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Responses to Information Requests

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29 June 2018

HTI106134.FE

Haiti: Appearance of driver's licences and procedure for obtaining and renewing them; fraudulent driver's licences and whether valid licences can be obtained using false information (2016-June 2018)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

The Haitian Traffic Code (*Code de la route*) established by the Vehicle Registration and Vehicular Traffic Decree (*Décret relatif à l'immatriculation et à la circulation des véhicules*) of 2006 provides the following:

[translation]

Article 52.- Driver's licences in Haiti shall be issued in accordance with the following types:

1. **Type A** – for motor vehicles and vehicles whose loaded weight does not exceed 3,500 kg or 3 tonnes 500.
2. **Type B** – for heavy vehicles with or without trailer whose loaded weight exceeds 3,500 kg or 3 tonnes 500.
3. **Type C** – for motorcycles with or without side car.
4. **Type D** – for animal-powered vehicles (coachman).
5. **Type E** – for civil engineering and public works machinery, such as bulldozers, graders, loaders, excavators, cranes, etc.

A driver may hold any of the five types of licence listed above, provided he meets the conditions provided by law.

Article 53.- "**Type A**" driver's licences shall not be issued to minors under 16 years old without the express permission of the competent authority. (Traffic Directorate or Traffic Office).

"**Type B**" driver's licences shall not be issued to minors.

"**Type C**" driver's licences shall not be issued to minors under the age of 15.

"**Type E**" driver's licences shall not be issued to minors. (Haiti 2006, Art.52-53, emphasis in original)

According to the Haitian daily newspaper *Le Nouvelliste*, in Haiti, a driver's licence (*permis de conduire* in standard French) is "commonly referred to as a '*licence*'" (*Le Nouvelliste* 28 Mar. 2006). Corroborating information could not be found among the sources consulted within the time constraints of this Response.

2. Procedure for Obtaining a Driver's Licence

The Traffic Code provides the following:

[translation]

Article 46.- To learn to drive, candidates must demonstrate thorough knowledge of the present Decree. Teaching of the Code shall be done in appropriate institutions known as *auto-écoles* [driving schools], which shall guide their students towards a thorough knowledge of the Traffic Code in the public interest.

...

Article 55.- Candidates for driver's licences must know how to read and write and

must be able to understand and interpret the rules and regulations.

Article 56.- Every candidate for a driver's licence shall report to the traffic office with the following documents:

1. Candidate's National Identification Card.
2. A hearing and vision certificate, to be signed by the qualified physician who carried out the examination.
3. Written authorization from the parents, if the candidate is a minor, or from any other legal representative or qualified person, after assessment by the competent office.
4. Candidate's tax registration number.

...

Article 58.- Any person wishing to learn to drive must have prior police authorization (Traffic Office).

This licence shall be valid for three months and may be renewed at the request of the instructors responsible for training driving students in certified driving schools.

Article 59.- For the purpose of being authorized to learn to drive, every candidate shall present the following documents:

1. A hearing and vision certificate.
2. Candidate's CIN [national identification card] and tax registration number.
3. Written authorization from the parents, if the candidate is a minor and at least 17 years old. (Haiti 2006, Art. 46, 55, 56, 58 and 59)

In a 2015 article, the Haitian daily newspaper *Le National* reports that the procedure for obtaining a driver's licence, as confirmed to it by several Haitian driving schools, is as follows:

[translation]

[One must] enroll in a driving school recognized by the Traffic and Highway Police Directorate. After completing the courses, in which the Traffic Code is taught, one has to have a driver's record to be able to take the Traffic Office written test. After that exam, candidates who score at least 17 out of 25 points are granted a learner's permit, which allows them to take practical driving classes. When they feel they are ready, candidates then take a road test at the Traffic Directorate to obtain their driver's licence. (*Le National* 16 Sept. 2015)

According to the same source, the driver's record authorizing a candidate to take the written test includes [translation] "a code, the learner's first and last names, his or her date and place of birth, height, eye colour, gender, blood type and attestation of a hearing and vision certificate" (*Le National* 16 Sept. 2015). A report drafted by the Haitian Ministry of Public Works, Transport and Communications (ministère des Travaux publics, Transports et Communications d'Haïti) as part of developing a traffic safety strategy indicates that the written driving test is multiple-choice and that [translation] "a minimum of 19 correct answers" out of 25 is required to pass (Haiti Feb. 2015, 79).

The Traffic Code provides the following with respect to the written test and the road test:

[translation]

Article 60.- After theoretical and practical training is completed in a driving school, student drivers shall take a written test and a road test administered by the Traffic Office. The tests shall take place under the supervision of persons designated by the Traffic Office. Passing grades are 75% on the written test and 65% on the road test. A passing grade shall enable the interested party (driver candidate) to pay the tax for issuance of his or her driver's licence at the Tax Branch (Direction Générale des Impôts). The licence shall be issued upon submission of the voucher attesting that the tax has been paid. It shall be signed by the Director or Head of the competent traffic office.

Article 61.- The written test shall be taken either in a recognized driving school or at the Traffic Office. The road test shall be taken in an appropriate vehicle under the supervision of Traffic Office agents. (Haiti 2006, Art. 60-61)

The second part of article 68 of the Traffic Code, dealing with the fees for obtaining the driver's licence, provides the following:

[translation]

Article 68.- ...

II.- Driver's licence fee:

- a. Driver's licence - **Type A, B, C, E** 500 Gourdes [approximately C\$10]
- b. Driver's licence - **Type D** 100 Gourdes [C\$2]

The amount of the fee may be changed following issuance of a joint communiqué signed by the ministries concerned. (Haiti 2006, Art. 68, emphasis in original)

Loop, an Internet news site covering the Caribbean, Central America and the South Pacific, which has offices in Haiti, among other places, reports in a July 2017 article that the fees for obtaining a driver's licence were reviewed for the 2017-2018 fiscal year and increased to 2,500 gourdes (HTG) [approximately C\$51] for types A and B, to 1,000 HTG [approximately C\$20] for type C licences, and to 250 HTG for type D licences (Loop 6 July 2017). Corroborating information could not be found among the sources consulted within the time constraints of this Response.

2.1 Driver's Licence Renewal

The Traffic Code provides the following:

[translation]

Article 54.- Driver's licences are renewable every five years. At the end of each five-year period, the competent office may require any driver to undergo a test if it considers it to be necessary. That period may be shortened. The licence shall not be renewed if the office identifies anomalies indicating that the protection and safety of users cannot be sufficiently guaranteed. (Haiti 2006, Art. 54)

Information on procedures to renew the Haitian driver's licence could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Driver's Licence Appearance

The Traffic Code provides the following:

[translation]

Article 72.- The national driver's licence shall comply with the following specifications:

- a. The national driver's licence shall be written in French or Creole.
- b. Text entries shall be made in the Latin alphabet. The licence may also contain additional country-specific text entries.

- c. Additional text entries made by the competent authorities of the country shall not affect domestic driving.
- d. The distinctive sign of the Republic of Haiti on the licence is mandatory.
- e. It shall also bear the CIN number. (Haiti 2006, Art.72)

3.1 Back of Driver's Licence

In a telephone interview with the Research Directorate, a representative of the Traffic and Highway Police Directorate (Direction de la circulation et de la police routière, DCPR), the authority responsible for Haitian driver's licences, stated that, without providing further details regarding the date, prior to a reform in 2012, the back of the Haitian driver's licence was blank; it contained no information (Haiti 26 June 2018a). Similarly, in a telephone interview with the Research Directorate, a representative of the consular section of the Haitian embassy in Ottawa indicated that she was made aware, in the context of her embassy duties, of a driver's licence issued in 2010 with a blank back containing no information (Haiti 26 June 2018b).

The DCPR representative indicated that, since the 2012 reform, all Haitian driver's licences contain the following elements on the back of the licence:

- the words *Ce permis de conduire est la propriété de l'État haïtien* (this licence is the property of the Haitian government);
- the words *Autorisé par* (authorized by), followed by the signature of the DCPR director;
- an alphanumeric identifier made up of the following characters in juxtaposition:
 - the 10 digits of the bearer's tax identification number (*Numéro d'identification fiscale*, NIF);
 - letters constituting the [translation] "series" of the driver's licence, for example, QQ, KK, NN, JI or JJ;
 - the five digits of the driver's licence record number;
 - letters representing the type of driver's licence, for example, A, B, C, D, E, AE, AC or BC (Haiti 26 June 2018a).

According to the same source, the different components of the alphanumeric identifier are also found on the front of the driver's licence (Haiti 26 June 2018a).

Similarly, the representative of the Haitian embassy in Ottawa stated that the back of all Haitian driver's licences show the following: the words *Ce permis de conduire est la propriété de l'État haïtien* (this licence is the property of the Haitian

government); the words *Autorisé par* (authorized by), followed by the signature of the responsible authority; an alphanumeric identifier made up of the bearer's NIF and the licence record number (Haiti 26 June 2018b).

Regarding the potential existence of driver's licences issued after the 2012 reform with backs that are blank and contain no information, the DCPR representative stated that there are no exceptions to the appearance of driver's licences issued since the reform (Haiti 26 June 2018a).

A copy of a Haitian driver's licence issued in 1998 and a copy of a Haitian driver's licence issued in 2013 sent to the Research Directorate by a representative of the National Document Centre of the Canada Border Services Agency (CBSA) are attached to this Response (Attachments 1 and 2).

4. Fraudulent Driver's Licences and Fraudulent Procurement of Driver's Licences

Information on fraudulent driver's licences was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

Le National asserts that [translation] "obtaining a driver's in Haiti legally is very complicated" and indicates that "many" drivers obtain their licences "illegally and do not follow the established procedures" (*Le National* 16 Sept. 2015).

In an article from 2006, *Le Nouvelliste* reports that [translation] "procuring driver's licences [...] is a lucrative market for 'racketeers'" (*Le Nouvelliste* 28 Mar. 2006). The same source quotes an interviewee as saying:

[translation]

"I have no idea what the process is for getting [a driver's licence]. So I turned to a racketeer. For one thousand five hundred (1,500) gourdes [approximately C\$30] at least, in less than a week, I got my driver's licence." (*Le Nouvelliste* 28 Mar. 2006)

Similarly, in an article from 2015, *Le National* quotes an interviewee who [translation] "never attended a driving school in their entire life" as saying, "I learned to drive in the streets. And I paid someone to get my licence" (*Le National* 16 Sept.

2015). The same source notes that, out of ten drivers interviewed for the purposes of the article, [translation] “only three of them say they followed the required procedure” (*Le National* 16 Sept. 2015).

According to *Le National*, the hearing and vision tests [translation] “are rushed through in certain driving school themselves” (*Le National* 16 Sept. 2015). The same source notes that while some candidates will consult a physician for the hearing and vision tests, [translation] “the vast majority [of candidates] approach racketeers to obtain a certificate” and that “the same is true for blood types” (*Le National* 16 Sept. 2015). According to the same source, [translation] “men and women offer the service to whoever wants it” near the Tax Branch (*Le National* 16 Sept. 2015).

Corroborating information could not be found among the sources consulted within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Haiti. 26 June 2018a. Direction de la circulation et de la police routière. Telephone interview with a representative.

Haiti. 26 June 2018b. Embassy in Ottawa. Telephone interview with a representative of the consular section.

Haiti. February 2015. Ministère des Travaux publics, Transports et Communications (MTPTC). Elaboration d'une stratégie nationale de sécurité routière. Annexe 2 du rapport final. Rapport détaillé : Stratégie et plan d'action de sécurité routière.

[Accessed 15 June 2018]

Haiti. 2006. Décret relatif à l'immatriculation et à la circulation des véhicules.

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Loop. 6 July 2017. “Passeports, permis de conduire... de nouveaux tarifs dans le budget.” [Accessed 15 June 2018]

Le National. 16 September 2015. Stéphanie Balmir. "L'obtention du permis de conduire : un processus troué!" [Accessed 14 June 2018]

Le Nouvelliste. 28 March 2006. Stéphanie André. "Comment obtenir un permis de conduire en Haïti?" [Accessed 14 June 2018]

Additional Sources Consulted

Oral sources: Driving school in Caradeux; Haiti – Centre de renseignements administratifs, Office national d'identification.

Internet sites, including: ecoi.net; European Union – European Asylum Support Office, Public Register of Authentic Travel and Identity Documents Online; Factiva; Keesing's Document Checker; UN – Refworld, United Nations Stabilization Mission in Haiti.

Attachments

1. Haiti. 13 March 1998. Service de la circulation. "Permis de conduire." Sent to the Research Directorate by the National Document Centre, Canada Border Services Agency, 28 June 2018.
2. Haiti. 30 September 2013. Service de la circulation. "Permis de conduire." Sent to the Research Directorate by the National Document Centre, Canada Border Services Agency, 28 June 2018.

Date modified:

2018-06-25

