

A BILL

entitled

MOTOR CAR (RIDESHARING) AMENDMENT ACT 2026

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WHEREAS it is expedient to amend the Motor Car Act 1951 to provide for the introduction and operation of a ridesharing service network to augment the public transportation system, to improve accessibility to all locations and reduce passenger wait times:

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

Citation

1 This Act, which amends the Motor Car Act 1951 ("the principal Act"), may be cited as the Motor Car (Ridesharing) Amendment Act 2026.

Amends section 2

2 Section 2(1) of the principal Act is amended—

- (a) in the definition of "public service vehicle" by deleting the words "or a purpose-built public service vehicle" and substituting " , a purpose-built public service vehicle or a ridesharing vehicle";
- (b) by inserting the following new definitions in the correct alphabetical order—

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“despatching service” means a body corporate engaged in the business of facilitating the transportation of passengers by means of a digital network or other system approved by the Board;

“digital network” means an online application, website or other system offered or used by a despatching service that allows—

- (a) a person to submit a request for transportation; and
- (b) the operator of a public service vehicle to accept a request for transportation from a person;

“private motor vehicle” means a motor car, which is primarily used for the convenient conveyance of its owner from one place to another and includes a purpose-built motor car;

“ridesharing operator” means a person granted a licence to operate a public service vehicle who provides a ridesharing service using a ridesharing vehicle;

“ridesharing permit” means a permit granted by the Board under section 35D to provide a ridesharing service;

“ridesharing service” means the transporting of a passenger by a ridesharing operator using a ridesharing vehicle from a pre-arranged pick-up point to a pre-arranged drop-off point, beginning when the ridesharing operator accepts a request from a person via a despatching service and continuing while the ridesharing operator transports the passenger and ending when the last passenger of each journey exits the ridesharing vehicle;

“ridesharing vehicle” means a private motor vehicle approved by the Board under section 35D for use by a ridesharing operator when the ridesharing operator is—

- (a) connected to a digital network; and
- (b) providing a ridesharing service.”

Amends section 28

3 Section 28 of the principal Act is amended—

- (a) in subsection (1), by inserting after “35,” the words “35C, 35D, 35E, 35G,”; and
- (b) by inserting after subsection (1), the following—

“(1A) Without prejudice to the powers conferred under subsection (1), the Board shall have the power to issue a Code of Practice for Ridesharing Operators and Ridesharing Permit Holders.”

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Inserts new sections 35C - 35J

4 The principal Act is amended by inserting after section 35B the following—

“Application for a ridesharing permit

35C (1) Prior to submitting an application for a ridesharing permit, an applicant must consent to the terms and conditions specified by the Board relating to the issuance of a permit.

(2) A person may make an application to the Board for the grant of a ridesharing permit to operate a ridesharing service where that person—

- (a) holds a valid driver’s licence in respect of a motor car classified as Class (e), (f), or (g) under section 76(2); and
- (b) owns and operates a private motor vehicle licensed under section 52.

(3) An application under subsection (2) must—

- (a) be in the form as specified by the Board;
- (b) contain the requested details in relation to an applicant including—
 - (i) name;
 - (ii) address;
 - (iii) date of birth;
 - (iv) driver’s licence number;
 - (v) the registration number of the private motor vehicle proposed for use as a ridesharing vehicle; and
 - (vi) any other information specified by the Board.

(4) A person making an application under subsection (2) is subject to—

- (a) a criminal record check; and
- (b) a traffic offence record check.

(5) The Department may, by notice published in the Gazette, specify the dates and times for the submission of an application under this section.

Grant of ridesharing permit, refusal or request for further information

35D (1) The Board shall consider each application submitted in accordance with section 35C.

(2) The Board may after considering an application under subsection (1)—

- (a) approve the application and grant a ridesharing permit subject to such conditions as specified by the Board;

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- (b) refuse to grant a ridesharing permit;
 - (c) request further information from the applicant to determine the application.
- (3) A ridesharing permit granted under subsection (2)(a)—
- (a) must be issued in respect of a person and a private motor vehicle approved by the Board;
 - (b) must specify—
 - (i) the name of the person granted the ridesharing permit;
 - (ii) the private motor vehicle permitted for use as a ridesharing vehicle;
 - (iii) the period for which the ridesharing permit is valid;
 - (iv) any other information as specified by the Board;
 - (c) is renewable upon approval by the Board;
 - (d) is non-transferable from a person to another person or from a private motor vehicle to another private motor vehicle.
- (4) A ridesharing permit shall be granted for a period as specified by the Board.
- (5) A successful applicant for the grant of a ridesharing permit must pay the fee specified in Schedule 1B prior to the issuance of the permit by the Board.
- (6) After consultation with the Board, the Minister may, by order subject to the negative resolution procedure, prescribe the number of ridesharing permits to be issued.

Inspection of a ridesharing vehicle

35E Notwithstanding sections 54 and 55, and without prejudice to any provision in this Act in relation to the inspection of a private motor vehicle, the Board may—

- (a) in considering an application under section 35D direct a person to make available for inspection, to the Department, the private motor vehicle proposed for use as a ridesharing vehicle;
- (b) at any time require the holder of a ridesharing permit to make available for inspection, to the Department, the private motor vehicle used as a ridesharing vehicle.

Persons prohibited from holding a ridesharing permit

35F Without prejudice to section 82, a person is prohibited from holding a ridesharing permit where—

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- (a) that person has been convicted of any criminal offence that on the date of application for a ridesharing permit, is not considered spent under the Rehabilitation of Offenders Act 1977;
- (b) false information is provided on an application for a ridesharing permit.

Suspension or revocation of ridesharing permit

35G (1) The Board may suspend a ridesharing permit where—

- (a) it is satisfied that a ridesharing permit holder—
 - (i) after being granted a ridesharing permit, becomes a person who is prohibited from holding a ridesharing permit under section 35F, or is a person referred to in paragraph (a) and (b) (i) and (ii) of section 82(1);
 - (ii) is convicted of any traffic law or regulations;
 - (iii) has divested himself wholly or substantially of the service in respect of which the ridesharing permit is granted;
 - (iv) does not operate a ridesharing service in an efficient manner as outlined in subsection (7);
 - (v) is the subject of a written complaint made by a senior traffic officer; or
 - (vi) breaches any other conditions specified by the Board;
- (b) a motor car used to provide a ridesharing service fails a vehicle inspection conducted by the Department.

(2) Prior to suspending a ridesharing permit under subsection (1), the Board shall—

- (a) give notice in writing to the ridesharing permit holder that includes—
 - (i) a statement of the alleged breach; and
 - (ii) actions required to remedy the alleged breach, where remediable;
- (b) where a breach is not remedied under (2)(a)(ii), allow the ridesharing permit holder the opportunity to make representations before the Board at a hearing.

(3) Notwithstanding subsection (2) the Board may—

- (a) suspend a ridesharing permit, with immediate effect, upon receipt of a report in writing from a senior traffic officer, where it is expedient to do so in the interest of the safety or security of persons; and

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- (b) allow the ridesharing permit holder who was suspended under (3)(a) the opportunity to make representations before the Board at a hearing.
- (4) A hearing under subsection (2)(b) or (3)(b) shall be held at a time and place as the Board specifies and the Board shall, in writing, maintain an accurate record of the proceedings.
- (5) The Board may, after a hearing under subsection (2)(b) or (3)(b)—
 - (a) suspend a ridesharing permit for a specified period;
 - (b) lift a suspension in relation to a ridesharing permit;
 - (c) revoke a ridesharing permit.
- (6) A ridesharing permit suspended or revoked under subsection (5) does not affect—
 - (a) a driver's licence issued under section 76;
 - (b) a licence issued under section 52 in respect of a private motor vehicle.
- (7) For the purposes of subsection (1)(a)(iv), the operation of a ridesharing service in an efficient manner shall include—
 - (a) maintaining the ridesharing vehicle in a decent and comfortable condition, having regard to such matters as the paint work, upholstery, cleanliness and good external and internal appearance;
 - (b) in relation to a ridesharing operator, complying with the Code of Practice for Ridesharing Operators and Ridesharing Permit Holders, maintaining professional conduct and appropriate attire.

Registration with despatching service

35H (1) A person granted a ridesharing permit under section 35D and a ridesharing operator shall register free-of-charge with every despatching service.

(2) A despatching service shall not charge a person granted a ridesharing permit under section 35D or a ridesharing operator a fee in relation to a ridesharing service.

Prohibition on providing a ridesharing service

- 35I (1) A person shall not offer a ridesharing service unless he—
- (a) holds a valid licence to operate a public service vehicle;
 - (b) is operating a ridesharing vehicle, approved by the Board;

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- (c) has affixed the specified identification plate, removable decal and public service vehicle badge to the ridesharing vehicle;
- (d) is registered with every despatching service;
- (e) is connected to a digital network.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.

Appeal of a decision of the Board

35J (1) A person who is aggrieved by a decision of the Board to suspend or revoke a ridesharing permit may have the matter remitted to a court of summary jurisdiction in accordance with section 116.

(2) Where a court of summary jurisdiction reverses a decision of the Board, the Board is not precluded from again suspending or revoking a ridesharing permit for any subsequent breaches of this Act, regulations or conditions specified by the Board.”.

Amends section 37

5 Section 37(1) of the principal Act is amended by—

- (a) deleting the full stop at the end of paragraph (j) and substituting a semicolon; and
- (b) inserting after paragraph (j) the following—
 - “(k) for prescribing offences and providing for the imposition of a fine not exceeding \$10,000 where a person commits an offence against the regulations.”.

Amends section 37A

6 Section 37A of the principal Act is amended—

- (a) in subsection (1C) by—
 - (i) deleting the word “and” at the end of paragraph (c);
 - (ii) deleting the full stop at the end of paragraph (d) and substituting a semicolon; and
 - (iii) inserting after paragraph (d) the following—
 - “(e) a digital network; and
 - (f) any other system approved by the Board.”;
- (b) in subsection (5A) by deleting the words “subsection (1C)(b) and (c)” and substituting “subsection (1C)(b), (c), (e) and (f)”.

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Amends Schedule 1B

7 Schedule 1B of the principal Act is amended by inserting after “Airport Limousine Service \$2,200 (per vehicle)” the words “Ridesharing Permit \$1,000 (per vehicle per annum)”.

Commencement

8 This Act shall come into operation on such day as the Minister may appoint by notice published in the Gazette.

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EXPLANATORY MEMORANDUM

This Bill seeks to amend the Motor Car Act 1951 (“the Act”) to provide for the introduction and operation of a ridesharing service network to augment the public transportation system, to improve accessibility to all locations and reduce passenger wait times.

Clause 1 provides the citation for the Bill.

Clause 2 amends section 2 of the Act (Interpretation, construction and saving) to amend the definition of “public service vehicle” and insert new definitions.

Clause 3 amends section 28 of the Act (Establishment of Public Service Vehicles Licensing Board) to expand the powers and duties to be discharged by the Public Service Vehicles Licensing Board to include the determination of applications for ridesharing permits, the inspection of vehicles proposed for use and used as ridesharing vehicles, the granting, refusing, suspending and revoking of ridesharing permits.

Clause 4 inserts the following new sections into the Act: section 35C (Application for a ridesharing permit); section 35D (Grant of ridesharing permit, refusal or request for further information); section 35E (Inspection of a ridesharing vehicle); section 35F (Persons prohibited from holding a ridesharing permit); section 35G (Suspension or revocation of ridesharing permit); section 35H (Registration with despatching service); section 35I (Prohibition on providing a ridesharing service); and section 35J (Appeal of a decision of the Board).

Clause 5 amends section 37 of the Act (Regulations; use of public service vehicles) to provide for the imposition of a fine not exceeding \$10,000 where a person commits an offence against regulations made under the Act.

Clause 6 amends section 37A of the Act (Despatching Services) in subsection (1C) by inserting new paragraphs to include a digital network and any other system approved by the Board as “approved equipment” under that section.

Clause 7 amends Schedule 1B of the Act to prescribe the fee for the issuance of a ridesharing permit.

Clause 8 provides for the commencement of the Motor Car (Ridesharing) Amendment Bill 2026.