipalities control the management of traffic in their town or city, there are no legal provisions to delineate the extent of their jurisdiction, administrative responsibility and powers. This deficiency has the following implications:

1. The absence of clear legal authority as to the roles, responsibilities and powers of the municipalities in relation to traffic management is reflected within the Ministry of Local Government itself. The Ministry is seen as the parent Ministry with supervisory responsibility for administration of local government within the municipalities but is unsure as to the extent of its powers and its role and responsibility in relation to the municipal bodies and traffic management. This means that there is no clear legal provision stating whether the Ministry of Local Government can propose laws regulating traffic, no clear legal authority as to the role of the Ministry of Local Government in ensuring laws are enforced or whether they have responsibility to build capacity within the municipalities for better administration by the municipal authorities.
2. While towns and cities have general responsibility under the existing town and cities acts to manage the affairs within their municipality, there is no expressed legal authority for towns and cities to make their own regulations concerning traffic management and as such must submit such proposed regulations through the Ministry of Local Government or the Ministry of Transport. The current process of legal reform requiring them to go through the Ministries of Local Government or the Ministry of Transport who then submits the drafts to the Attorney-General's Ministry is cumbersome and caused excessive delays which impedes the efficiency of the municipalities and causes public safety risks.
3. The lack of clear overall legal responsibility has resulted in statutory instruments being passed to address traffic management in one municipality without any assessment whether provisions need to be extended to other municipalities or whether complementing provisions are needed for Ministry of Transport or for other neighbouring municipalities.
4. In addition, the absence of laws as to the jurisdiction and powers of the municipalities also creates confusion in their interaction with the Ministry of Transport. The Ministry of Transport retains overall legal responsibility for the management of traffic throughout the country and that Ministry is working on draft law bills that will affect the management of traffic throughout the country and has passed laws creating new traffic offences. However, none of the legislation clearly set out where the administrative and geographic boundaries of the jurisdiction of the

Ministry of Transport ends and those of the municipalities, which are now expected to be legally autonomous bodies, begin. It is not clear whether within their municipalities, town and city councils can choose not to enforce offences such as the new tinting laws.

During the interviews done, the consultant was informed that there is a draft legislation in place to create a new legal framework with attendant regulations for towns and cities that will clearly set out their autonomy and that there is also another legislation concerning the management of transportation nationwide that will more clearly set out the relationship with the Ministry of Transport but it is not clear when these draft bills will be passed as laws.

6.2 Multi-sectoral coordination:

1. At present, town and municipalities rely on Ministry of Transport to provide training for its wardens, traffic managers and supervisors. However, there are no laws or regulations or MOUs setting out this requirement or establishing other areas of collaboration.
2. In addition, there are no laws or regulations setting out what areas of collaboration the Ministry of Local Government will be responsible for vis-à-vis each municipality.
3. There is also a need to clearly set out the areas of collaboration between the traffic wardens attached to the Ministry of Transport and the traffic wardens attached to the municipalities. At present, there is a policy within the Ministry of Transport that their wardens will have legal jurisdiction on highways outside of city and town limits and that the wardens attached to the town and city administrations would exercise jurisdiction on portions of the highway that run through the town. Though this arrangement is generally upheld in practice there have been issues:
 - a. City and town administrators indicate that tickets are still being issued by traffic wardens attached to the Ministry of Transport on portions of the highway running through the town. City and town administrators are concerned about this practice as the ticket books used by the wardens attached to the Ministry of Transport states that traffic fines should be paid at the office of the Transport Department and not at the town or city council office. This result in revenue lost to the town and city.
 - b. In addition, the practice raises road safety concerns. At present, there is no formal process for exchange of information on persons who have been issued with a ticket so there is no mechanism to track persistent violators of defective vehicles, improper overtaking etc. if those persons are being ticketed both by the Ministry of Transport and the Traffic Department of the town and city councils.
 - c. Check points. The town and city traffic wardens collaborate with the Department of Transport traffic wardens on check points. In addition, there is also collaboration with police on check points especially at nights and on

weekends. These collaborations are not clearly delineated in law or policy to establish what areas jurisdiction will be shared for the purpose of the production of evidence in criminal proceedings. At present, the practice is to allow the police to take the lead when collaborations are done with the police and the prosecution is done by the police for offences outside those set out in the ticket books. Where collaborations are not done with the police, then the only inspections carried out are for ticketed offences and other suspected situations are reported to the police or the vehicle and owner are detained and the police contacted. However, this practice is not set out in any legal instrument. Where such collaborations are not done with the police and there is no motor vehicle inspector present, detaining a member of the public for the purpose of police questioning may be challenged in court.

- d. New Registration of vehicles. At present, registration of vehicles are done both by Department of Transport and the Traffic Department of the town and city councils. Key informants indicate that because the jurisdictional boundaries are not legally defined, there have been reports of persons living outside of the agreed Town Council jurisdiction who register with the town council instead of with the Department of Transport.
- e. Motor Vehicle Registration Certificate. At present the Certificate of Title being used in the municipalities as the Certificate of Registration is different from the one set out in the schedule to the Motor Vehicles and Road Traffic Regulations. The Certificate of Title being used has added licence plates information as well substituted V.I.N. for engine number and included gross vehicle weight as well as additional notations at the bottom. The key informants indicated that the additions have been necessary to ensure the protection of vehicle owners.
- f. Vehicle transfers. There are no provisions in laws, policy or MOU for sharing information between municipalities. This creates a legal loophole for vehicle transfers as there is no national registry of vehicle transfers. A vehicle may be registered in Belize City and sold to someone living in Belmopan. The new owner is given a copy of the registration certificate and he goes to re-register the vehicle in Belmopan and obtains new licence plates in Belmopan. However, the registration in Belize remains on the records in Belize City and there is no system for automatically informing Belize City of the new registration so that their records can be updated. The records will therefore, reflect two different owners of the vehicle depending on which municipality's records are used. This has legal implications for proof of ownership in the event of a stolen vehicle.
- g. Fees. The municipal authorities also indicate that the fees for various services provided by the municipality are too low. The fees for licence plates for instance is set by law at \$15.00. However, the cost of producing one plate is \$19.00. All of the municipalities are charging fees in excess of the prescribed fee, however, no amendments have been made to the fees for services under the Motor Vehicles and Road Traffic Act. Key informants indicate that requests have been made through the Ministry of Transport and the Ministry

of Local Government to amend the prescribed fees to reflect what is actually being charged but to date that has not been done. In addition, the municipalities have indicated that there is a need to introduce magnetic plastic driver's licence cards, however, the new fees to cover the cost would need to be set out in the schedule. Belize City has already increased the fees for driver's licence to cover the cost of the electronic licence being issued by that municipality but there has been no legal amendment to lawfully allow the increased fees.

- h. **Fines.** The current schedule of fees is attached to the Motor Vehicles and Road Traffic Act. The second schedule sets out absolute fees for offences under the Act. However, the key informants interviewed for this project report indicate that the fees need to be revised up as a number of them are too low, e.g. the fee for using unauthorized plates or the fee for using defective tires is only \$50.00. The key informants indicate that these fees are not enough to be a deterrent for the activity proscribed. The low fees also raise public safety concerns as the fee for failing to obey traffic lights is also only \$50.00 which does not adequately reflect the serious road safety risk caused by someone driving through a red light at a traffic stop. Key informants indicate that there is a serious problem in each of the municipalities with speeding with most persons opting to pay the ticketed fines instead of reducing speed as the penalties are low.
- i. **Driver's Licence Format.** The format for the driver's licence in use by the municipal authorities is prescribed in the schedule of the Motor Vehicles and Road Traffic Act. Key informants indicate that the current format in use in the seven municipalities, being a laminated card, is not in line with international standards and is not recognized internationally as a legally. In addition, key informants indicate that the current format is easily forged. The Belize City council has introduced an electronic driver's licence, however, there was no amendment to the prescribed format to allow them to do so and that driver's licence, while an improvement over the laminated versions in use in the other municipalities is in need of legal authorization.
- j. **Amendments to Other Forms.** Several of the forms provided in the schedule have been amended by the municipalities without the attendant changes being made to the legislation. This means that there is no legal authority for the forms in use which have been amended and a legal challenge as to their validity would create problems for the municipal authorities. All the forms need to be updated to reflect current realities. With new tinting regulations and the practice to test tint at the time of registration, there is a need to amend the vehicle inspection form to allow for information to be stated thereon as to whether any tint present on the vehicle meets the legal requirements.
- k. **New Forms Needed.** With new fees being stated such as axle fee, there is a need to introduce new forms to the schedule of the Motor Vehicles and Road Traffic Regulations that can be displayed by vehicle owners to evidence the payment of the axle fee.

6.3 Legal Reform Process in Use

1. Though given independent legal corporate status by existing town and cities acts, municipalities must go through the Ministry of Local Government for approval of their proposed plans including procedures and regulations to better manage traffic within their municipalities and must wait on the Ministry of Local Government to prepare the Statutory Instruments and submit them on their behalf for drafting and voting by Parliament. This creates unnecessary bureaucracy with the result that there are a number of proposed statutory instruments that have been recommended or requested by various municipalities several months ago which have not yet been passed. In some cases, the municipalities are implementing the provisions of the statutory instruments though they are not yet law e.g. increased fees for licence plates.
2. This means that there is no clear system in place for the process of legal reform in relation to traffic management. A review of the existing documents show a number of piecemeal reforms some coming from municipalities through the Ministry of Local Government and some coming from municipalities through the Ministry of Transport with municipalities choosing which ministry to send their proposed statutory instruments to depending on who they think will get it passed through parliament quicker. In some cases, some municipalities by pass both ministries altogether and submit directly to the Attorney-General's Ministry.

6.4 Suitability of Laws

1. Motor Vehicles and Road Traffic Act. The current Motor Vehicles and Road Traffic Act has been amended numerous times. However, the amendments have been piecemeal, the removal of a few words and the additional of other words. This has created confusion as to the actual contents of the law. None of the Municipalities had a comprehensive copy of all the amendments. The Attorney-General's Ministry has indicated that the government is aware of the problem and a review is currently underway to compile all the amendments.
2. Motor Vehicles and Road Traffic Regulations. Though many of the provisions of the Motor Vehicles and Road Traffic Act have been amended and the act has been revised in 2000 and 2003, no new regulations have been passed to make these new provisions under the act or the new responsibilities given to the town and city councils in relation to the management of traffic, operative. The current regulations in use are the 1991 regulations, many of the provisions of which have become redundant. In fact, there is a need to do a revision of all motor vehicle and road traffic amendments and statutory instruments to consolidate all the amendments into a new comprehensive act and regulations.
3. The Public Roads Act. At present the traffic wardens attached to the Ministry of Transport's wardens to exercise jurisdiction to issue tickets for traffic offences on roads and highways outside of town and city limits. However, the act does not clearly set out where their legal authority begin and that of the traffic wardens of the town and city begin. There is also a similar confusion as to who has responsibility for erecting signs and road markings on highways that pass through towns and cities.

4. City Council Acts and Regulations. There are specific acts establishing the Belize City Council and the Belmopan City council. However, the provisions of both acts are not standardized. In addition, the Belmopan City Council Act has no current regulations.
5. Town Councils. There is no consolidation of the various Town Councils and no mechanism for legal collaboration to share expertise or to share enforcement resources. For e.g., if someone who lives in Belmopan receives a traffic ticket while on a visit to Orange Walk, there is no legal mechanism for him/her to pay that ticket at the municipal office in Orange Walk and have the fine remitted to Belmopan and his ticket cancelled. At present he/her would have to make arrangements for the ticket to be paid in Belmopan. Municipalities are working to strengthen collaboration through the Mayor's Association. The Attorney-General's Ministry has also indicated that a Municipal Government Act is being drafted to consolidate the Town Councils and City Councils to strengthen the collaboration.
6. Enforcement Mechanisms. The Town Council Acts does not adequately provide for the enforcement mechanisms being used by the Town Councils. For instance, the Town Councils in Orange Walk, Corozal, San Ignacio, Benque and Dangriga have hired prosecutors to bring proceedings on their behalf in the Magistrate Court to recover delinquent traffic fines, however, there have been no laws or regulations passed to legalise the practice or to say whether such prosecutors will prosecute traffic offences or just act as debt collection agents for the town and city council. Further, it is unclear whether these prosecutors will have powers to seize property and sell them to recover outstanding fines and debts to the town councils in the event that the persons sued do not pay up the outstanding fines.
7. Licence plate designs. There are no legal mandates for licence plate designs being used in several municipalities outside of the black letters on white background set out in the Regulations.
8. Signage and Road Markings. In all of the municipalities there was a lack of adequate signs and road markings. In all the municipalities, there is need for city wide improvement in signage with signs being absent on some of the major roads through the cities and towns. In all the municipalities, the on site observations indicated that there were areas that had been designated as "no parking" or streets that had been designated as "one way" by the municipal authorities which were not properly identified as such by the appropriate street signs. In addition, in all the municipalities, there were "no parking" signs and one way street signs that had been erected but there had been no statutory instrument properly designating such signs. This becomes a problem for enforceability where someone who breaches the sign is prosecuted as the court will require evidence that in fact the law establishes that the area is a "no parking area" or the road a one way road. The situation was the same with other signs, in all the municipalities, there was a need for signs delineating school zones and properly marking speed limits where highways cross into towns and cities.

9. Street names. The situation was similar with regards to street names. There were cases where street names were designated and signs were erected without the proper legal instrument first being passed.

6.5 Suitability of Policies

At present, the only written policy in place and being used by municipal traffic management authorities are the standard operating procedures (SOPs) set out by the Department of Transport. Those procedures were updated in January 2008. However, the policies have several issues:

1. They have no legal mandate and municipalities are not mandated to use them. Though the SOPs are comprised of provisions of various provisions of the 1991 Motor Vehicle and Road Traffic Regulations, a number of the provisions are not in keeping with current practice.
2. There are no provisions in the procedures for the job descriptions and powers and responsibilities of town administrators, traffic managers, traffic wardens, clerks and other officers.
3. There are no provisions in those standard operating procedures to clarify practices observed such as the sourcing of licence plates from private suppliers and the design and town markings and designs being used on those plates.
4. The Registration process set out in the procedures do not set out any procedures for cross checking registrations with other municipalities or sharing of information between municipalities or new registrants.
5. Provisions allowing for someone who is in possession of the vehicle upon death of the registered owner to be registered as the new owner is in breach of the legal provisions for administration of property on death and needs to be brought into compliance with the law.
6. Provisions setting out the requirement for motor vehicle record cards and the information that must be included on those cards and the archiving of those records are not complemented by a database and there are no security protocols. Emphasis in most municipalities was on protecting revenues collected not the records of vehicle ownership. In addition, there are no provisions in the procedures for noting liens or loans registered against vehicles.
7. The vehicle inspection process set out makes no provision for checking for jake-brake, tinting, as well as vehicle alternations and additions that may present a road risk for other road users such as coloured headlights.
8. The procedures manual is not streamlined and wardens and other officers have to search the entire manual to gather requisite information on related areas.
9. There are no accompanying training manuals and modules for orientation training of new wardens and other traffic officers.

10. No procedure for termination of special permit where a special licence is granted.
11. Fees set out in the procedures are not standardized and updated to reflect new fees being charged.
12. Age for driver's licence application is not set in procedures at 18 but instead at 17 which conflicts with legal requirements to obtain insurance and the age qualifications for the different classes of licence that can be issued.
13. The written driving test being used does not adequately reflect actual road conditions in towns where the test is being administered.
14. The practical driving test does not include driving on municipal streets as well as on highways near to towns and cities.
15. There are no procedures to address electronic driver's licence being used in Belize City and recommended in other municipalities.
16. Procedures do not set out classes of licence for golf cart operators and persons who drive commercial vehicles collecting or delivering goods to Mexico or Guatemala.
17. Procedures do not provide for informing other municipalities when a person is denied a driver's licence.
18. Tickets issued by the Police do not state whether the ticket is payable at the municipal office or the office of the Department of Transport.
19. Procedures do not clearly state that tickets may only be varied by the court. There are reports of tickets being cancelled by mayors and town administrators.

6.6 Adequacy of Municipal Development Plans

1. There are no written municipal development plans in any of the municipalities that reflect the increases in population in the municipalities and how this will affect traffic management and setting out a plan for the local authority to grow to meet the increased needs. The draft Municipal Government Bill sets out the requirement for a Municipal Development Plan but does not give guidance as to the contents of such plans.
2. At present there are no plans setting out where towns will expand to and where new road will be established and where signs, parking areas etc will be needed as towns and cities expand.
3. There are plans underway in San Ignacio to rebuild portions of the town square to accommodate facilities for tourism and also to re-route heavy traffic outside the town by creating new one way streets. A formal assessment as to how this will affect traffic flows and commercial activity in the town has yet to be done and statutory instruments have not yet been drafted and submitted to legally create the proposed one way streets and parking areas being created.

4. Disaster Preparedness Plans. There are no development plans that adequately address traffic management risks that Benque is exposed to due to disasters such as hurricane and flood. Benque is particularly susceptible to floods due to the proximity to the Macal River. When the river floods, several streets are cut off. In addition, Benque often is called upon to provide shelter for persons evacuated from Belize City during times of hurricane. There are no existing plans within the municipal development plans being to address the road safety risks due to these increased levels of traffic flows and signs need to be erected to properly demarcate evacuation routes and to mark shelters. The draft Municipal Government Bill does not require the Disaster Preparedness Plans to be developed.
5. Alternative traffic routes during disaster. In none of the municipalities were there existing statutory instruments that set out what would be the traffic flow and evacuation zones or what roads would become one way in the event of an emergency. There were cases where there were signs setting out evacuation zones but no statutory instrument setting out the legal authority of the municipality to alter traffic flows in the event of an emergency or disaster.
6. Development Plans in Orange Walk to create parking areas, it is intended to create bus terminal and to create public parking areas. No legal designation in law has yet been done for these areas or to establish meters or to give the Town Council the authority to require persons to use designated parking areas or to charge for parking in these areas as is intended in the plans being developed. There is also a conflict with parking areas in Orange Walk as the Ministry of Transport has created a parking area in the town for buses which is opposed to the Town Council's intention to raise revenue from designated parking areas being built by the Council. In Dangriga, a designated parking area has been created for buses but the statutory instrument requiring buses to park there and giving the Town Council the right to ticket those who refuse has not yet been passed. The Town Council, therefore, cannot enforce the parking requirements and key informants indicate that buses from the villages are still parking in town and blocking streets. In addition, in Dangriga, a number of one way streets have been created to re-route traffic away from major streets but no statutory instruments have yet been passed to legally declare these streets as one way and many of the streets have no signs indicating that they are one way. The Town Council, therefore, faces great challenges in enforcing the one way streets and properly controlling the flow of traffic through the streets.

6.7 Protection of Rights of the Public

1. Public education. The interviews and focus group discussions undertaken indicate that the knowledge, perceptions and attitudes of members of the public in relation to traffic laws and procedures. There have been limited public education on the numerous amendments to the Motor Vehicles and Road Traffic Act and the new regulations created. Most of the amendments have been by gazette notice, that gazette notice has limited public circulation outside of government offices. In addition, there have been some notices in local newspapers announcing new offences such as the new tinting regulations, however, these have been in English. Population groups whose primary language is not English or persons who do not

read will have limited access to the contents of traffic laws and regulations. Further, there have been no public education campaigns on the development plans that will change traffic flows or create one way streets in areas that did not have them before.

2. Road Safety. In all the municipalities, the lack of legal frameworks for one way streets and signage has serious road safety implications for road users. Particular concerns are caused by the following situations:
 - a. Parking and signage. In Punta Gorda, there are a number of streets in the vicinity of the Town Council office that lack signage, stops signs are absent from junctions and no parking areas are not properly designated. The narrow streets and poor condition of these streets create risks for road users as persons who are visiting the town will know which roads are one-way, which areas are no parking areas and who has right of way at junctions. This increases the risk for accidents. The Town Council has indicated that donations of signs have been obtained and some signs will be erected but that the donations are not enough to ensure proper signage throughout the town and in addition, statutory instruments designating these areas have not yet been passed though drafts have been submitted to the Ministry of Transport.
 - b. Bus Operators. In all the municipalities, the passage of buses through the town and city streets creates public safety concerns. In Dangriga, Punta Gorda, Orange Walk and Corozal, there are parking areas designated for buses but the rate of compliance with these parking areas is low as enforcement is limited by the lack of statutory instruments mandating these areas and creating offences for non-compliance.
 - c. Taxi Operators. Taxi operators create challenges as well. Benque has the most registered taxi operators of the seven municipalities and there are not enough customers to create a viable market within the town, taxi operators from Benque are travelling as far as San Ignacio and operating in San Ignacio. This creates competition and speeding on the roads surrounding San Ignacio as the taxi operators from Benque compete with the taxi operators from San Ignacio for customers. There are no statutory instruments or regulations restricting taxi operators from operating outside of the towns where they are registered. In addition, key informants indicate that where a taxi which is registered in Benque commits a ticketed offence in San Ignacio, there are issues recovering the fine. There is no formal collaboration agreement or MOU between the Town Councils of Benque and San Ignacio and the Benque Town Council is unwilling to collect fines and remit them to San Ignacio. The result is that issues like improper overtaking or broken brake lights or other defects that create road safety risks for commuters often are not enforced. The San Ignacio Town Council is in the process of hiring a prosecutor to collect outstanding fines, however, the statutory instrument to legalise his representation of the Town Council and to grant him enforcement powers has not yet been passed. In other towns, there are concerns that taxi operators not part of associations are the main traffic law violators.

3. Complaints mechanism. In none of the municipalities was there a formal complaints mechanism for members of the public to address traffic management complaints. The normal practice observed is for members of the public who are dissatisfied with their traffic tickets or with any action of a traffic warden attached to a municipality, to seek an audience with the Traffic Manager or the Mayor and put their case directly to him. The result is that the public does not have a settled expectation as to what can be the outcome of their complaint and there are complaints from the public that they do not have a sense of justice. In addition, there are also complaints that party supporters of the elected town and city council officials use this process because of its informality to circumvent traffic tickets and that tickets properly issued are sometimes cancelled though the standard operating procedures do not allow the practice.

7.0 Key Findings – Observations of Operational Concerns

- 7.1 Knowledge and Competence of Staff. All the municipalities report that there are job descriptions for all staff members including traffic wardens, traffic managers, supervisors and town administrators. Town administrators also indicate that wardens and traffic managers are orientated for their job by the Department of Transport at the time that they are hired. The Department of Transport, however, indicates that there is no standardized training manual with most of the training consisting of getting wardens familiar with the standard operating procedures. The knowledge levels of the wardens varied with their years of experience and the amount of training that they had received. All key informants indicated that knowledge levels of laws and procedures including giving evidence in court and preparation of reports for case files for court prosecutions was not adequate. The draft Municipal Development Bill will have a provision for staff appraisals but does not include a form or format for such appraisal.
- 7.2 Administrative and Supervisory Capacity of Municipalities. At present, in all the municipalities, the traffic wardens are supervised in their duties by the traffic manager who is supervised by the town administrator. In some municipalities, there is a supervisor above the wardens who is supervised by the traffic manager. None of the municipalities had regular planning meetings between traffic managers and town administrator. While there was daily contact between wardens and their supervisor and the traffic manager, the lack of regular contact with town administrators resulted in traffic issues not being a major part of the town planning process except for the aspect of revenue collection. Wardens complained in all municipalities that there were equipment needs for vehicles, speed radars, breathalyzers that were not adequately or efficiently addressed. Traffic wardens on the other hand all complained about disciplinary issues with wardens and that the high turnover of wardens created difficulties for effective supervision as well as the fact that most wardens were appointed due to political affiliation.
- 7.3 Suitability of Practices and Procedures. Municipalities are run by an elected body viz., the town or city council. Each council wants staff that is loyal to their leadership and will not undermine their plans. The result is that after each election new staff is hired and existing staff that are familiar with accounting procedures and traffic

management are replaced. There is, therefore, a loss of institutional memory as well as technical competence and skill. The problems is exacerbated by the lack of written policies and procedures that govern staff relations and set out accounting, traffic management and other institutional protocols used by the Town Council or city council.

In addition, none of the municipalities had a written code of conduct or established disciplinary procedures for wardens and very little training had been provided to wardens on public relations and professionalism. Further, there are no written policies and procedures setting out hiring policies for staff or setting out procedures for dismissal of staff or requiring employee performance appraisals.

- 7.4 Technical Gaps. The municipalities operate independently of each other as there are no legal instruments mandating collaboration on any issues. This has created technical gaps in maintaining standardization of ticket books, licence plates. The practice has been in the past for municipalities to source their own suppliers for licence plates, licence stickers and ticket books, this has often resulted in shortages and lack of uniformity in the design. Key informants indicate that this has been recognized and discussed between the various municipalities and an understanding has been reached to standardize suppliers and design but limited action has been taken on that understanding.
- 7.5 Political Interference. The key informant interviews and the on site observations indicated that there were high levels of political interference with the performance of duties of traffic wardens. Key informants indicate that party supporters once their council was elected often became some of the primary traffic violators and were often unwilling to pay outstanding fines and expected to get discounts or cancellations of their tickets and often placed pressure on councils to get tickets cancelled. Wardens complained that the practice is demoralizing and erodes public confidence in their abilities to enforce traffic laws and regulations.

8.0 Key Findings – Stakeholder Concerns – Interviews and Focus Groups

- 8.1 Road Safety. Focus group discussions with members of the public indicate that there are concerns as to road safety with regards to the following:
- a. vehicle inspections. There are concerns that the vehicle inspection process is not standardized and not thorough enough to adequately identify potential safety risks especially those arising from the large numbers of salvage vehicles imported into the country.
 - b. road marking and signs. Public concerns are raised regarding the lack of road markings in towns and the lack of signs. These concerns were most pronounced in Punta Gorda though the expansion of town and the re routing of traffic in Dangriga also raised substantial concerns amongst road users.
- 8.2 Experiences and Perceptions. For many road users, the divestment of traffic management to the town and city councils has made the services more accessible and has also boosted the developmental capacities of towns and cities. It has also caused greater opportunity for participation by local residents in the developmental plans of the towns and cities. The perception of the capacity and performance of the town and city councils is generally fair but there are some specific concerns:
- 8.2.1 Taxi Operators. There are public concerns about the number of taxi operators and the fact that they occupy most of the prime parking areas in towns and cities restricting accessibility for private cars. Towns have indicated that there is a national moratorium on the issuance of new taxi licences. In some municipalities, taxi operators are required to be part of a taxi association before they can obtain a licence to operate. Taxi operators generally agree that there are too many operators and that enough parking spaces are not available but indicate that town planning for parking spaces has not kept pace with the increased population of towns which has increased the demand for taxi services.
- 8.2.2 Freight and Cargo Movers. Freight operators are some of the main users of roads in municipalities. There are concerns from the public that cargo vehicles damage the roads. Regulations have been passed to allow border towns such as Benque and Corozal town councils to collect axle fees of \$100.00 per axle for cargo vehicles carrying cargo into Belize. The regulation is a subject of much dispute between cargo operators and Town Councils. Cargo vehicles indicate that the Town Councils want to levy the axle fee on all freight operators and not just on foreign cargo vehicles. Town councils indicate that freight operators try to evade the fee by doing affidavits saying that they are Belizean owned and then registering as a Belizean cargo vehicle with the Department of Transport. In fact, the axle fee regulations require the axle fee to be paid by foreign cargo vehicles entering Belize with foreign cargo but allows for the transfer of goods from foreign cargo vehicles to Belizean vehicle at the border points.
- 8.2.3 Bob-tail Trucks and LPG delivery Trucks. Concerns that Bob-tail trucks delivering LPG are being licenced and declared road worthy when they have not yet obtained a

permit to store LPG from the Commissioner of Police or person authorized by him. Some municipalities have reached agreements with local Fire Department to assist in inspections of these vehicles to ensure road safety standards are in keeping with the Dangerous Goods Act. Operators are concerned that there is no standardized inspection procedure and guidelines for usage vary for each town council. There are no regulations setting out these guidelines.

- 8.2.4 Insurance Agents. Insurance agents are concerned about the lack of shared information between municipalities on the transfer of vehicles and indicate that sometimes purchasers do not register transfers if there is unused insurance coverage on the vehicle which creates problems for third parties if the vehicle is in an accident as the name on the insurance is not the name of the owner and they cannot recover. They are also concerned with the lack of properly designated parking spaces in towns which has led to accidents. Also need standardized vehicle inspection process that more effectively assess road worthiness and carbon emissions. As well as standardized practical tests for road tests for driver's licence to ensure standardize competence. There were also concerns about illegal practice of removing motor vehicle licence stickers from one vehicle and placing it on an uninsured vehicle.

9.0 Recommendations

- 9.1 Overall Legal Responsibility. The new Municipal Development Act being drafted should clearly establish the role of the Ministry of Local Government in providing supervision, technical cooperation and maintenance of records so that information on procedures and systems are not lost when town and city councils change after elections. This will clarify the role of the Ministry of Local Government in ensuring laws are enforced or whether they have responsibility to build capacity within the municipalities for better administration by the municipal authorities
- 9.2 Multi-sectoral Collaboration. There is need for a new legislation to clearly allow for multi-sectoral collaboration between municipalities. That law should allow for a ticket issued in one municipality to be paid in another municipality and for the fine thus paid to be sent to the relevant municipality and for the ticket holder to be issued a receipt indicating that the fine had been paid. That will require a network accessible by all municipalities and for a shared database of registered drivers.
- 9.3 Legal Reform Process. Amendments should be made to the Town Councils Act and the respective Belmopan City Council and Belize City Council Acts to grant powers to the town and city councils to make regulations concerning management of traffic, signage, road markings and enforcement powers.
- 9.4 Suitability of Laws. There are a number of areas of legal reform needed to enable municipalities to more efficiently manage traffic:
1. Motor Vehicles and Road Traffic Act. There has not been any overall review of regulations relating to traffic since 2000. A revised version of the Motor Vehicles and Road Traffic Act is needed to incorporate all of piecemeal amendments that have been passed and to remove redundant sections. This has to be done by the Attorney-General's Ministry, the ministry with responsibility for law revision, to review what amendments have been made redundant and to add new provisions to address emerging traffic issues such as the use of electronic devices while driving, use of jake-brake, institute provisions for parking areas and parking meters to cover new parking areas being built in Corozal and designated in Dangriga and Punta Gorda towns. It is also recommended that the act incorporate a specific provision to give legal authority to the town and city councils to regulate all traffic issues within their municipality and establish their legal jurisdiction to be the geographic borders of the town or city.
 2. Motor Vehicles and Road Traffic Regulations. A comprehensive new subsidiary law setting out new regulations is needed to ensure that the powers granted to the municipalities over traffic management and the restructuring of traffic management that has resulted has a legal basis. This will also consolidate the piecemeal amendments and new regulations passed. It is recommended that this be done as a part of the overall revising of the Motor Vehicles and Road Traffic Act. Other changes to the regulations are also recommended viz.:

- a. new schedule of fees to ensure that the new fees already being collected have a legal basis for enforceability in the event they are challenged.
 - b. new schedule of fines to ensure that the penalties imposed for the traffic violations mentioned in the schedule will promote road safety.
3. Public Roads Act. The act is also in need of amendments to properly delineate the legal jurisdiction boundaries for the Ministry of Transport traffic wardens vis-à-vis the traffic wardens attached to the town and city councils to properly account for the expansions of cities and towns.
 4. New laws. New legislation is needed to for the following:
 - a. consolidation of the Town Councils Act and City Council Acts to ensure:
 - i. that all municipalities have the same authority, organizational structure and powers.
 - ii. sharing of information via a standardized database to cross check registrations and transfers and new applications and renewal of driver's licence.
 - e. new legislation to setting enforcement mechanisms such as authorizing the hiring of a prosecutor to collect outstanding tickets and to give new enforcement powers to municipalities to collect outstanding fines where there has been non-compliance to include withholding new licence registration until outstanding fines paid as well as withholding other licence such as trade licence and executing outstanding fines against real property and also authorizing the withholding of new registration of vehicles of renewal of trade or other licence until fines have been paid up.
 4. City Council Acts and Regulations. The current city council acts is in need of revision to enshrine in law the powers given to towns and cities to manage their municipalities in 2008 and specifically giving the City Council powers to make regulations to manage traffic.
 5. Town Councils Act. The Town Councils Act needs to be revised to include in its provisions the new powers given to Town Councils in 2008 to manage traffic and other areas and to give the Councils powers to make regulations to manage traffic.
 6. Statutory Instruments. Pass the already drafted statutory instruments legalizing street names, road markings and signage already erected in municipalities including one way, no parking and silence zones.

9.5 Suitability of Policies.

1. Protocols for collaboration between Ministry of Transport and Town and City Councils to address training and orientation to wardens being provided by the Department of Transportation, check point collaborations, shared investigation on criminal cases involving drunk driving, shared data base and records. In addition

policies should set out collaboration on bus operators requiring Department of Transport to only register buses belonging to a bus association that has a trade licence to operate from the municipality and setting out agreed standards for road worthiness, parking areas, bus stops and bus routes.

2. Protocols for financial management that set out the coordination between Town Council and city council accounting and the Treasury Department system and for training of the Town Council and City Council accounting staff on the procedures used by the Government of Belize's Treasury Department on areas where Town and City Councils need to share finances.

9.6 Procedural Reforms. New written procedures are recommended to:

1. Create employee handbooks that set out job descriptions, disciplinary proceedings, recruitment policies for wardens, performance appraisals, training and professional development for all staff as well as a code of conduct. All employment contracts should be stated to be subject to the employee handbook.
2. Create new standard operating procedures that will make the amendments and new recommendations to the Motor Vehicle and Road Traffic Act operative. The new procedures should also address new regulations already passed such as the tinting regulations and the breathalyzer regulations and should set out new procedures for recording new registration of motor vehicles that require checking if other registration exists in another municipality and also that includes new procedures for vehicle inspections that ensures that salvaged vehicles are free of defects that will render them unsafe for passengers and other road users. The procedures should also set out new procedures for magnetic driver's licence and ensure that on death the vehicle is registered in the name of the person appointed by the court to administer the deceased's estate. The procedures should also address emerging issues such as parking areas and parking meters.
3. It is also recommended that the new standard operating procedures set out class of licence for golf carts in municipalities where these are allowed and state in other municipalities that any restrictions on the kinds of vehicles that are allowed on town and city streets.
4. New procedures should also set out procedures for licence and operation of freight and cargo trucks through towns and cities. Towns and cities should include in their developmental plans, plans to loop heavy duty trucks away from main roads in towns and cities and restrict them passing on highway streets that lead through town to late evening and early morning to reduce safety hazards to other road users especially with respect to oil tankers and LPG gas delivery trucks. Towns and cities must set out procedures developed with collaboration with the fire department on safety standards for the operation of these vehicles and industries supplying them within town and city limits.

9.7 Operational Systems Reforms.

- a. standardize licence plate design and manufacture. New regulations will first need to state what designs are allowable by each municipality. It is recommended that

- the practice of private plates not issued by municipal authorities be discontinued. To give effect to this and to ensure that there are no fraudulent plates, it is recommended that all municipalities use the same manufacturer and that designs are standardized. If specific markings will be used to represent each municipality, this must be stated in the regulation.
- b. standardize driver's licence design. The driver's licence design should also be standardized with all municipalities using a magnetic driver's licence.
 - c. database networking linking municipalities. A shared network and database is needed for all municipalities to access records. Secure passwords and other protection mechanisms are needed to prevent hacking. The database should also contain updated information on outstanding traffic tickets and other driving violations on registered drivers.
 - d. mobile magnetic reading machines. Police are in need of mobile devices that will allow them at checkpoints to swipe driver's licence or type in a name of a driver and be able to access records on outstanding tickets and other outstanding driving violations.
 - e. parking meters. Municipalities are in need of parking meters at designated parking areas to ensure that the cost of maintaining these parking areas can be met.
 - f. website and town and city maps. It is recommended that towns and cities create online sites where members of the public can access information on municipal development plans and on new traffic regulations being introduced.
 - g. tickets. It is recommended that driving tickets clearly state on them that they may only be varied by the court to guard against political interference in changing the amounts on tickets.
 - h. complaints mechanism. It is recommended that a complaints mechanism be set up in each municipal office that allows members of the public with concerns to submit complaints in writing to the traffic manager on issues relating to traffic, where the complaint involves breaches of the code of conduct of a warden then the disciplinary proceedings set out in the new procedures should require the warden to be informed of the complaint and be required to submit in writing his response thereto. The traffic warden will make a determination and inform the complainant in writing. Where further information is required the traffic warden may convene a hearing before making a determination with recommendations for disciplinary action as set out in the disciplinary proceedings to be created where appropriate.
 - i. growing towns such as Orange Walk, Belmopan and San Ignacio should consider instituting bus and taxi lanes for road running through the center of the town and city and the relocation of bus terminals and markets outside of the center of town.

- 9.8 Development Plans. Written developmental plans that include traffic management and plans for improving or altering traffic flows, creating one ways etc as towns and cities expand as well as provisions for review and evaluation must be created and public consultation be had on the plans before action is taken to implement them. Relocation of bus terminals and markets away from town centers should be a part of the developmental plans for all municipalities.
- 9.9 Road Safety. The written and practical driving test should include provisions on one way streets, no parking areas within the municipality issuing the test. In addition, procedures should require all taxi operators to be part of an association that has a trade licence to operate in the municipality and which fixes the maximum number of members with revisions to the numbers being allowed only in consultation with the council. Bus operators should also be required to belong to an association and town and city councils should have be consulted on the bus routes allowed in and around cities and towns as well as bus stops and parking areas to ensure that these fit in with the municipal development plans.
- 9.10 Public Education. The public must be informed in the main languages spoken in the municipality and by the most used communication medium in the municipality of new regulations, new traffic flow routes, one way streets, no parking areas and designated parking areas as well as new fees and fines. There is a need to use non-traditional media such as the internet, utility bills, posters in the Town Council offices, PSAs – video and audio. Public education is also needed in secondary schools especially in 4th form as to road rules and offences. The public should also be educated by way of posters displayed in the municipal offices of the complaints mechanisms in place.
- 9.11 Training. It is recommended that standardized training manuals be developed for traffic wardens of both transport as well as municipal offices. It is recommended that training be provided as least twice per year on issues such as professionalism, public relations, deportment, codes of conduct, disciplinary proceedings and the complaints mechanism. Specialized training should also be provided on laws and regulations that have been changed or updated, legal proceedings, giving evidence in court and training for prosecutors on preparing a case file and elucidating evidence in court as well as utilizing court enforcement mechanisms.
- 9.12 Specific road users. Provisions should be made in regulations as well as procedures to address specific road users such as:
1. disabled persons. Provisions must be made in regulations and procedures for buses and other forms of public transportation to have wheelchair access and for public transportation to control noise and smoke emissions and to have adequate aisle space to allow for wheelchair access since the government has now signed the Convention on the rights of Disabled Persons.
 2. elderly people. Provisions should also require re-testing of eye sight and road knowledge, hearing and reflexes for person over 80 years old prior to renewal of licence. Public education should also be provided to elderly populations on new

one way roads, new no parking areas etc through NGOs and community based organizations working with elderly populations.

3. school buses. Provisions should be made in procedures for school buses to include training for bus drivers as liaison school wardens to ensure safety of children on buses. Speed limits should also be set for school buses and designated parking areas be established in towns for school buses collecting children that are patrolled by school wardens to prevent gang activity, bullying or other child protection concern.

10.0 Conclusions

The divestment of traffic management to municipalities is perceived by members of the public as a positive move. Municipalities have shown that they are capable of managing traffic concerns within their municipalities and the divestment has allowed for public participation in the developmental plans for towns and cities. The result has been an increase in the expectations of members of the public as to the quality of services they can receive from their municipal bodies.

The municipal bodies themselves are eager to implement improvements and developmental initiatives to their cities and towns to improve the lives of residents. However, the municipalities lack the legislative and regulatory structures as well as the operational systems and equipment to effect changes and improvements to the traffic management systems in their municipalities and to free themselves from party politics and become a fully professional town administration body.

In addition, the traffic wardens and other municipalities lack the equipment and technical knowledge to effectively implement their jobs and provide the best quality service to road users.

For their part, road users often lack information as to the developmental plans, regulations and procedures affecting traffic management within their municipalities and lack access to user friendly and convenient mechanisms for ensuring their compliance with regulations and procedures.

It is hoped that the project findings and recommendations highlighted in this report will highlight the areas of reform needed and present opportunities for synergy and strengthening of the work already being done to improve the capacities municipal bodies.

11.0 Recommended Priorities for Next Steps

Short term or Immediate Priorities:

1. Statutory Instruments and gazette notices to give legal effect to all existing signs, road markings, one way streets, designated parking etc.
2. Revision of Motor Vehicles and Road Traffic Act.
3. Creation of new Regulations for Revised Motor Vehicles and Road Traffic Act.
4. Revision of Public Roads Act and Insurance Act to harmonize traffic related provisions to the revised Motor Vehicles and Road Traffic Act.
5. Creation of New Standard Operating Procedures for Traffic Management.
6. Training for Mayors, Town Administrators, Traffic Managers and Traffic Wardens on Revised Motor Vehicles and Road Traffic Act and new Standard Operating Procedures.

Total Estimated Cost: \$40,000.00 (if revision done by AG then the only cost will be that for the training - \$15,000.00)

Mid Term Priorities:

1. Public education on traffic management laws and regulations especially offences, fines and fees. Cost - \$9,000.00
2. Database for Municipalities and harmonization of information systems used by municipalities. *(Estimated Cost - \$40,000 for each municipality).*
3. Creation of shared networks to exchange information on new registrations and transfers. *(Estimated Cost - \$15,000.00)*
4. Standardization of forms and certificates and driver's licence in use by municipalities. *(Estimated Cost - \$10,000.00)*
5. Creation of complaints mechanism within municipalities to address traffic complaints. *(Estimated Cost - \$4,000.00)*

Total Estimated Cost: \$247,000.00

Long Term Priorities:

1. Assessment of Municipality needs and consultations to develop Municipal Development Plans. *(Estimated Cost - \$4,000.00 for each municipality)*
2. Assessment of Municipality needs and consultations to develop Disaster Preparedness Plans. *(Estimated Cost - \$4,000.00 for each municipality)*
3. Establishment of monitoring and evaluation mechanism for implementation of plans.
4. Establishment of information mediums e.g. internet web pages, information booths and brochures for information and education on plans and one way streets etc. for visitors and residents. *(Estimated Cost - \$20,000.00)*
5. Development of Statutory Instruments to give legal effect to the traffic management areas of the development plan. *(Estimated Cost - \$5,000.00)*

References

1. Motor Vehicles and Road Traffic Act, Cap 230 of the Substantive Laws of Belize, Revised ed. 2000.
2. Motor Vehicle and Road Traffic Regulations, Cap 230 of the Subsidiary Laws of Belize, Revised ed. 2000.
3. Public Roads Act, Cap 232 of the Substantive Laws of Belize, Revised ed. 2000.
4. Insurance Act, Cap of the Substantive Laws of Belize, Revised ed. 2000.
5. Belize City Council Act, Cap of the Substantive Laws of Belize, Revised ed. 2000.
6. Belmopan City Council Act, Cap 86 of the Substantive Laws of Belize, Revised ed. 2000.
7. Motor Vehicles and Road Traffic (Tinted Windows) Regulations, 2011
8. Motor Vehicles and Road Traffic (Amendment) Regulations, 2010.
9. Motor Vehicles and Road Traffic (Device for Testing Driver's Blood-Alcohol Content) (Amendment) Regulations, 2010
10. Motor Vehicles and Road Traffic (Regulation of Transport at Border Points (Revised) Regulations, 2008
11. Shaw, Diana, "Legislative and Regulatory Analysis of the Traffic Management System - Inception Report", 2011, SIF.
12. "Project Appraisal Document: Municipal Development Project", 2010, SIF
13. "Loan Agreement – Municipal Development Project", 2010, SIF.
14. BECA, "Transportation Management Study Final Report", 2011, SIF.
15. "Standard Operating Procedures", Department of Transport, GOB, 2008
16. "Written Job Descriptions for Records Clerk, Clerk, Office Assistant, Traffic Manager, Town Administrator, Traffic Manager, Traffic Warden, Motor Vehicle Inspector", Municipalities.
17. Traffic Management Forms in use at all Municipalities.
18. Traffic Management Ticket Books.
19. Gazette Notices
20. Draft Municipal Development Bill

Annex A - Workplan and Implementation Schedule

Activities	Key Action Steps	Target End Date	Resources Needed
Planning and project set up.	Discussion of contract terms and requirements	May 30 th , 2011	<u>Meeting to finalise contract and Terms of Reference (TORs)</u>
Activities	Key Action Steps	Target End Date	Resources Needed
Outline critical issues and present workplan	Prepare inception report	June 11, 2011	<u>Approved TORs signed contract</u>
Analyze the existing legal framework for traffic management in Belize	Review all relevant laws, subsidiary legislation, policies, reports and studies relevant to TORs.	June 30, 2011	<u>Copies of all laws, regulations, reports, policies and draft laws relevant to TORs.</u>
Investigate the administration of the traffic management laws and regulations	Interview key stakeholders from the municipalities under review and conduct on site observations of practices	June 30, 2011	<u>List of key administrators at each municipal office, assistance in setting up interviews, introduction letter, interview questionnaire, consent forms.</u>
Investigate the implementation of the traffic management regulations and policies by relevant municipal officers in the field	Interview and observation of traffic managers and other officers of the Town Councils and Ministry of Transport vis-à-vis job descriptions and job requirements	July 11 th , 2011	<u>Assistance in setting up interviews, introduction letter and identification of key respondents not under the administration of the municipal authorities and the Ministry of Transport, interview instruments.</u>
Investigate the enforcement of traffic management laws	Interview and on site observations of the municipal court and enforcement agents at the town councils and focus group discussions with members of the public	July 11 th , 2011	<u>Identification of enforcement systems in each municipality, interview instruments, assistance in setting up observation of the traffic court and interviews with</u>

			<u>enforcement officers for municipalities.</u>
Identify capacity gaps, analyse effectiveness of policies, laws and identify weaknesses and make recommendations	Review findings from documentary review and interviews and focus groups and present draft report	July 15 th , 2011	<i>Notes from interviews, documentary review, and focus group discussions, best practice guidelines.</i>
Activities	Key Action Steps	Target End Date	Resources Needed
Present findings to supervising committee	Meeting to present key findings and recommendations to Supervising Committee.	July 18 th , 2011	<i>Powerpoint of main findings and recommendations.</i>
Present final report of findings and recommendations	Present completed final report to Supervising Committee	July 19 th , 2011	<i>Comments on draft report, editing changes, electronic and hard copy of final report.</i>
Validation workshop to present completed report to stakeholders	Present completed final report to stakeholders who participated in analysis	July 22, 2011	<u>Workshop of key stakeholders identified by Supervising Committee.</u>

Implementation Schedule

Project Task	Proposed Calendar Days	Contract Days
Project Planning / Setup		
Planning Meeting	May 30 th , 2011	0d
Preparation of Draft Inception Report	June 11, 2011	½ d
Review of Draft Report and Approval of Workplan	June 17 th , 2011	0d
Sub-total of Contract Days	-	1½ d
Data Collection and Review		
Collection of laws, regulations, policies and reports.	May 30 th to June 11, 2011	0d
Documentary review of laws, regulations, policies and reports	June 11 th , 2011- June 27 th , 2011	1d
Interview of administrators, traffic managers and enforcement agents in each municipality	June 27 th , 2011 – July 11 th , 2011	5d
Observation of Traffic Court and focus group with public	July 11, 2011	1d
Sub Total of Contract Days	-	7d
Report Preparation		
Preparation of Draft Report	July 15 th , 2011	2d
Sub-Total of Contract Days		1d

Report Presentation		
Presentation of Findings and Recommendations to Supervising Committee	July 18th, 2011	½ d
Sub-Total of Contract Days		½ d
Final Report		
Presentation of Final Report to Supervising Committee	July 19th, 2011	½ d
Sub-Total of Contract Days		½ d
Validation of Report		
Presentation of Final Report to Key Stakeholders	July 22, 2011	½ d
Sub-Total of Contract Days		½ d
Total Contract Days		10d

Annex B - Key Stakeholders and Respondents

Local Government, Traffic Management, Administration and Enforcement Staff

1. Director of the Ministry of Local Government and Local Government Officer for BSIF
2. Mayors, Town Administrators for each Municipality
3. Town Administrators and Traffic Managers for each Municipality
4. Inspectors and Traffic Wardens in each Municipality
5. Traffic Court Staff and Belize City Council Traffic Administrator
6. Ministry of Transport - Department Head and Supervisor
7. Ministry of Transport Inspectors and Wardens
8. Prosecutors and Enforcement Officers in Municipalities where appropriate
9. Ministry of Works personnel responsible for road repair and development planning.

Private Sector Traffic Service Providers and Service Users

1. Focus group made up of an Insurance Agent, representative of freight operators, representatives of taxi associations operating in a municipality.

Legislative and Regulatory Analysis of Traffic Management in Belize

Interview Questions

The Consultant will begin each interview or focus group by introducing herself and giving a short overview of the project and the project goals. The Consultant will also explain how the information will help the project goals and give assurance of confidentiality by explaining that the names of interviewees will not appear in the list of findings and that the notes taken by the Consultant are for her own use. The Consultant will also explain the consent form and give the interviewee a copy for his/her signature.

The following are some of the general questions to be asked by Consultant to relevant traffic management staff.

1. What agency do you work for?
2. What is your name? What is your job title?
3. What tasks are you required to perform?
4. Do you have a written job description?
5. How many years have you held this job?
6. What training did you receive for your job?
7. Which laws mandate your work? Have you received training on the content of laws affecting your work?
8. What do you know of the actual content of the Road Traffic Act and the
9. Who do you report to? What is the organizational structure of your agency?
10. Is there an operational policy manual setting out what you and your agency does to effect traffic management? What is your knowledge of its contents?
11. What training have you received on traffic management practices?
12. What training have you received on town/city development plans?
13. What are some of your experiences of traffic management administrators and staff in the function of your duties? Are there gaps in system policies, regulations and operation systems that you have identified?

14. Who have you communicated these concerns to? What is the usual outcome?
15. Are job appraisals conducted? What is the usual outcome?
16. Describe the procedures that you do to carry out your job tasks?
17. What other agencies are involved in traffic management? What do they do?
18. How are members of the public informed of the different roles of the varying agencies?
19. What do you think is the public perception of your agency? Why?
20. What knowledge do you have about law suits brought against your agency? What has been the usual outcome?

Additional Interview Questions for Traffic Court and Enforcement Staff

1. What are the laws concerning the enforcement powers and procedures of your agency?
2. Have you been trained in the content of these laws? Who prosecutes court cases on behalf of your agency? What training does the prosecutor get in placing evidence before the Traffic or Magistrate Court?
3. Who enforces the Court orders made? What are some of your experiences with that?
4. What concerns do you have about your agency's enforcement powers?
5. What concerns do you have about your agency's enforcement practices? How can these be improved?
6. Have you shared your concerns? To whom? What was the outcome?
7. How do you think that the public perceives the enforcement practices of your agency?
8. How does your job promote or limit road safety? How might this be improved?

Additional Questions for Focus Group Discussions

1. Is there a complaint procedure for the public to complain to the traffic authorities? What is the usual outcome of complaints?
2. Do any of you have any existing law suits against traffic management agencies? Have you had any in the past? What was the outcome?

3. What are some of the experiences of private sector organizations such as insurance companies in defending rights of members of the public against traffic management agencies?
4. What are some of the concerns that members of the public have in relation to the traffic management system and the practices of its agencies?
5. What are some of the experiences of members of the public in interacting with traffic management authorities during times of disaster or abnormal traffic movement?

**Legislative and Regulatory Analysis of Traffic Management
in Belize**

Consent Form

This consent form outlines my rights as a participant in the legislative and regulatory analysis of the traffic management in Belize conducted by the Belize Social Investment Fund/Belize Municipal Development Project with Diana Shaw as consultant and interviewer.

The interview will ask questions about my role, knowledge and participation in traffic management in Belize.

The interview will take between 30 to 45 minutes.

I understand that

1. Taking part in this interview is entirely voluntary.
2. It is my right to decline to answer any question that I am asked.
3. I am free to end the interview at any time.
4. I may request that the interview not be taped.
5. My name and identity will remain confidential in any publications or discussions.
6. My name will not appear on any tapes or transcripts resulting from the interview.
7. My participation will provide information for recommendations to improve traffic management in Belize.

**I HAVE READ THIS CONSENT FORM. I HAVE HAD A CHANCE TO ASK
QUESTIONS CONCERNING ANY AREAS THAT I DID NOT UNDERSTAND.**

(Signature of Interviewee)

(Printed name of Interviewee)

(Date)

You may decline to participate in this study. You may end your participation in this study at any time. Maintaining your anonymity is a priority. There will not be any identifying information on audiotapes or transcripts of this interview. I will not allow anyone other than the research advisor to hear any audiotape of your voice or review a transcript of this interview. All materials generated from your interview (e.g., audiotapes and transcripts) will remain in my direct physical possession.

(Signature of Interviewer and Date)

Annex E - Justification for Additional Contract Day

JUSTIFICATION FOR ADDITIONAL CONTRACT DAY

The Request

Request is being made for the additional contract day on the basis of the information submitted below.

The Background

As stated in the Inception Report the intended outputs are to provide:

- Insight into existing laws and regulations being used at the national and municipal level under the existing traffic management system.
- Recommendations for changes/improvements in the legislative and regulatory framework for the increased efficiency of the traffic management system by municipal authorities.
- Recommendations for capacity development needs to ensure effective enforcement of the traffic management system in Belize in relation to the legislative and regulatory framework.
- Recommendations for policy and other needs to support operation systems dependent on the legislative and policy framework at the municipal level.

The Evidentiary Support

In order to accomplish these objectives it will be necessary to expand the focus group participants to include other road users whose activity and work will be directly affected by changes in the traffic management system at the municipal level. It is recommended to expand the stakeholders to include the following:

1. Bus and taxi drivers
2. Tour operators
3. Freight operators

At present the workplan cannot accommodate focus group discussions to gather the experiences and concerns of these road users whose input will be different from the general users of the road already being gathered under the project. As these road users directly rely on efficiency in traffic management to enhance their development and industrial capabilities, their input will add an element to the project that will not otherwise be present.

In order to accommodate these focus group discussions it will be necessary to add another contract day to the project in order to facilitate a proposed focus group workshop for bus and taxi operators; tour operators and freight operators. In addition, the inclusion of these additional road users as a component of the project will make it more likely that these road users will support the implementation of recommendations they would have contributed to framing. Consulting them by means of a focus group discussion is the most efficient means of gathering their experiences and concerns so that recommendations will accurately reflect their needs. This will also have an important public awareness gain for the project.

Annex F - Justification for Extension of the Project

JUSTIFICATION FOR EXTENSION OF THE PROJECT

The Request

A request is being made for the extension of the project to allow for the draft report to be submitted on the 25th of July, 2011 instead of July 15th, 2011 as set out in the current workplan and to amend the dates for the presentation of the findings and final report to Supervising Committee on July 27th, 2011 and the validation workshop on August 2nd, 2011. The adjustment in the dates is suggested on the basis of the information provided below:

The Background

As stated in the Inception Report the intended outputs are to provide:

- Insight into existing laws and regulations being used at the national and municipal level under the existing traffic management system.
- Recommendations for changes/improvements in the legislative and regulatory framework for the increased efficiency of the traffic management system by municipal authorities.
- Recommendations for capacity development needs to ensure effective enforcement of the traffic management system in Belize in relation to the legislative and regulatory framework.
- Recommendations for policy and other needs to support operation systems dependent on the legislative and policy framework at the municipal level.

The Evidentiary Support

In order to accomplish these objectives it will be necessary to include interviews with the Magistracy as the persons who interpret and enforce laws and regulations and ensure that the implementation of such laws balance the rights of road users and ensure road safety. In addition, it will be necessary to include interviews with the Solicitor General's Chambers to ensure that the project notes any laws or regulations being drafted by the Solicitor General's Chambers. The meeting with the Solicitor General's Department will be on July 20th, 2011. It is hoped to interview the magistrates of the Traffic Court on July 21, 2011.

It has not been possible to coordinating the interviews with the time that these officers are available within the timeline set put in the current workplan. It is recommended to expand the project timeline in the manner set out in the amended workplan attached.

Expanding the time line will allow the views of the Magistracy and the Solicitor General's Ministry to be incorporated and give them the preparation time needed for effective participation.