



THE  
**JAMAICA GAZETTE**  
**SUPPLEMENT**

**PROCLAMATIONS, RULES AND REGULATIONS**

650G

Vol. CXLI

FRIDAY, JULY 27, 2018

No. 68B

No. 73B

Extract from the Minutes of the meeting of the House of Representatives held on Tuesday, July 10, 2018.

**PUBLIC BUSINESS**

Honourable Robert Montague, Minister of Transport and Mining, further moved:

**THE TOLL ROADS ACT**

THE TOLL ROADS (TECHNICAL DESIGNS, OPERATIONS AND MAINTENANCE  
STANDARDS) REGULATIONS, RESOLUTIONS, 2018

WHEREAS, by virtue of section 32(1) of the Toll Roads Act (hereinafter referred to as "the Act"), the Authority may, with the approval of the Minister, make regulations for giving effect to the provisions and purposes of this Act;

AND WHEREAS, by virtue of section 32(2) of the Act, the Regulations made under subsection (1) shall be subject to affirmative resolution;

AND WHEREAS it is desirable that the Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, 2018, be affirmed:

NOW, THEREFORE, BE IT RESOLVED by this Honourable House as follows:

- (i) This Resolution may be cited as the Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, Resolution, 2018;
- (ii) The Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, 2018, which were laid on the Table of the House on the 20th day of March, 2018, are hereby affirmed.

Dr. Morais Guy and Mr. Mikael Phillips also spoke on the resolution.

Seconded by: Mr. Michael Stewart

Agreed to.

(Honourable Shahine Elizabeth Robinson, MP, Minister of Labour and Social Security, entered and took her seat.)

(Mr. Franklin Robert Witter, MP, Deputy Speaker, entered and took his seat.)

(Mr. Noel George Delano Arscott, MP, Clarendon, South Western, entered and took his seat.)

(Mr. Mikael Asher Phillips, MP, Manchester, North Western, entered and took his seat.)  
(Honourable Edmund Curtis Bartlett, CD, MP, Minister of Tourism, entered and took his seat.)

(Honourable Lester Michael Henry, CD, MP, Minister without Portfolio in the Office of the Prime Minister, entered and took his seat.)

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP  
Clerk to the Houses

No. 73C

Extract from the Minutes of the meeting of the Senate held on Friday, July 27, 2018.

**PUBLIC BUSINESS**

Senator the Honourable Ruel Reid, Minister of Education, Youth and Information and acting Leader of Government Business, also moved:

**THE TOLL ROADS ACT**

**THE TOLL ROADS (TECHNICAL DESIGNS, OPERATIONS AND MAINTENANCE STANDARDS) REGULATIONS, RESOLUTIONS, 2018**

WHEREAS, by virtue of section 32(1) of the Toll Roads Act (hereinafter referred to as "the Act"), the Authority may, with the approval of the Minister, make regulations for giving effect to the provisions and purposes of this Act;

AND WHEREAS, by virtue of section 32(2) of the Act, the Regulations made under subsection (1) shall be subject to affirmative resolution;

AND WHEREAS it is desirable that the Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, 2018, be affirmed:

NOW, THEREFORE, BE IT RESOLVED by this Honourable Senate as follows:

- (i) This Resolution may be cited as the Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, Resolution, 2018;
- (ii) The Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, 2018, which were laid on the Table of the Senate on the 13th day of July, 2018, are hereby affirmed.

Senator Keith Knight also spoke on the motion.

Seconded by: Senator Kerensia Morrison

Agreed to.

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP  
Clerk to the Houses

---

**THE TOLL ROADS ACT****THE TOLL ROADS (TECHNICAL DESIGNS, OPERATIONS AND MAINTENANCE  
STANDARDS) REGULATIONS, 2018**

In exercise of the power conferred upon the Toll Authority by section 32 of the Toll Roads Act, and of every other power hereunto enabling, the following Regulations are hereby made, with the approval of the Minister:—

- |  |   |
|--|---|
| Citation.  | 1. These Regulations may be cited as the Toll Roads (Technical Designs, Operations and Maintenance Standards) Regulations, 2018.  |
| Interpretation.  | 2. In these Regulations—<br>“ “Agency” means the National Works Agency.   |
| Concessionaire shall submit copies of technical standards.                                 | 3.—(1) A concessionaire who intends to design, construct or modify a toll road, shall submit to the Agency for approval, the drawings and copies of the technical standards and specifications intended to be used.<br>(2) Subject to paragraph (3), the technical standards and specifications intended to be used in the design, construction or modification of a toll road, shall be the more stringent of the technical standards specified in the Schedule.<br>(3) Other technical standards and specifications of international recognition may be submitted by the concessionaire to the Agency for consideration and approval for the purposes of paragraph (1), where a standard or specification specified in the Schedule, does not provide a solution in the design and construction of a toll road. |
| Schedule.  |   |
| Concessionaire shall make necessary changes to meet required standards and specifications. | 4.—(1) Where drawings submitted by the concessionaire to the Agency are approved but components of the construction fail to meet the approved standards and specifications, the concessionaire shall make the necessary changes to meet the required standards and specifications.<br>(2) The concessionaire shall bear the cost associated with changes referred to under paragraph (1).<br>(3) The timeline for making and submitting the changes referred to in paragraph (1), shall be determined by the Agency in consultation with the Authority.   |
| Operations and maintenance standards, etc.   | 5. Where approval is granted for the design, construction or modification of a toll road, the concessionaire shall adhere to operation and maintenance standards, specification and requirements outlined in the concession agreement.  |

Concession-  
aire shall  
adhere to  
technical  
standards and  
specifications  
approved by  
the Agency.

6.—(1) A concessionaire shall during the concession period adhere to the technical standards and specifications for the design, construction, operation and maintenance of a toll road as outlined in the concession agreement.

(2) Where a concessionaire fails to adhere to the standards in accordance with sub-paragraph (1), the concessionaire commits an offence and shall be liable on summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars, and, in default of payment thereof, one million dollars.

## SCHEDULE

(Regulations 3 and 6)

*Technical Standards*

1. American Society of Testing and Material International Standards (ASTM) International Standards.
2. The American Association of State Highway and Transportation Official (AASHTO) Standards.
3. The British Standards.
4. The Traffic Control Devices Manual (Jamaica)
5. Design Manual for Roads and Bridges (DMRB)

Dated this 2nd day of March, 2018.

HUGH FAULKNER  
Chairman  
Toll Authority

Approved:

MICHAEL HENRY  
Minister of Transport and Mining