

A
BILL
FOR A LAW
TO PROVIDE FOR ROAD TRAFFIC ADMINISTRATION AND MAKE PROVISIONS FOR
ROAD TRAFFIC AND VEHICLE INSPECTION IN LAGOS STATE AND OTHER
CONNECTED PURPOSES-

THE LAGOS STATE HOUSE OF ASSEMBLY enacts as follows:

- Control of Traffic. 1. (1) Without prejudice to the provisions of Section 11 of the Lagos State Traffic Management Authority Law, the Authority's control and management of vehicular traffic in the State, shall include the;
- (a) prohibition or restriction of the use of any specified highway by vehicles of specified class or description;
 - (b) prohibition of driving or propelling of vehicles on any specified highway otherwise than in a specified direction;
 - (c) prohibition of vehicles parking or waiting on any specified highway;
 - (d) prohibition or restriction of the use of sirens, and the sounding of horns or other similar appliances either in general or during specified hours or in respect of specified areas;
 - (e) regulation of the conduct of persons driving, propelling, being in charge of or riding any vehicle or animal on a highway;
 - (f) application of breath testing, blood and urine specimen testing devices on any driver to detect driving under the influence of alcohol, or drugs ;
 - (g) demand of a psychiatric evaluation of any person who drives against the normal flow of traffic or who fails to comply with any of the provisions of this Law, if in the opinion of any officer of the Authority such an evaluation is necessary for the purpose of determining the person's ability to operate a motor vehicle provided that such shall be at the driver's cost; and
 - (h) general regulation of traffic on public highways.

(2) In the exercise of the functions conferred on the Authority, officers of the Authority shall have power to arrest where appropriate and allow the alleged offender to pay the fine stipulated for the offence under this Law.

(3) The Authority shall have power to designate part of the underlisted routes as bus lanes for priority services during peak hours of 6:00a.m – 10:a.m and 4:00p.m – 9:00p.m;

- (a) Ikotun-Ejigbo-Cele Expressway;
- (b) Iyana Ipaja-Agege Pen Cinema Ogba-Ojodu Berger;
- (c) Iyana Ipaja-Idimu-Iyana Iba Roundabout;
- (d) Iyana Ipaja-Idimu-Ikotun;
- (e) Berger-Third Mainland Bridge-Tafawa Balewa Square (TBS);
- (f) Iyana Oworo-Anthony-Oshodi-Mile 2-Apapa;
- (g) Sango-Iyana Ipaja-Oshodi; and
- (h) Orile Iganmu-Mile 2-Okokomaiko.

(4) Subject to the provisions of Section 211 of the 1999 Constitution of the Federal Republic of Nigeria, the Authority may prosecute persons reasonably suspected of having committed any offence under the provisions of this Law or any other Law.

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| Control of Trailers. | 2. | (1) Save as may be prescribed by the Commissioner by regulation, no trailer other than petrol tankers and long vehicles used in conveying passengers, shall enter into or travel within the metropolis of Lagos between the hours of 6.00am - 9.00pm.

(2) Any driver who is found contravening the provisions of this Section shall have his vehicle impounded by a duly authorised officer of the Authority and shall upon conviction be liable to a fine of N50,000 (Fifty Thousand Naira) or a term of imprisonment for 6 months or both. |
| Control of Motorcycles, Tricycles. | 3. | (1) No person shall ride, drive or propel a cart, wheel barrow, motorcycle or tricycle on any of the routes specified in Schedule II to this Law. |

(2) No person shall operate a motorcycle or tricycle without a Rider's Card issued by the Lagos State Motor Vehicle Administration Agency.

(3) No person shall operate a motorcycle or tricycle either as a rider or a passenger without wearing a standard protective crash helmet as may be prescribed under the Regulations to this Law.

(4) No motorcycle operator shall carry more than one (1) passenger at a time, provided that a pregnant woman, a child below the age of 12 years, or an adult with a baby or heavy/large load placed on the head or which obstruct normal sitting on the motorcycle shall not be carried as passenger.

(5) Any person who fails to comply with any of the provisions of this Section commits an offence and shall be liable on conviction to-

(i) imprisonment for a term of three (3) years or to render community service in accordance with the provisions of Section 347 of the Administration of Criminal Justice Law of Lagos State; and

(ii) have his vehicle forfeited to the State.

(6) Where a rider is convicted of an offence under subsections (1), (3) and (4) of this Section, the passenger shall also be liable to the same penalty, provided the passenger is not a child.

(7) Subject to Section 38 of this Law, the Commissioner may make Regulations providing for any matter necessary for the purpose of controlling the use of motorcycles and tricycles in the State.

(8) Commercial Motorcycles can only operate between the hours of 6.00a.m-8.00p.m within the State.

Traffic Signs. 4.

(1) The Ministry shall cause or permit traffic signs to be placed on or near any highway.

(2) Traffic signs shall conform to such standards and be of such sizes, colours or types as may be prescribed by the Ministry.

(3) After the commencement of this Law, no traffic sign shall be placed on or near any highway except in accordance with the provisions of this Law:

Provided that nothing in this Law shall apply to any traffic sign placed by the owners or workers of any railway, light railway, dock undertaking or

harbor undertaking in pursuance of powers conferred by any other enactment in force in Nigeria.

(4) The Ministry may by notice in writing require the owner or occupier of any land on which there is any unauthorized traffic sign or any object which so closely resembles a traffic sign that it might reasonably be taken to be such a sign, to remove it, and if such notice is not complied with, the Ministry may effect the removal, doing as little damage as may be possible, and may recover the cost of such removal from the person in default .

Closure of
Highways.

5. (1) When it appears to the Authority that any highway should be closed temporarily to vehicular traffic, the Authority shall cause to be fix at each end of such highway a notice to the effect that such highway is closed until said notices are removed by the order of the Authority;

Provided that in cases of emergency, the Authority may grant permit in writing to the person named therein to use specified vehicles on the said highway on the occasion and for the purpose.

(2) The Commissioner may by notice published in the State Gazette, or in a national newspaper, close any highway, either permanently or for such time as may be specified in the notice, to any or every kind of vehicular traffic subject to such exceptions as he may think fit.

(3) From the commencement of this Law, it shall be an offence –

(a) to display wares on any walkway; and

(b) for commercial buses to pick or drop passengers on the fast lane or in any undesignated bus-stop in the State.

Control of
Vehicular
Traffic on Bridges.

6. (1) The Ministry shall cause to be placed in a conspicuous place at both ends or near the bridge a notice to the effect that –

(a) the bridge is not designed to carry more than a certain weight;

(b) a vehicle exceeding a certain breadth or height cannot with safety be driven on or over such bridge;

(c) vehicles may not exceed a specified speed limit when crossing the bridge and thereafter any person who contravenes or fails to comply with the terms of such notice shall be guilty of an offence.

- (2) When any bridge is damaged –
 - (a) by reason of any vehicle passing over it in contravention of the provisions of this section; or
 - (b) by reason of any vehicle when passing over the bridge coming into contact with any portion thereof other than the surface of the roadway, the owner of the vehicle and the person driving or propelling the same shall, without prejudice to any other penalty stipulated by this Law for that offence, be jointly and severally liable to the Government for any damage done thereto.
- (3) A certificate under the hand of an officer of the Ministry for the cost of repairing such damage shall, be prima facie evidence of such cost.
- (4) For the purposes of this Section, the weight of a vehicle which is towing any other vehicle shall be deemed to be the gross weight of that vehicle and of the vehicle or vehicles being towed by it.

Penalties for 7.
Neglect of
Traffic Directions.

Where an officer of the Authority is for the time being engaged in the regulation of traffic on a highway, or where any traffic sign being a sign for regulating the movement of traffic or indicating the route to be followed by vehicle has been lawfully placed on or near a highway in accordance with the provisions of this Law, any person driving or propelling any vehicle, who–

- (a) neglects or refuses to stop the vehicle or to make it proceed or to keep to a particular lane or direction of traffic when directed to do so by the officer in the execution of his duty; or
- (b) drives his vehicle against oncoming traffic or fails to conform to the direction or indication given by the traffic sign, shall be guilty of an offence, and shall be liable on conviction for:
 - (i) 1st offender one (1) year imprisonment and forfeiture of the vehicle to the State;
 - (ii) 2nd and subsequent offender three (3) years imprisonment and forfeiture of the vehicle to the State.
- (c) all offenders shall have their data and biometrics captured.

Removal of 8.

- (1) Where a motor vehicle is stationary or abandoned on a Highway or

Abandoned
Vehicles from
Highway and
Sides of Private
Premises.

street or near private premises, any Police Officer, member of the Task Force or officer of the Authority may cause the vehicle to be removed to a vehicle park if –

- (a) the officer has reasonable grounds for believing that the location of the vehicle is in contravention of the provisions of any enactment or Regulation relating to the parking of vehicles; and
- (b) he has reasonable grounds for believing either –
 - (i) that the vehicle is not in a condition in which it can be moved under its own power; or
 - (ii) that no person authorized to drive the vehicle is in the immediate vicinity of the vehicle.

(2) The owner or occupier of the premises adjoining the Highway or private premises where the vehicle is stationary or abandoned shall lodge a report of such vehicle to the nearest office of the Authority or to the nearest police station.

(3) Where the owner or occupier of premises adjoining the Highway or private premises fails to make a report of a stationary or an abandoned vehicle to the office of the Authority or the nearest Police Station within 48 hours, the owner or occupier of such premises shall be guilty of an offence and on conviction be liable to a fine of twenty-five thousand naira (#25,000.00).

(4) Where the vehicle was found not to have been abandoned but left on the highway for an unreasonably long time, the owner shall bear the cost of towing the vehicle to a vehicle park as prescribed in Schedule I to this Law and the owner of the vehicle shall be guilty of an offence and on conviction shall be liable to a fine of fifty thousand naira (#50,000.00) or to a term of imprisonment for three (3) months or both.

(5) Where the owner of an abandoned or removed vehicle fails to claim the vehicle for a period of one (1) month, the Ministry shall publish a notice of its intention to dispose the abandoned or removed vehicle at the end of one (1) calendar month from the date of such publication in the State Official Gazette and one national newspaper.

(6) The Ministry shall, at the end of one (1) month's notice, dispose such vehicle.

(7) Task Force in relation to this section means the Committee of persons appointed by the State Governor to remove Abandoned Vehicles

from the Highways or near private premises.

Provision of
Vehicle Parks
by the State

9. (1) It shall be the duty of the State—

(a) to provide suitable facilities (including equipment and operators) for the removal of vehicles in pursuance of the provisions of Section 8 above;

(b) to provide and maintain places to which Vehicles may be removed to in pursuance of the provisions of Section 8 above and to ensure that an officer in charge of each Park is at all times present in the Park;

(c) to make reasonable arrangement for the safe custody of removed vehicles while they are in vehicle parks;

(d) to provide and maintain at the principal offices of the Authority a record containing particulars of each removed vehicle and its contents and specifying the date of its removal, and the park in which it is situated; and

(e) to keep the record open during normal office hours for inspection free of charge by members of the public.

(2) The Authority shall not be under any duty to protect removed vehicles otherwise than as mentioned in paragraph (c) of the foregoing subsection (1) above and in particular shall not be under a duty to protect removed vehicles from damage attributable to sun, rain, wind or other physical conditions.

Reclaiming
of Removed Vehicles.

10. A person who tenders to the official in charge of a Vehicle Park—

(a) such evidence as may be prescribed of his entitlement to the custody of a removed Vehicle which is in the Park; and

(b) payment of appropriate charges in respect of the vehicle and an official receipt thereof; shall, be entitled, on demand at the park at any time between the hours of eight o'clock in the morning and six o'clock in the evening on any weekday (other than a public holiday) and with consent given on behalf of the Authority at any other time, to have the vehicle delivered up to him at the park.

Establishment of the Vehicle Inspection Service. 11. (1) There is established the Vehicle Inspection Service (referred to in this Law as “the Service”).

(2) The Service shall be a directorate in the Ministry of Transportation.

Functions of the Service. 12. The Service shall have responsibility for-

- (1) (a) inspecting, controlling, regulating and enforcing the road worthiness of motor vehicles in the State;
- (b) pre-registration inspection of vehicles;
- (c) co-operating with other agencies to enforce traffic rules and regulations;
- (d) providing accessible emergency services;
- (e) co-operating with relevant agencies engaged in road safety activities or in the prevention of accidents on the highways;
- (f) inspection and issuance of Road Worthiness Certificate (RWC) in respect of all vehicles;
- (g) ensuring that all vehicles plying roads are roadworthy at all times;
- (h) training and testing of applicants for driver’s license;
- (i) training and testing of applicants for Rider’s Card;
- (j) carrying out inspection and issuing report on accident vehicles in the State;
- (k) preparing and keeping statutory registers and a database of all certificates issued and revoked.

(2) In the exercise of the functions of the Service, Vehicle Inspection Officers shall have powers to –

- (a) impound vehicles which fail to meet the prescribed standards;
- (b) direct that such vehicles be kept off the roads;

- (c) arrest where appropriate and allow the alleged offender to pay the fine stipulated for the offence under this Law.

Head of Department and Staff of the Service.

(1) There shall be for the Service a Head of Department, who shall -

(a) be an officer not below Grade Level 15 in the State Civil Service.

(b) be responsible for the general administration and implementation of the policies of the Service;

(c) be assisted in the discharge of his duties by such officers (who shall be designated Vehicle Inspection Officers) as he may require from time to time.

Savings and Transitional Provisions relating Staff of the Service.

14. Notwithstanding anything to the contrary in this Law, all cadres of Vehicle Inspection Officers and other staff of the Vehicle Inspection Unit shall be deemed to be staff of the Service.

Vehicle Without Necessary Particulars may be Impounded .

15. Where any vehicle is found plying or being driven or used on any highway within the State without the prescribed particulars, any Police Officer or Vehicle Inspection Officer may impound the vehicle and cause it to be removed to a vehicle park.

Delivery of Impounded Vehicle to Person Entitled

(1) Any person entitled to the custody of a removed vehicle who within twenty-four hours after the vehicle was impounded, tenders to the officer in charge of the vehicle park where the vehicle is, the following -

(a) evidence, that the officer may reasonably require, of his entitlement to the custody of the removed vehicle which is in the park; and

(b) the particulars in relation to that vehicle issued prior to the impounding of the vehicle, shall be entitled on demand at the park and without payment of any fees, save cost of removal, if any, to have the vehicle released to him at the park.

(2) Any person entitled to the custody of a removed vehicle who at any time after the said twenty-four hours but within a period of two weeks

from the date on which the vehicle was impounded tenders to the officer in charge of the removed vehicle park where the vehicle is, the following -

- (a) evidence as mentioned in subsection (1) (a) above;
- (b) the necessary particulars in relation to the removed vehicle;
and
- (c) a revenue receipt for the cost of obtaining particulars in respect of the vehicle;
shall upon payment to that officer of a fee prescribed in Schedule II to this Law for every day during which the vehicle remains impounded (as charges for keeping the vehicle at the park) be entitled on demand at the park to have his vehicle delivered up to him at the park:

Provided however that if the necessary particulars in relation to that vehicle tendered by that person under the foregoing provisions of this subsection were issued prior to the impounding of the vehicle then paragraph (c) above shall not apply.

(3) Any demand under this Section by any person entitled to the custody of a removed vehicle shall be made within the hours of eight (8) o'clock in the morning and six (6) o'clock in the evening on any week day (other than a public holiday).

Disposal
of Removed
Vehicle, etc.

17. (1) Where any removed vehicle is not claimed in accordance with Section 16 within a period of one (1) month, the removed vehicle shall vest in the State Government.

(2) Where under subsection (1) above any removed vehicle vests in the State Government, the Authority shall publish a notice of its intention to sell the abandoned or removed vehicle at the end of one (1) month from the date of such publication in the State Official Gazette or one national newspaper unless within the said one (1) month –

- (a) any motor vehicle licensing fees due in relation to that vehicle under any enactment;
 - (b) any fees for driving licences due from the person who drove the vehicle when it was impounded; and
 - (c) any appropriate charges;
- are paid to the licensing authorities in the State or, as the case may be, to the State by that person.

(3) If within the one (1) month specified in subsection (2) of this Section the removed vehicle is not claimed by the owner of the vehicle or

by the person entitled to the custody of the vehicle, the Authority, or such other person as the Governor may authorize in that behalf, shall sell the vehicle by public auction.

(4) The State Government shall not be under any duty to protect any removed vehicle and, in particular, shall not be under a duty to protect a removed vehicle from damage attributable to sun, rain, wind or other physical conditions.

Causing Death by Reckless or Dangerous Driving. 18. Any person who causes the death of another person by driving a motor vehicle recklessly, or at a speed above the stipulated limit which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the highway, street or other place, and the amount of traffic in the vicinity at the time, or which might reasonably be expected to be in the vicinity, shall be guilty of an offence and liable on conviction to imprisonment for a term of seven (7) years.

Reckless or Dangerous Driving 19. (1) Any person who drives a motor vehicle on a highway recklessly or negligently, or at a speed above the stipulated limit or in a manner, which is dangerous to the public, having regard to all the circumstances of the case including the nature, condition, and use of the highway, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be on the highway, shall be liable on conviction to a fine of One Hundred Thousand Naira (#100,000.00) or to imprisonment for two (2) years or both.

(2) If upon the trial of a person for an offence under the provision of Section 20 the Court is not satisfied that the person's driving was the cause of the death but is satisfied that he is guilty of driving as mentioned in subsection (1) of this Section the Court may convict that person of an offence under this Section.

Careless and Inconsiderate Driving. 20. (1) Any person who drives a motor vehicle on a highway without due care and attention, or without reasonable consideration for other persons using the highway, shall be guilty of an offence and be liable on conviction to a fine of fifty thousand naira(#50,000.00) or in the case of a second or subsequent conviction to a fine of one hundred thousand naira (#100,000.00) or to imprisonment for three (3) months or both.

(2) Where a person is charged with an offence under subsection (1) above and the Court is of the opinion that the offence is not proved, then at any time during the hearing or immediately after, the Court may, without prejudice to any other power exercisable by the Court, direct or allow a charge for an offence under this Section to be preferred forthwith against that person and may proceed with that charge, so that the person charged or his counsel shall be informed of the new charge and be given

an opportunity, whether by way of cross-examining any witness whose evidence has already been given against him or otherwise, of answering the new charge and the Court shall, if it considers that he is prejudiced in his defence by reason of the new charge being so preferred, adjourn the hearing.

Driving Motor Vehicles when under Influence of Alcohol or a Drug. 21. (1) Any person who when driving or attempting to drive, or when in charge of a motor vehicle on a highway is under the influence of alcoholic drink or a drug to such an extent as to be incapable of having proper control of such vehicle, shall be liable on conviction to a fine of one hundred thousand naira (#100,000.00) or to imprisonment for two (2) years or both.

(2) A person convicted of an offence under Section 20, 21 and (1) shall, unless the Court for special reasons thinks fit to order otherwise, and without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve (12) months from the date of the conviction from holding or obtaining a driver's licence.

Arrest without Warrant. 22.

(1) A Police Officer or an officer of the Authority may arrest without warrant a driver of a motor vehicle on a highway, who within his view commits an offence under Sections 20, 21 or 23 unless the driver either produces his licence to drive or produces other evidence of his identity acceptable to the Police Officer.

(2) Notwithstanding any other provision of this Law, if a Police Officer or an officer of the Authority is of the opinion on reasonable grounds that there may be difficulty in effecting service of a summons, he may demand and retain the driver's licence of any person who commits or is suspected by him of having committed an offence under this Law.

(3) Where a driver's licence is retained, whether or not pursuant to this Section, the Police Officer or an Officer of the Authority retaining the licence shall give a written receipt for it and inform the person surrendering the licence of the name of the police station or office of the Authority at which it may be reclaimed.

(4) If a summons in respect of an offence under this Law is served on the person whose driving licence is retained by the police or that person appears personally at the nominated police station or office of the Authority not later than three (3) days after the retention of the driving licence he may have it returned to him on giving to the officer a receipt therefore duly signed and dated by him.

- Misuse of Identification Mark or Licence 23. Any person who—
- (a) forges or fraudulently defaces, alters, mutilates, or adds anything to any licence or identification mark;
 - (b) exhibits or uses any licence which has been forged, defaced, altered, mutilated or added to as aforesaid;
 - (c) lends or allows to be used by any other person any licence or identification mark;
 - (d) uses a driving licence belonging to another person;
 - (e) exhibits or uses any licence upon which figures or particulars have become illegible or;
 - (f) exhibits or uses any colourable imitation, of any licence, shall be guilty of an offence.
- Offences Relating to Bus Rapid Transit, Sirens, etc. 24. Any person who-
- (a) drives or causes his vehicle to be driven along the Bus Rapid Transit (BRT) lane;
 - (b) parks or causes a vehicle to be parked within fifteen (15) metres of any road intersection within the State;
 - (c) uses or deploys siren or other noisy device in a vehicle;
 - (d) being a driver or conductor of a commercial vehicle fails to wear the standard uniform as prescribed by the Ministry whilst engaged as a driver or conductor;
 - (e) drives his vehicle on unauthorised routes; or
 - (f) herds or allows cattle, sheep, goat, mule, pig or other beast of draught or burden to be on the highway, shall be guilty of an offence.
- Use of Unregistered or Unmarked Vehicle Prohibited. 25. Any person who drives or, being the owner, permits any other person to drive on a highway a motor vehicle which-
- (a) is not registered or licensed; or
 - (b) does not have affixed to it an identification mark in the prescribed manner, shall be guilty of an offence.

- Duty in
Case of
Accident.
26. Where in any accident due to the use of any motor vehicle or trailer on a highway any injury is caused to any person, property or livestock in the charge of any person, the driver of the motor vehicle shall –
- (a) immediately stop the vehicle;
 - (b) furnish his name and address, the name and address of the owner of the vehicle, the identification mark of the vehicle, and other particulars relating to it if requested;
 - (i) any person to whom the injury has been caused ;
 - (ii) the owner or person in charge of the property or of the livestock to which the injury has been caused; or
 - (iii) an officer of the Authority.
 - (c) Where the person to whom injury has been caused so request, or if he is unconscious or if the injury caused to that person appears to endanger life, take all -
 - (i) reasonable practicable steps to attend to the injured person;
 - (ii) procure medical attention;
 - (iv) take him to a hospital where necessary;
 - (v) report the accident immediately to the nearest Police Station; and
 - (vi) the nearest office of the Authority.
 - (d) In every other case, report the accident as soon as possible within twenty-four (24) hours of the occurrence of the accident to the nearest police station, or to the nearest office of the Authority.
- Refusal to
give Name
to an Officer.
27. (1) Any person who under the provisions of this Law or the Regulations made thereunder –
- (a) commits or is alleged to have committed an offence;
 - (b) refuses to give his name, address or such other information as may be demanded;
 - (c) gives false name, address or other false information
- is guilty of an offence.
- (2) The owner of any motor vehicle shall, on demand by any Police Officer or an officer of the Authority, give all information which it is within his power to give as to the name, address, description, antecedents and whereabouts of any person who commits or is alleged to have

committed any offence in respect of or with any such motor vehicle or trailer and shall also give similar information regarding any occupants of the motor vehicle or trailer at the time of the offence or alleged offence and if such owner fails to do so he shall be guilty of an offence.

Apprehension of Offender Refusing to Give Name. 28.

Any Police Officer or an officer of the Authority may apprehend without warrant any person who commits within his view, or whom he reasonably suspects of having committed, an offence under this Law or the Regulations made hereunder –

- (a) If such person refuses or fails to produce his driver's licence on demand;
- (b) If such person refuses to give his name and address or gives a name and address which may reasonably be suspected to be false; or
- (c) If any vehicle driven by such person does not bear the prescribed number plates or identification mark.

Power to Retain Driver's Licence in Certain Circumstances 29.

(1) Subject to the provisions of this Law, any Police Officer or an officer of the Authority may retain the driver's licence of any person who commits an offence in his presence, or whom he reasonably suspects of having committed an offence under this Law or the Regulations made thereunder, if he reasonably considers that any difficulty is likely to arise in the service of summons on such person.

(2) A Police Officer or an officer of the Authority who retains the Driver's licence of any person under this Section shall give to him a written statement signed and dated by the officer to the effect that the licence has been so retained and indicating the police station or office of the Authority at which the licence may be claimed.

(3) A driver's licence retained under this Section shall be returned to the holder upon his giving a written acknowledgement signed and dated by him to the effect that it has been so returned –

- (a) if he reports in person not less than three days after the date of its retention, at the police station mentioned in the written statement given in accordance with subsection (2); or
- (b) if a summons relating to the offence committed or suspected to have been committed by him is served on him.

Owner of Commercial 30.

Where a person is convicted of an offence in respect of the overloading of a commercial vehicle or trailer or of driving a commercial vehicle at a

Vehicle liable in Certain Cases of Overloading and Exceeding Speed Limit.		speed exceeding that provided by law, then in addition to the person driving the vehicle at the time of the commission of the offence, if such person not being the owner of the vehicle, the owner of such vehicle shall also be liable, and may be charged accordingly.
		Provided that such owner shall not be convicted of the offence if he can prove to the satisfaction of the Court that no act or omission on his part was contributory to the commission of the offence.
Owner of Commercial Vehicle Liable in Certain Cases if Vehicle is not safe.	31.	Where a person is convicted of an offence relating to the condition of a commercial motor vehicle then in addition to the person convicted, the owner, if such person is not the owner, shall also be guilty of the offence unless he can prove to the satisfaction of the court that he was not aware and could not by reasonable inquiry have been aware that the vehicle did not comply with requirements of the law relating to the condition of the vehicle.
Contravention of Terms of Licence	32.	Any person who uses a motor vehicle or trailer for a purpose other than that for which it is licensed shall be guilty of an offence.
Other liabilities .	33.	Nothing in this Law shall affect any liability of the driver or owner of a motor vehicle under any other enactment or at Common Law.
Liability of a Third Party.	34.	Where a commercial vehicle or trailer is in the custody or under the control of any person other than the owner or some person employed by the owner then that person in addition to the owner shall be liable under Section 31 unless such person can prove to the satisfaction of the Court that he was not aware and could not by reasonable inquiry have been aware that the vehicle did not comply with the requirements of the law relating to the condition of the vehicle.
Owner Responsible for Condition of Vehicle.	35.	The owner or driver of a motor vehicle or of an articulated vehicle shall not by reason of the vehicle having been registered or licensed by a licensing authority be relieved of any responsibility for its roadworthiness and fitness for the purpose for which it is being used.
General Penalty.	36.	(1) Any person who fails to comply with any of the provisions of this Law for which no specific penalty is provided commits an offence and shall be liable on conviction as follows – (a) as a first offender to a fine of twenty thousand Naira (₦20,000.00);

(b) as a subsequent offender to a fine of thirty thousand Naira (₦30, 000.00) or to imprisonment for a term of three (3) years or both.

(2) In addition to any penalty that may be provided for failure to comply with any provision of this Law or the Lagos State Traffic Management Authority Law, where such failure occurs, the vehicle may, upon conviction, be forfeited to the State.

(3) In sentencing a person convicted of committing an offence under this Law, the Court may, in addition to or in lieu of the prescribed sentence, direct the suspension or revocation of the driver's licence, and order the person convicted to-

(a) render community service in accordance with the provision of Section 347 of the Administration of Criminal Justice Law 2011;

(b) enroll for and attend courses of the Lagos State Drivers' Institute for a period of not less than 7 days, at his cost; or

(c) to both community service and enrolment in the Lagos State Drivers' Institute.

Corrupt Officers 37. (1) As from the commencement of this Law, no Officer shall demand, receive, willfully condone, connives or abet with any person gratification in cash or kind from any person to circumvent the provision of this Law.

(2) Any Officer who contravenes the provision of subsection (1) above shall be liable to summary dismissal and prosecution under the Criminal Justice Administration Law.

Regulations. 38. (1) The Commissioner may in accordance with the Regulations Approval Law Cap. R5 Vol. 6 Laws of Lagos State 2003 make regulations to-

(a) determine and regulate the size, shape and character of the identification marks and the manner in which they shall be fixed to motor vehicles and trailers and rendered easily distinguishable;

(b) register of motor vehicles, the particulars to be entered in the register, and the fees to be paid;

(c) notify of a change in the ownership of a motor vehicle or trailer and as to its registration thereafter;

(d) prescribe the different types of licences which may be

issued for motor vehicles and the purpose for which vehicles so licensed may be used;

(e) prescribe the fees to be paid for licensing motor vehicles or for any class or description of vehicles;

(f) prescribe conditions relating to the purposes for which stage carriages may be used and the hours during which they may ply for hire and other matters which shall be deemed to be attached to licences issued in respect of such vehicles, and empowering licensing authorities to issue any such licence subject to such further conditions as they may think fit to impose and endorse on the licence;

(g) the number of persons and the goods which may be carried in hackney and stage carriages;

(h) require stage carriages designed for the sole purpose of carrying persons and their hand luggage to carry a conductor;

(i) prohibit persons from driving hackney and stage carriages, or from acting as conductors on stage carriages, unless they wear badges issued by the relevant authority, and in the case of conductors, are registered by the relevant authority, and requiring the surrender of such badges in cases where the licensing authority considers the holder to be unsuitable to drive a hackney or stage carriage or to be a conductor on a stage carriage, as the case may be, and prescribing the fees for such badges and for the registration of conductors;

(j) prescribe areas within which hackney and carriages are not to operate unless they conform to the special requirements applicable to such areas;

(k) prescribe the constructional and mechanical requirements for hackney carriages, stage carriages and commercial vehicles;

(l) empower licensing authorities, singly or in combination, to fix the maximum and minimum fares which may be charged in the case of hackney and stage carriages;

(m) empower any authority to –

(i) fix time table for stage carriages on any route;

- (ii) determine stopping times at stands and stopping places;
 - (iii) determine the days and hours during which stage carriages may ply for hire on any specified route;
 - (iv) require the fitting to hackney carriages of meters or other similar devices to indicate authorized fares;
 - (v) provide for the additional examination of hackney and stage carriage drivers before the issue of a badge.
- (n) examine applicants for drivers' licences and as to the licences and permits which may be granted and the fees to be paid and providing for the taking and recording of the finger-print impressions of all drivers;
- (o) prohibit or restrict the driving of motor vehicles or any class or description of motor vehicle on any specified highway or part of a highway or empowering any specified officer or other authority to impose such prohibitions or restrictions;
- (p) the construction of motor vehicles and trailers and the conditions under which they may be used;
- (q) With respect to the speed at which motor vehicles or any class or description of motor vehicle may be driven either generally or on any specified highway or within any defined area or place;
- (r) prescribe precautions to be taken in the interest of the safety and convenience of the public travelling in motor vehicles or otherwise using highways, and providing for the periodical inspection of motor vehicles;
- (s) provide in respect of drivers of commercial vehicles –
- (i) the hours that they may be employed without a rest; and
 - (ii) the periods of rest from driving or other employment which must be allowed, differentiating, if necessary, between day and night and between drivers who are required only to drive the vehicle and those who have other duties to perform in addition to driving;

- (t) exempt or authorize any specified officer or other authority to exempt from all or any of the provisions of this Law or of any regulations made hereunder –
- (i) Any specified class or description of motor vehicle or trailer;
 - (ii) Motor vehicles or trailers belonging to any particular class of persons;
 - (iii) Any specified areas; or
 - (iv) Any specified class or description of person in the service of the State and prescribing any conditions of such exemptions.
- (u) give effect to the fulfillment of international requirements;
- (v) the issuance of international certificates for motor vehicles and international driving permits;
- (w) fix the fees to be paid for certificates, permits and other documents issued in connection with international requirement;
- (x) the compulsory examination of any type of motor vehicle or trailer or any class or description thereof and the places and manner of such examination;
- (y) the appointment of examiners of motor vehicles and trailers or any class or description thereof;
- (i) the payment of fees for such examination by the owners of such vehicles; and
 - (ii) the duties and powers of such examiners in regard to such examination..
- (z) for the cancellation or suspension of any licence issued in respect of any motor vehicle or trailer which since the issue of the licence is in such a condition as to be a source of danger to persons travelling in the vehicle or trailer or to other users of the roads or to cause damage to the roads themselves;
- (aa) prescribe penalties for the breach or contravention of any regulation made under this Law;
- (bb) prescribe fees and charges;

- (cc) prescribe anything which is to be prescribed and generally for the better carrying out of the purposes and provisions of this Law;
- (dd) specify the routes to be followed by vehicles, animals and pedestrians;
- (ee) determine the line to be kept by persons driving or in charge of or riding any vehicle or animal on any highway;
- (ff) prohibit or restrict the use of any specified highway by vehicles of any specified class or description;
- (gg) prohibit the driving or propelling of vehicles on any specified highway otherwise than in a specified direction;
- (hh) specify parking places, and the days and hours during which and the maximum periods for which they may be used and fees, if any, to be imposed;
- (ii) prohibit vehicles waiting on any specified highway;
- (jj) specify routes to be followed and the stopping places to be used by stage carriages;
- (kk) appoint stands for hackney and stage carriages and the days and hours during which they may be used;
- (ll) prohibit the sounding of horns, sirens or other similar appliances either in general or during specified hours or in respect of specified areas;
- (mm) regulate the conduct of persons driving, or propelling or in charge of or riding any vehicle or animal on a highway; and
- (nn) generally for the purpose of carrying into effect the purposes of this Law and for traffic control and vehicle inspection.

Application 39.
of the Law
to Public Officers

The provisions of this Law shall also apply to Vehicles and persons in the public service of the State, and for the purpose of proceedings for an offence in connection with any such Vehicle against any person other than the driver of the Vehicle, the person nominated in that behalf by the department in whose service the vehicle is used shall be deemed to be the person actually responsible unless it is shown to the satisfaction of the court that the driver only was responsible.

Interpretation 40. In this Law unless the context otherwise requires-

“Authority” means the Lagos State Traffic Management Authority established under Section 1 of the Lagos State Traffic Management Authority Law;

“Axle Weight” means in relation to an axle of a heavy motor vehicle or of a trailer the aggregate weight transmitted to the surface beneath by the several wheels attached to that axle, when the heavy motor vehicle or the trailer is loaded;

“Articulated Vehicle” means a motor vehicle with a trailer which is so constructed and by partial super-imposition attached to the motor vehicle that a substantial part of the weight of the trailer is borne by the motor vehicle;

“Appropriate Charges”, in relation to a removed vehicle of any class means such sum as the Commissioner may by order specify as regards vehicles of that class; and

“Commercial Vehicle” means a hackney carriage, a stage carriage, a tractor, and any motor vehicle primarily designed for the carriage of goods or passengers, excluding any such vehicle used exclusively for carrying the personal effects of the owner;

“Commissioner” means Commissioner for Transportation or any member of the State Executive Council being in charge of transportation in the State;

“Gross Weight” means the net weight of the vehicle with the weight of freight or load (including the driver and crew) which such vehicle is designed to carry and registered as such by the licensing authority;

“Hackney Carriage” means any motor vehicle designed or constructed to carry not more than seven persons, used or intended to be used for carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum;

“Highway” includes any roadway to which the public have access to and is controlled by the State;.

“Intersection” means a place where two or more roads pass across each other and or converge and includes a T-junction;

“Ministry” means Ministry of Transportation;

“Motorcycle” means a motor vehicle designed to travel on not more than two wheels, and includes a combination of a motorcycle and side car;

“Motor Vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

“Owner” means the person by whom the vehicle is kept and used and, in relation to a vehicle which is subject to a hiring agreement or hire purchase agreement, means the person keeping or using the vehicle under that agreement, and the expression

“Ownership” shall be construed accordingly;

“Parking Place” means a place where vehicles may be left or allowed to remain stationary;

“Prescribed” means prescribed by regulations made by the Commissioner.

“Prescribed Particulars” means in relation to any vehicle, the driving licence of the driver thereof, the rider’s card, the vehicle registration, the vehicle licence, roadworthiness certificate, certificate of insurance of the vehicle, hackney carriage licence, and stage carriage licence or any other document required by law to be obtained in relation to the vehicle.

“Stage Carriage” means any motor vehicle used or intended to be used for carrying passengers for hire or reward other than such a vehicle constructed or adapted to carry less than eight persons, the passengers paying separate and distinct fares or at the rate of separate or distinct fares for their respective places, and shall be deemed to include the expression “omnibus”;

“Trailer” means a vehicle drawn by any motor vehicle but does not include a side-car attached to a motor-cycle;

“Traffic Sign” includes all signals, warning sign posts, direction posts, signs or other devices for the guidance or direction of persons using highways;

“Vehicle” means carriages, wagons, carts, motor vehicles, motorcycles, tricycles, vans, lorries, trailers, hand carts, sledges, trucks, barrows, and all other machines for the carriage of goods or persons.

Repeal. 41. The Road Traffic Law Cap R10.Vol. 7 Laws of Lagos State 2003 as amended is repealed.

Citation and 42. This Law may be cited as the Lagos State Road Traffic Law 2012 and commencement shall come into force on the day of..... 2012.

SCHEDULE I
Traffic Offences and Penalties

	Offence	Point	Fine	Additional
1	Violation of routes by commercial vehicles	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
2	Non-display of route and routes number on vehicle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
3	Disobeying traffic control personnel	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound vehicle
4	Parking on yellow line on any public highway/illegal parking	4	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
5	Parking on yellow line on any public highway/illegal parking (trailer)	4	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
6	Vehicle crossing double yellow line/centre line	4	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
7	Staying within the yellow junction box(offside rule)	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
8	Failure to yield to right of way of pedestrians at a Zebra crossing	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
9	Failure to give way to traffic on the left at a roundabout	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
10	Smoking while driving	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
11	Riding motor-cycle without crash helmet for rider.	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment for a term of six (6) months, or both fine and imprisonment
12	Riding a motor-cycle without rider's permit	2		Impound motor cycle
13	Riding a motor-cycle: i. Against traffic ii. On the kerb, median or road set backs	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound motor-cycle
14	Conveying more than one passenger at any given time	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment for a term of six (6) months, or both fine and imprisonment
15	Installation of musical gadget on a motor-cycle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound the set

16	Alteration of manufacturer's specification on motorcycle (e.g. Handle bar/leg)	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
17	Motorcyclist resisting arrest		1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
18	Operating motor-cycle without side mirrors, trafficators, break light or rear lights	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
19	Motor-cycle operator carrying: i. Pregnant woman ii. Adult with baby iii. Child below the age of twelve (12) years		1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment for a term of three (3) years, or both fine and imprisonment
20	Under aged person(under 18yrs old) riding a motorcycle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Dislodge rider
21	Motorcycle operating using horn designed for motor vehicles	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Remove horn
22	Operating a Motor-cycle in a restricted area or on prohibited route	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound motor-cycle
23	Exceeding prescribed speed limit	2	#100, 000.00	Imprisonment for a term of one (1) year, or both fine and imprisonment
24	Tailgating an emergency vehicle	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
25	Failure of slow moving vehicle to keep to the right lane	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
26	Assault on a traffic officer(physical)	3		Imprisonment for a term of three (3) years, or both fine and imprisonment
27	Driving in a direction prohibited by the road traffic law/ Neglect of traffic directions	4	Forfeiture of vehicle to the State	1 st offender- one (1) year Imprisonment and forfeiture of the vehicle to the State 2 nd and Subsequent offender- three (3) years Imprisonment and forfeiture of the vehicle to the State and shall their data and biometric captured.
28	Illegal U-turns	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Driver Training
29	Wrongful overtaking of other vehicle	2	#100, 000.00	
30	Overloading of a commercial vehicle on the highway	4	#50, 000.00	Dislodge excess
31	Driving on the walkway or kerbs	4	#50, 000.00	

32	Parking on the walkway or kerbs	3	#20, 000.00	
33	Parking or stopping to pick passengers by a commercial vehicle on the highway	3	#20, 000.00	Driver Training
34	Bullion van driving in a direction prohibited by the Road Traffic law	5	Forfeiture of vehicle	Imprisonment for a term of three (3) years, or both fine and imprisonment
35	Abandoned vehicle on highway	2	#50, 000.00; cost of towing	Imprisonment for a term of six (6) months, or both fine and imprisonment
36	Causing obstruction on highway if broken down	2	#50, 000.00; Cost of Towing	
37	Commuter or Conductor hanging on tailboard of moving vehicle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Dislodge and Sanction Driver
38	Driving vehicles with doors left open	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
39	Making or receiving phone calls when driving with out hands free	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
40	Counting money, or otherwise engaged in other activities when driving	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
41	Driving without a strapped seat belt for both driver and passengers	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Strap on seat belt
42	Failure to display reflective warning sign at point of break down	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
43	Motorist resisting arrest	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	
44	Use of BRT Lite corridor	3	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment for a term of three (3) years, or both fine and imprisonment
45	Willful Obstruction on highway	2	#50, 000.00; cost of Towing	Imprisonment for a term of one (1) year, or both fine and imprisonment
46	Storage charge for impounded cars, jeep and mini-buses per day		#1000.00	
47	Storage charge for impounded motorcycles and 3wheelers per day		#500.00	
48	Storage charge for all other impounded vehicles(6wheelers and above per day)		#2, 000.00	
49	Towing an impounded car, jeep and mini buses		#10, 000.00	
50	Towing other commercial vehicles excluding trailers		#10, 000.00	

	(mini-buses)			
51	Towing a Trailer or Tanker(empty)		#50, 000.00	
52	Towing a trailer or tanker(loaded)		#100, 000.00	
53	Towing tippers and lorries(loaded)		#50, 000.00	
54	Towing luxurious buses		#50, 000.00	
55	Towing an overnight breakdown(trailer)		#100, 000.00	
56	Towing tricycles		#2, 000.00	
57	Towing Motorcycles		#500.00	
58	Hire of Heavy duty recovery equipment (Towing /Recovery fees)			At hirer's cost
59	Failure to pay Penalty within prescribed time			Double the initial penalty

In addition to the penalty prescribed above, the Authority may direct the driver/rider to attend the Lagos State Drivers' Institute for training and reorientation.

SCHEDULE II

Prohibited Routes for Motorcycle and Tricycle [Section 3]

Major Highways in Lagos

1. Lagos Ibadan Expressway
2. Apapa Oshodi Expressway
3. Oworoshoki Oshodi Expressway
4. Lagos Ikorodu Expressway
5. Lagos Abeokuta Expressway
6. Babangida Boulevarde
7. Eti-Osa Lekki Epe Expressway
8. Lagos Badagry Expressway
9. Funsho Williams Avenue
10. Agege Motor Road
11. Eti-Osa Lekki Coastal Road

LIST OF BRIDGES IN THE STATE

1. Iyana- Ipaja Bridge,	Agege/ Alimosho Local Government
2. Dopemu Bridge,	Agege/ Alimosho Local Government
3. Airport/ Ikeja Bridge,	Ikeja Local Government
4. Agege Motor Road/ Oshodi Loop, Oshodi ,	Ikeja/ Mushin Local Government
5. Mushin/ Isolo Link Bridge	Mushin/ Oshodi – Isolo Local Government
6. Dorman Long Bridge,	Surulere/ Lagos Mainland Local Government
7. Ojuelegba Bridge,	Surulere Local Government
8. National Stadium Flyover,	Surulere Local Government
9. Iganmu/ Funsho Williams Bridge	Surulere Local Government
10. Apapa – Iganmu Bridge	Surulere Local Government
11. Apapa- Ijora Link Bridge	Apapa/ Lagos Mainland Local Government
12. Liverpool Bridge, Apapa	Apapa Local Government
13. Mile 2 Bridge- Loop, Amuwo- Odofin	Amuwo- Odofin Local Government
14. Okota(Cele)/ Ijesha Link Bridge	Mushin/ Oshodi- Isolo Local Government
15. Apakun/ Apapa- Oshodi Bridge Network,	Mushin / Oshodi/ Isolo Local Government
16. Ikorodu Road/ Anthony Clover leaf Bridge	Somolu/ Ikeja Local Government
17. Trade Fair Flyover Bridge	Ojo Local Government
18. FESTAC/ Amuwo –Odofin Link Bridge	Amuwo/ Odofin Local Government
19. 2 Flyover Bridges along Alhaji Masha Rd,	Surulere Local Government
20. Ojota Clover leaf Bridge,	Kosofe/ Ikeja Local Government
21. Ogudu Bridge	Kosofe Local Government
22. 3 rd Mainland Bridge	Lagos Island/Mainland / Somolu Local Government
23. Maryland flyover	Ikeja/ Somolu Local Government
24. Ikeja/ General Hospital fly over Bridge,	Ikeja Local Government
25. Kodesoh Bridge, Oba Akran, Ikeja,	Ikeja Local Government
26. Opebi Link Bridge	Ikeja Local Government
27. Sheraton- Opebi Bridge	Ikeja Local Government
28. Jibowu/ Yaba flyover Bridge,	Lagos Mainland Local Government
29. Carter Bridge, Lagos	Lagos Island/ Lagos Mainland Local Government
30. Bariga – Ifako Bridge	Somolu/ Kosofe Local Government
31. Apapa-Oshodi Expressway/ Alapere Bridge	Somolu/ Kosofe Local Government
32. Bariga/ Oworonshoki Bridge	Somolu/Kosofe Local Government
33. Apapa- Oshodi Expressway/Gbagada U-Turn	Somolu/ Kosofe Local Government
34. Apapa- Oshodi Expressway/ 3 rd Mainland Bridge	Somolu/ Kosofe Local Government
35. 3 rd Mainland/Oworonshoki Bridge	Kosofe Local Government
36. Eko Bridge	Lagos Island/ Lagos Mainland Local Government
37. Apongbon flyover, Bridge	Lagos Island Local Government
38. Cowry Bridge(Officers Mess)	Lagos Island/ Eti- Osa Local Government
39. Mcwen Bridge(Bonny Camp)	Eti- Osa Local Government
40. Marina / Ikoyi Bridge	Lagos Island/ Eti- Osa Local Government
41. Ikoyi/ Obalende Bridge	Eti- Osa Local Government

Agege Local Government Area

1. Oba Ogunji Road
2. Old Abeokuta Road
3. Capitol Road
4. Alfa Nla Road
5. Oko-Oba Road
6. Akilo Street
7. Agunbiade Road
8. Ogba Road
9. Ipaja Road
10. Moricas Road
11. Oyewole Road
12. Arigbanla Street
13. Dopemu Road
14. Oke-Koto Junction
15. Oniwaya Road
16. Adebisi Awosoga Street
17. Old Ota Road
18. Ijaiye Road
19. Akin Doherty Road
20. Amoo Street
21. Pen Cinema Round About
22. Surulere Street
23. Agbedeji Street
24. Ayige Street
25. Sule Street
26. Ashipa Street
27. Salawu Street

Ajeromi-Ifelodun Local Government Area

1. Baale Adeyemo Street
2. Mba/Cardoso Street up to Oto Wharf
3. Mobil Road up to Boundary Road
4. Boundary Road-Aiyeke Bridge-Tolu Bus/Stop
5. Wilmer Crescent
6. Industrial Road
7. Achapo Road/New Road
8. Idewu Street
9. Baale Adeyemo Road
10. Malu/Mobil Road
11. Ojo Road
12. Cemetery/Mosafejo/Alaba Road
13. Bakare/Faro Road

Apapa Local Government Area

1. Creek Road
2. Wharf Road
3. Burma Road
4. Randle Road
5. Marine Road
6. Kofo Abayomi Road
7. Liverpool Road
8. Point Road
9. Park Lane
10. Itapeju Avenue
11. Entire network of Roads in Apapa GRA
12. Dock Yard Road
13. Oduduwa Road
14. Ladipo Oluwole Road
15. Bonny Road
16. Commercial Road
17. Malu/Mobil Road
18. Warehouse Road
19. Orile-Iganmu Road

Alimosho Local Government Area

1. Ipaja – Ayobo Road
2. Ekoru Road
3. Egbeda – Idimu Road
4. Egbeda-Akowonjo Road
5. Iyana-Ipaja-Idimu Road
6. Idimu-Ikotun Road
7. LASU-Iba Road
8. Ikotun-Egbe Road
9. Ipaja Road
10. Igando Road
11. Egbe –Idimu Road
12. Old Ota Road
13. Meiran Road
14. Ayobo Road
15. Ajasa/Command Road
16. Baruwa Road
17. Liasu Road
18. Governor’s Road
19. Abaranje Road
20. Ijegun Road
21. Shasha Road
22. Baruwa/Aina Obembe Road
23. Adefemi Road, Ipaja
24. Go ye Road

Amuwo – Odofin Local Government Area

1. Oshodi-Apapa Expressway
2. Durbar Road/Asiwaju Bola Tinubu Road
3. The entire Network of Roads in Festac Town
4. Circular Road
5. The entire Network of Roads in Zones A,B,C & D of Amuwo Odofin Low Cost Housing Estate

6. Old Ojo Road
7. Mumuni Adio Badmus Way
8. Lagos Badagry Expressway

Badagry Local Government Area

1. Lagos Badagry Expressway from Eric Moore to Seme Road
2. Badagry Roundabout to Topo Road
3. Joseph Dosu Road

Central Business District (CBD) Roads

1. Inner Marina
2. Broad Street
3. Nnamdi Azikwe Street
4. King George V Road
5. Idumagbo Avenue
6. Outer Marina
7. Adeniji Adele Street
8. Martins Street
9. Balogun Street
10. Odunlami Street
11. Ereko Street
12. New Balogun Street
13. Campbell Street
14. Breadfruit Street
15. Abibu Oki Street
16. Davies Street
17. Kakawa Street
18. Force Road
19. Oloto/Fosbery Road

Epe Local Government Area

1. Femi Agbalajobi
2. Ayetoro Road
3. Hospital Road
4. Marina Road
5. Central Mosque Road
6. Kasali Oluwo Street
7. Ekundayo Street
8. Lagos Road
9. Ijebu to Itoikin Road from Agbowa to Itoikin
10. Omu- Ijebu to Ketu Roundabout
11. Ketu Roundabout to Ejinrin Town
12. Ota Road
13. Olofin Road
14. Orungbo – Ido Road
15. Agbowa-Ikosi Road
16. Ketu Roundabout to Epe
17. Ketu Roundabout Itoikin

Eti-Osa Local Government Area

1. The entire Network of Roads and bridges in Ikoyi Obalende and Victoria Island Local Council Development Areas
2. Eti-Osa-Lekki-Epe Expressway

Ifako-Ijaiye Local Government Area/Ojodu Ojokoro Local Council Development Area

1. Ogunnusi Road
2. Lateef Jakande Road
3. College Road
4. Jonathan Coker Street
5. Iju Road
6. WEMPCO Road
7. ACME Road
8. New Oko-Oba Road
9. Lagos Abeokuta Expressway
10. Agbado Road
11. Baale Animashaun Road
12. Yaya Abatan Road

Ikeja Local Government Area

1. Lagos Ibadan Expressway (from Lagos Boundary to Lagos end Toll gate)
2. Sheraton Link Bridge
3. Oba Akran Avenue
4. Obafemi Awolowo Way
5. Kudirat Abiola Road
6. Mobolaji Bank-Anthony Way
7. Lateef Jakande Road
8. Nurudeen Olowopopo Drive
9. Otunba Jobi Fele Way
10. Allen Avenue
11. Opebi Road
12. Secretariat Road
13. Mobolaji Johnson Road
14. Osho Street
15. Hakeem Balogun Road
16. IPM Way
17. Ashabi Cole Street
18. Toyin Street
19. Entire Ikeja GRA Road Network
20. ACME Road
21. WEMPCO Road
22. Oduduwa Road
23. Isaac John Street
24. Alausa Secretariat Perimeter Road Network
25. Simbiat Abiola Road
26. Kaffi Street
27. Opebi Link Bridge
28. Ikosi Road
29. Adeniyi Jones Avenue
30. Entire Alausa CBD
31. Ladipo Oluwole Avenue

32. ASBFI Road
33. Olowu Street
34. Ola Ayinde Street
35. Unity Road
36. Aromire Avenue
37. Ijaola Street
38. Iyaoloye Crescent
39. Olu Akerele Street
40. Emmanuel Street
41. Odo-Iyalaro Underbridge
42. Olatunbosun Street

Ikorodu Local Government Area

1. Ikorodu Road (from Mile 12 to Ikorodu Benson Roundabout)
2. Ipakodo-Ibeshe Road
3. Lagos-Ikorodu Express Road
4. T.O.S. Benson Road
5. Oba Sekumade Road
6. Lagos-Shagamu Road
7. Obafemi Awolowo Road
8. Ikorodu-Itoikin Road
9. Igbogbo Road
10. Ayangburen Road
11. Alhaji Street

Ikoyi/Obalende Local Council Development Area

1. Alfred Rewane Road
2. Glover Road
3. Alexander Road
4. Awolowo Road
5. Bourdillon Road
6. Gerald Road
7. Osborne Road Estate 1 & 2
8. Lugard Avenue
9. Olu Holloway Road
10. Bayo Kuku Street
11. Oba Adeyinka Oyekan Avenue
12. Mobolaji Johnson Road
13. Club Road
14. Federal Secretariat Road
15. Thompson Avenue
16. Lateef Jakande Avenue
17. Moore Road
18. Oyinkan Abayomi Road
19. Maroko Close
20. Adeyemi Lawson Street
21. Femi Okunnu Road
22. Jabita Close
23. Onikoyi/Turnbull Road
24. Iru Close
25. Ajayi Bembe Street

26. Entire Park View Estate Roads
27. Awori Road
28. HFP Way
29. HEP Road
30. Lawrence Road
31. Reeve Road
32. St. Gregory Street
33. Ribadu Road
34. Raymond Njoku Street
35. Okotie Eboh Street
36. Keffi Street
37. Norman Williams Street
38. Ilabere Avenue
39. Oloto Road
40. Ojora Road
41. McPherson Avenue
42. Olanijonyin Avenue
43. Owena Street
44. Agodogba Road
45. Mobolaji Johnson Road
46. Bedwell Road
47. Murtala Muhammed Road
48. Obalende Road
49. Toyan Street
50. Odo Street
51. Awolowo Road
52. Bankole Oki Road
53. Ademola Street
54. Turnbull Road
55. Cameroon Road
56. Yemi Cardoso
57. Banana Estate
58. Dolphin Duplex
59. Dolphin High Rise
60. Alhaji Kannike Street
61. Igbo Street
62. Moshalashi Street
63. Eleshin Road
64. Ajeniya Street
65. Dr Bode Olajumoke Street
66. Alhaji Bashorun Close
67. Alhaji Alade Odunewu Street
68. Aromire close
69. Barrow Avenue
70. Olofin Street
71. Lalupon Street

Lagos Island Local Government Area

1. The Entire Network of Roads and Bridges in Lagos Island East and Lagos Island West Local Government

Lagos Mainland Local Government Area

1. Herbert Macaulay Way
2. Barikisu Iyede Street
3. Murtala Muhammed Way
4. Third Mainland Bridge
5. Ijora Causeway
6. Commercial Avenue
7. Old Yaba Road
8. Sabo Round About
9. University Road
10. Abule-Ijesha Road
11. Harvey Road
12. Montgomery Road
13. Onike Iwaya Road
14. Morocco Road
15. Aje Street
16. Musiliu Smith Road
17. Hughes Avenue
18. Birrel Avenue
19. Hussey Road
20. Oweh Street
21. Aggrey Road
22. Borno Way
23. Apapa Road
24. Jibowu Street
25. Iwaya Road
26. Okobaba Street
27. Cemetery Street
28. Freeman Street

Kosofe Local Government Area

1. Ogudu Alapere Expressway (from Toll Gate to Third Mainland bridge)
2. Ogudu Road
3. Demurin Street
4. Alapere Road
5. CMD Road
6. Doyin Omololu Street
7. Davies Street
8. 50 Metres from Ikorodu Road on Ikosi Road
9. Omololu Street
10. Diya Street
11. Williams Street

Mushin/Odi-Olowo Local Government Area

1. Agege Motor Road (From Mangoro to Moshalasi Junction)
2. Fatai Atere Way
3. Idi-Araba Street
4. Ilupeju By-Pass
5. Itire Road
6. Palm Avenue
7. Ladipo Street
8. Layi Oyekanmi Street
9. Olateju Street
10. Isolo Road
11. Ojekunle Road
12. Ilasamaja Road
13. Ogunmokun Street
14. Association Avenue
15. Kayode Street
16. Town Planning Way
17. Coker Road
18. Post Office Road
19. Mushin Road

Ojo Local Government Area

1. Igbo Elerin Road
2. Lagos-Badagry Expressway
3. Iyana School Bus stop to Ishasi Road
4. Oba Ayoka to Iba New site
5. Alaba International Market Road
6. Olojo Drive
7. Ojo Igbede Road
8. Nepa Road
9. Ishasi Road
10. Abule Aka Road to Ajangbadi Road
11. Akoberu /Sabo Road
12. Itire – Ilogbo Road
13. Iyana Era-Ilogbo Road
14. Ajangbadi-Shibiri Road
15. Kemberi/Aka Road

Oshodi/Isolo Local Government Area

1. Okota Road
2. NNPC Road
3. Oshodi-Apapa Expressway
4. Airport Road
5. Egbe Road
6. Ago-Palace Way
7. Isolo Road
8. Osolo Way
9. Abimbola Street
10. Ejigbo-Ajao Estate Link Road
11. Estate Isheri-Oshun Road
12. Post Office Road
13. Oyetayo Street
14. Oshodi Road
15. Church Street

16. Afariogun Street
17. Sehinde Callisto Street
18. Mafoluku Road
19. Adeyemi Street
20. Ajibulu Street
21. New Airport Road

Somolu Local Government Area

1. Ikorodu Expressway (from Mile 12 to Yaba Terminus)
2. George Street
3. Morocco Road
4. Market Street
5. Bajulaiye Road
6. Fola Agoro Street
7. Apata Street
8. Oguntolu Street
9. Pedro Road
10. Igi Olugbin Street
11. Ashogbon Street
12. Gbagada Road
13. St. Finbars Road
14. Jibowu Street
15. Oweh Street
16. Isaac John Street
17. Watchtower Avenue
18. Shylon Street
19. Shipeolu Street

Surulere Local Government Area

1. Funsho Williams Avenue
2. Adeniran Ogunsanya Street
3. Ogunlana Drive
4. Bode Thomas Street
5. Akerele Road
6. Itire-Ojuelegba Road
7. Tejuosho Street
8. Alhaji Masha Road
9. Itire-Ijesha Road
10. Ishaga Road
11. Eric Moore Road
12. Randle Avenue
13. Agbebi Street
14. Babs Animashaun Road
15. Ijesha Road
16. Enitan Street
17. Adeshina Street
18. Adelabu Street
19. Adetola Street
20. Nuru Oniwo Street
21. Adekunle Kuye Street
22. Shaki Crescent
23. Oshogbo Street

24. Tokosi Street
25. Okota link Bridge
26. Opere Street
27. Odichie Street
28. Olatunde Onimole Street
29. Brown Street
30. Agboyin Street
31. Agbonyin Avenue
32. Nnobi Street
33. Sanya Street
34. Opeloyeru Street
35. Kilo Street
36. Adetioye Street
37. Fasoro Street
38. Oladimeji Street
39. Ojuolape Street
40. Solabomi Street
41. Ogunbesan Street

Iru/ Victoria Island Local Council Development Area

1. Ahmadu Bello Way
2. Adeola Odeku Street
3. Kofo Abayomi Street
4. Ozumba Mbadiwe Avenue
5. Ajose Adeogun Road
6. Idowu Taylor Street
7. Idowu Martins Street
8. Adeleke Adedoyin Street
9. Elsie Femi Pearse Street
10. Musa Yar Adua Street
11. Walter Carrington Crescent
12. Bishop Oluwole Street
13. Samuel Manuwa Street
14. Akin Olugbade Street
15. Molade Okoya Thomas Street
16. Sinari Daranijo Street
17. Bishop Aboyade Cole Street
18. Ligali Ayorinde Avenue
19. Saka Tinubu Street
20. Karimu Kotun Street
21. Muri Okunola Street
22. Etim Inyang Crescent
23. Adetokunbo Ademola Street
24. Adeola Hopewell Street
25. Ahmed Onibudo Road
26. Engineering Close
27. Sanusi Fafunwa Street
28. Tiamiyu Savage Street
29. Olosa Street
30. Oyin Jolayemi Street
31. Marinho Drive
32. Moshood Olugbani
33. Fatai Durosinmi Street

34. Adeyemo Alakija Street
35. Oko Awo Close
36. Afribank Street
37. Jide Oki Street
38. Festival Road
39. Federal Housing Complex Road
40. Oba Idowu Oniru Road
41. Palace Road
42. Oniru New Market Road
43. Water Corporation Road
44. Akin Adesola Street

SCHEDULE III

Vehicle Inspection Offences and Penalties

No.	Violation	Penalty			
		Point	Fine	Additional	
1.	Driving without valid driver's License	2		Impound Vehicle	Payment for Removal and Storage and evidence of payment for the licence
2.	Driving of any vehicle by person under 18 years	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound Vehicle	Payment for Removal and Storage
3.	Learner Driver Without Permit	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound Vehicle	Payment for Removal and Storage and evidence of payment for permit
4.	Learner Driver on highways	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Dislodge Driver	
5.	Learner driver and unaccompanied by licensed driver	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Dislodge Driver	
6.	Driving an unlicensed vehicle	4	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment of 3 years	Or both fine and imprisonment
7.	Driving with a fake number plate	4	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment of not more than 6months	Or both fine and imprisonment
8.	Driving a vehicle with unauthorised or defective number plate	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment of not more than 6months	Or both fine and imprisonment
9.	Driving with a forged driver's licence		1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Imprisonment of not more than 6months	Or both fine and imprisonment
10.	Driving without a valid MOT test certificate	2		Impound vehicle	Payment for Removal and Storage and evidence of payment for the certificate
11.	Driving without a valid roadworthiness certificate	2		Impound Vehicle	Payment for Removal and Storage and evidence of payment for the certificate
12.	Driving without a valid vehicle licence	2		Impound Vehicle	Payment for Removal and Storage and evidence of

					payment for the licence
13.	Not painting a commercial vehicle in approved colours	4	#50, 000.00	Enforce Painting	
15.	Driving a commercial vehicle without valid hackney/stage carriage	2		Impound Vehicle	Payment for Removal and Storage and evidence of payment for the certificate
16.	Driving a commercial vehicle without certificate of roadworthiness	2		Impound Vehicle	Payment for Removal and Storage and evidence of payment for the certificate
17.	Non-display of hackney permit	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound vehicle	
18	No car hire service permit	2	1 st offender-#20, 000.00 Subsequent offender-30, 000.00	Impound vehicle	
19	Disobeying traffic control personnel	2	1 st offender-#20, 000.00 Subsequent offender-30, 000.00	Impound vehicle	
20	Neglect of traffic directions	2		Forfeiture of the vehicle to the State	3 months imprisonment /community service
21	Smoking while driving	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Impound Vehicle	
22	Riding motorcycle without approved crash helmet for rider and passenger	1	1 st offender-#20, 000.00 Subsequent offender-30, 000.00	Imprisonment of not more than 6months	Or both fine and imprisonment
23	Driving motorcycle without rider's permit			Impound Motorcycle	Payment for Removal and Storage and evidence of payment for the permit
24	Operating vehicle within restricted routes or beyond approved hour	3	#50, 000.00	Impound Vehicle	6months Imprisonment or both fine and imprisonment
25	Physical assault on traffic officer			6months imprisonment	
26	Commuter or conductor hanging on tailboard of moving vehicle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Dislodge	
27	Driving vehicles with doors left open	2	1 st offender-#20, 000.00 Subsequent offender-#30,	Dislodge	

			000.00		
	Driving a right hand vehicle	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Conversion	
	Driving motorcycle/three wheelers with non-functional lamps	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Effect Repairs	
	Driving private motor vehicle with non-functional lamps	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Effect Repairs	
	Driving commercial vehicle with non-functional lamps	2	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00	Effect Repairs	
	Driving Trailers, tankers and tippers with non-functional lamps	4	#50, 000.00	Impound vehicle	
	Driving company motor vehicles with non-functional lamps	3	#25, 000.00	Effect repairs	
	Driving a trailer or other vehicle carrying containers unlatched and not properly secured	4	#250,000.00	Impound vehicle	
	Driving with worn-out tyre	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00		
	Driving without spare tyre	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00		
	Excessive smoke emission	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00		
	Fire extinguisher violation	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00		
	Windscreen violation	1	1 st offender-#20, 000.00 Subsequent offender-#30, 000.00		
	Storage charge for impounded cars, jeep and mini-buses per day		#1000.00		
	Storage charge for impounded motorcycles and 3wheelers per day		#500.00		
	Storage charge for all other impounded vehicles(6wheelers and above per day)		#2, 000.00		
	Towing an impounded car, jeep and mini buses		#10, 000.00		
	Towing other commercial vehicles excluding trailers (mini-buses)		#10, 000.00		
	Towing a Trailer or Tanker(empty)		#50, 000.00		

	Towing a trailer or tanker(loaded)		#100, 000.00		
	Towing tippers and lorries(loaded)		#50, 000.00		
	Towing luxurious buses		#50, 000.00		
	Towing an overnight breakdown(trailer)		#100, 000.00		
	Towing tricycles		#2, 000.00		
	Towing Motorcycles		#500.00		
	Hire of Heavy duty recovery equipment (Towing /Recovery fees)			At Hirer's Cost	
	Failure to pay Penalty fee within prescribed time				Double the initial penalty

In addition to the penalty prescribed above, the Authority may direct the driver/rider to attend the Lagos State Drivers' Institute for training and reorientation.

SCHEDULE IV

Road Traffic Regulations

[Section 38]

- Citation 1. These regulations may be cited as the Road Traffic Regulations.
- Interpretation 2. In these regulations unless the context otherwise requires—
- “Authorised Officer” includes officer of the Authority, the Service or the Ministry;
- “Authority” means the Lagos State Traffic Management Authority established under section 1 of the Lagos State Traffic Management Authority Law;
- “Commissioner” means Commissioner for Transportation or any member of the State Executive Council being in charge of transportation in Lagos State;
- “Heavy Motor Vehicle” means a commercial vehicle of which the gross weight exceeds one ton fifteen hundred-weight;
- “Law” means the Road Traffic Law
- “Ministry” means Ministry of Transportation;
- “Motor-Cycle” means a motor vehicle designed to travel on not more than two wheels, and includes a combination of a motor-cycle and side-car;
- “Net Weight” means the weight of a vehicle unladen with a full fuel tank, full radiator and inclusive of all equipment;
- “Overall Length” means the overall length of a vehicle exclusive of the starting handle (if any);
- “Overall Width” means the width measured between parallel planes passing through the extreme projecting points of a vehicle exclusive of any driving mirror;
- “Overhang” means the distance measured horizontally and parallel to the longitudinal axis of a vehicle between two vertical planes at right angles to such axis the one passing through that point of the vehicle which projects furthest to the rear and the other passing—

- (a) in the case of a motor vehicle having two axles, one of which is not a steering axle, through the centre point of that axle; and
- (b) in the case of a motor vehicle having three axles;
 - (i) where the front axle is the only steering axle, through a point four inches in rear of the centre of a straight line joining the centre points of the rear and middle axles; and
 - (ii) where the rear axle is the only steering axle, through the centre point of the middle axle; and
 - (iii) where all the axles but one are steering axles, through the centre point of the axle which is not a steering axle; and
- (c) in the case of a motor vehicle (whether having two axles or three axles) where all the axles are steering axles and in the case of a motor vehicle having four or more axles, through a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

“professional driver” includes paid driver;

“Service” means Vehicle Inspection Service established under section 13 of the Law;

“Vehicle” means carriages, wagons, carts, motor vehicles, motorcycles, tricycles, vans, lorries, trailers, hand carts, sledges, trucks, barrows, and all other machines for the carriage of goods or persons.

“Width” in relation to a tyre means the maximum thickness of the tyre, from one side of the tyre to the other measuring parallel to the axle as specified on the tyre by the manufacturer.

Use and
Construction

- 3. (1) No person shall cause or permit a motor vehicle or trailer to be used on any highway, or shall drive or have charge of a motor vehicle or trailer, when so used, unless the conditions hereinafter set forth are satisfied, namely—

- (a) a motor vehicle, if its net weight exceeds five hundredweight, must be capable of being so worked that it may travel either forwards or backwards;
- (b) no motor vehicle or trailer shall exceed eight feet in overall width;
- (c) no load on any motor vehicle or trailer shall project beyond either side of such vehicle to a greater extent than three inches;
- (d) the overhang of any motor vehicle or trailer shall not exceed seven twenty-fourths of the overall length:
- (e) no load may protrude more than three feet beyond the front elevation of a motor vehicle or trailer and where the load projects more than six feet behind the rear elevation of such vehicle, a red flag shall be fixed by day to the extreme end of the load and a red lamp by night in a similar position, the flag or lamp being clearly visible from the rear;
- (f) the height from the ground level of any motor vehicle or trailer with any freight or load placed thereon shall not at any point exceed eleven feet:

Provided that where the freight or load is entirely composed of seed cotton or cotton lint the height of the highest point of such freight or load from the ground level may be increased to twelve feet six inches;

- (g)
 - (i) any freight or load on a motor vehicle or trailer shall be secured in such manner as to render it impossible for such freight or load or any part thereof to fall or be jolted off the motor vehicle or trailer when in motion or to come into contact with the road while the motor vehicle or trailer is in motion;
 - (ii) no freight, load or other article whatsoever shall be carried on the top or outside of the hood, canopy or roofing of any motor vehicle other than spare wheels or spare tyres for such vehicle unless authorized by the Authority;
 - (iii) freight or load of a greater weight than that which the vehicle is constructed to carry, as registered and stated on the licence, shall not be placed on any commercial vehicle or trailer and the owner shall cause the net weight of the vehicle, the weight of such freight or load and, where required by the licensing

authority, the axle weights to be painted on some conspicuous part of the off side of the vehicle in letters and figures not less than one inch in height, and of such shape and colour as to be legible and clearly distinguishable from the colour of the ground whereon the letters and figures are painted or marked and he shall cause the paint or marking to be from time to time repaired or renewed as often as may be necessary to keep the said letters and figures legible and clearly distinguishable;

(iv) no person shall be carried within or upon a trailer other than a guard or a brakesman or both; and no person shall be carried within or upon a commercial vehicle not being a stage or hackney carriage, or hearse or commercial vehicle used as a hearse, other than the owner or hirer of the vehicle or the owner of the goods carried on the vehicle or trailer, or the servants or agents of the owner or hirer:

Provided that in the case of a vehicle without sides fitted to the body or the sides of which are less than one foot in height no person, other than a guard or a brakesman, shall be carried except in the cab.

Standing prohibited in open vehicles and trailers

(v) no person shall stand in or on a vehicle or trailer which is not covered in while such vehicle or trailer is in motion;

(h) every motor vehicle and every trailer shall be fitted with pneumatic tyres, on all its wheels, and no motor vehicle or trailer shall be driven on any highway if its tyres are not, in the opinion of the Authority or the Service, in all respects in such a condition as not to cause, or to be likely to cause, danger to any person on the vehicle or to any person on the vehicle or to any person using the highway at the time, or to any property on or adjoining the highway;

(i) (i) every motor vehicle shall be equipped with two entirely independent and efficient braking systems, or with one efficient braking system having two independent means of operation, in each case so designed, constructed and maintained that the failure of any single portion of any braking system shall not even under the most adverse conditions prevent the brakes on two wheels or, in the case of a vehicle having less than four wheels, on one wheel, from operating effectively, so as either to hold such wheels from revolving or to have the same effect in stopping the motor vehicle as if such wheels were so held:

Provided that in the case of a single braking system the two means of operation shall not be deemed to be otherwise than independent solely by reason of the fact that they are connected either directly or indirectly with the same cross shaft;

(ii) in the case of a motor vehicle having more than three wheels and equipped with two independent braking systems each such system shall be so constructed, designed and maintained that if it acts either directly or indirectly) on two wheels only it shall act on two wheels on the same axle;

(iii) where in the case of a single braking system the means of operation are connected either directly or indirectly with the same cross shaft, the brakes applied by one of such means shall act on all the wheels of the motor vehicle directly and not through the transmission gear;

(iv) in all cases the brakes operated by one of the means of operation shall be applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device;

(v) in all cases the brakes operated by one of the means of operation shall act directly upon the wheels and not through the transmission gear;

(vi) except in the case of a motor bicycle, with or without a side-car attached, the braking system or one of the braking systems shall be so designed, constructed and maintained that it can be set so as effectually to prevent two at least, or in the case of a motor vehicle having only three wheels, one of the wheels, from revolving when the vehicle is left unattended;

(j) all engines shall be efficiently silenced; no cut-outs or open exhausts shall be used;

(k) all motor vehicles and trailers shall carry at all times functioning electric lights and no other light of any other colour other than those which are laid down in these regulations shall be exhibited on any vehicle without the express permission in writing of the principal licensing authority;

- (l) (a) all motor vehicles and trailers shall carry functioning electric lamps as follows—
- (i) two head lamps in front, one on each side of the vehicle so constructed and placed as to exhibit white light visible within a reasonable distance in the direction towards which the vehicle is facing and clearly to indicate the width of the vehicle, and all such vehicles shall carry a direction indicator on each side of the front of the vehicle;
 - (ii) two functioning lamp fittings at the rear of the vehicle, one on each side of the vehicle so constructed and placed as to exhibit red, amber and white light separately as running simultaneously visible with the head lamps, brake, direction and reverse direction to that in which the vehicle is facing and such that other road users approaching the rear of the vehicle shall have sufficient notice of its distance, direction and whether it is stationary or not; and such fittings shall be so contrived as to illuminate and render easily distinguishable the identification plate on the vehicle unless a separate lamp is carried for this purpose;
- (b) all motor cycles and tricycles shall carry a single functioning head lamp in front, along with direction indicators on either side and visible within a reasonable distance in the direction towards which the motor cycle is facing, and one functioning lamp fitting at the rear so constructed and placed as to exhibit red lights separately as running light and brake light visible within a reasonable distance in the reverse direction to that which vehicle is facing;
- (c) when a trailer is attached to a motor vehicle sub-regulations (i) and (ii) shall apply to both the trailer and the motor vehicle.
- (m) every motor vehicle shall be fitted with an efficient electric horn sounding not more than a single note, or with a bulb horn which gives out a single note when the bulb is pressed but which does not make any sound when the bulb is released. The use by motor vehicles of any form of warning appliance other than of a type approved by the Authority or the Service is forbidden;

- (n) every vehicle shall carry a driving mirror which shall be so fixed on the vehicle as to enable the driver thereof when driving to have a clear view reflected in the mirror of any following traffic;
- (o) every motor vehicle or trailer when moving on any highway shall have its wheels properly aligned to the chassis so that the true rolling motion of the wheels or trailer shall be conveyed to the road, and no motor vehicle or trailer with a defective wheel, wheel hub, or axle-tree, shall be used on any highway;
- (p) every motor vehicle shall be provided with a strong and reliable steering gear which shall be kept in such a state of repair and adjustment as to allow the vehicle to be turned readily and with certainty. The steering apparatus and driving gear of a motor vehicle shall be so arranged that the driver can manipulate the controls with certainty and at the same time have a clear view of the road;
- (q) every motor vehicle (other than a motor-cycle) and every trailer shall be equipped with suitable, free acting and efficient springs, and these springs shall be kept at all times in proper alignment and properly secured to the axle and to the frame of the vehicles so that no undue lateral movement is allowed;
- (r) all glass fitted to motor vehicles shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on the highway;
- (s) every motor vehicle or trailer shall be provided with wings or similar means to catch as far as practicable mud or water thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the vehicle;
- (t) every motor vehicle and trailer and all parts and accessories of such vehicle or trailer shall be in such a condition as not to cause or be likely to cause danger to any person therein or to any person using the highway or to any property lying on or adjoining the highway.
- (2) (a) Notwithstanding the provisions of sub-paragraphs (c), (e) and (f) of paragraph (1) the Ministry may grant in writing for a particular occasion or particular occasions a permit for the carriage by a motor vehicle or trailer of any specified freight or load which by reason of the nature of the freight or load is incapable of being so placed on the vehicle as to conform to these provisions.

(b) Such permit shall be carried by the driver of the motor vehicle on such occasion or occasions and shall be produced by him on demand being made by any licensing authority or authorized officer.

(3) Notwithstanding the provisions of sub-paragraph (b) of paragraph (1), the Ministry may grant in writing for a particular occasion or occasions a permit for the use of a motor vehicle or trailer which does not conform to requirements of the said paragraph and such permit shall be subject to any conditions endorsed thereon. Such permit shall be carried by the driver of the motor vehicle on such occasion or occasions and shall be produced by him on demand being made by authorized officer.

Conditions 4.
for use of trailer .

A trailer shall not be used on any highway unless the following special conditions are observed—

(a) the couplings provided for attaching the trailer to a motor vehicle shall be efficient for the purpose;

(b) every three or four-wheeled trailer exceeding five hundred-weight net weight or two-wheeled trailer exceeding ten hundredweight net weight shall have a brake in good working order which when applied shall cause two of the wheels of the trailer on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the trailer as if such wheels were so held, and, subject to the provisions of paragraph (c) of this regulation, shall carry a person who shall be competent and shall be seated in a convenient position to apply the brakes of the trailer efficiently;

(c) if the brakes upon the motor vehicle are so constructed that none can be used without bringing into action simultaneously the brake attached to the trailer, or if the brake of the trailer can be applied from the motor vehicle by a person upon the motor vehicle independently of the brakes of the latter, it shall not be necessary to carry a brakesman on the trailer;

(d) if more than one trailer is drawn by a motor vehicle the provisions of paragraphs (a), (b) and (c) of this regulation shall apply to the trailer next to the motor vehicle and in respect of all other trailers the following provisions shall apply—

(i) the coupling provided for attaching the trailer to the trailer in front of it shall be efficient for the purpose;

(ii) the trailer shall have a brake in good working order which when applied shall cause two of the wheels of the trailer on the same axle to be so held that the wheels shall be effectually prevented from revolving or shall have the same effect in stopping the trailer as if such wheels were so held;

(iii) there shall be carried on each trailer a person competent to apply the brake efficiently; and

(iv) the braking system of each trailer shall be entirely independent of the motor vehicle drawing the trailer and of any other trailer;

(e) (i) the gross weight of a two or three-wheeled trailer shall not exceed four tons and if a four-wheeled trailer eight tons;

(ii) not more than four tons shall be carried on any one axle of a trailer:

Provided that the Ministry may by consent in writing, and subject to any conditions that may be imposed, exempt a particular trailer from these provisions;

(f) the wheel base of any trailer having an axle weight of four tons or over shall not be less than ten feet between axle centres;

(g) not more than one person other than the brakesman may be carried or be permitted to be carried in a trailer.

- | | | |
|-------------------------|----|---|
| Illuminated Indicators | 5. | Every heavy motor vehicle in use on any highway shall be fitted with those specified in sub-regulations (i) and (ii) of Regulation 3 (1). |
| Position of Indicators. | 6. | Direction indicators intended to intimate a right-hand turn shall be fitted only on the right or near side and direction indicators intended to intimate a left-hand turn shall be fitted only on the left or off side of the vehicle and, except as hereinafter provided in regulation 7 hereof, every direction indicator shall be so designed and fitted that—

(a) it is not more than five feet behind the base of the wind-screen; and

(b) it is not more than seven feet above the level of the ground; and |

- (c) when in operation—
 - (i) it temporarily alters the outline of the vehicle to the extent of at least eight inches measured horizontally; and
 - (ii) the outermost point of the indicator shall be at least eight inches further from the longitudinal axis of the vehicle than is the outermost point of the driver's cab or of the side of the body immediately behind the driver's seat whichever is the wider; and
 - (iii) it remains steady when extended; and
 - (d) the driver of the vehicle when in his driving seat may be readily aware that it is operating correctly.
- Indicators at rear 7. (1) Additional direction indicators in the form specified in regulation 6 hereof may be fitted at the rear of any vehicle when—
- (a) they are only used in addition to those fitted in accordance with the provision of Regulation 6 hereof; and
 - (b) they are visible at a reasonable distance from any point in the rear of the vehicle.
- (2) Every driver in charge of a disabled motor vehicle on any highway shall in addition to the duties imposed by Regulation 15 (1) (i) ensure that the period the vehicle is so disabled he shall cause his hazard lamps to be lit so as to warn approaching road users.
- Indicators must not mislead 8. Every direction indicator shall be also fitted that when not in operation it will not be likely to mislead the driver of any other vehicle or any other person controlling traffic.
- Indicator lights to be Diffused. 9. Every light shown by a direction indicator shall be diffused by means of frosted glass or other adequate means.
- Examination of commercial vehicles . 10. (1) Every commercial vehicle and every trailer shall before being registered or licensed and every six months thereafter be examined by an examiner appointed by the Service.

(2) Where at such examination a vehicle is found to be roadworthy the examiner shall issue a certificate to that effect which shall remain valid for six months. Such certificate shall be carried within the vehicle and produced when required by the licensing authority, an administrative officer or an authorized officer.

(3) A duplicate certificate may be issued upon application to the examiner and upon the prescribed fee being paid.

(4) Where the vehicle has been examined and is found not to be roadworthy in any respect the owner of the vehicle shall be served with a notice by the examiner setting out the defects to be remedied and shall not after a receipt of such notice permit the vehicle to be used or submit the vehicle for licensing to any licensing authority until such time as the defects have been remedied to the satisfaction of the examiner.

(5) There shall be payable by the owner for every such examination the prescribed fee.

Examination of private vehicles . 11.

(1) Every private motor vehicle 5 years old (from date of manufacture) plying any road in the State shall be examined annually to determine its roadworthiness and functioning of its working parts;

(2) The examination referred to in sub-regulation (i) of this Regulation shall be known as Ministry of Transportation Test (MOT);

(3) There shall be payable by the owner of the vehicle for such examination a fee to be prescribed by the Commissioner;

(4) Where at such examination a vehicle is found to be roadworthy, the examiner shall issue a licence which shall remain valid for one year;

(5) Such licence shall be carried within the vehicle and produced when required by an authorized officer;

(6) The conditions and fee payable for the Ministry of Transportation Test may be as prescribed by the Commissioner;

(7) The examiner referred to in sub-regulation (iv) of this Regulation shall be appointed by the Commissioner.

Vehicles exceeding 160 cwts. gross weight. 12.

No motor vehicle may be used on a highway if the axle weight of any of its axles exceeds four tons, or if the gross weight of the vehicle exceeds eight tons:

Provided that the Commissioner may, by his consent in writing, and subject to such conditions, if any, as he may impose, exempt a motor

vehicle or class of motor vehicles exceeding such weights from this regulation.

- Ascertainment of weights by the Service. 13. The Service or any authorized officer may at any time, for reasonable cause, require any commercial vehicle or trailer to be driven to any reasonably convenient place to have its net or gross weight or any axle weight ascertained and the person driving or in charge of such vehicle or trailer shall comply with any such requirement.
- Breach of Regulations. 14. No person shall cause or permit to be used on any highway or shall on any highway drive or have charge of a motor vehicle or a trailer which is not in all respects in accordance with the provisions of these regulations, or which is so used or driven as to contravene the provisions of these regulations.
- Provisions relating to driving. 15. (1) Any person driving or in charge of a motor vehicle when used on any highway—
- (a) (i) shall not drive in any place within a township at a speed exceeding forty kilometres an hour or any other prescribed speed limit whichever is lower;
 - (ii) shall not if the vehicle is a commercial vehicle exceed the prescribed speed;
 - (b) shall not cause the vehicle to travel backwards further than may be necessary for turning or other reasonable purpose;
 - (c) shall not when on the vehicle be in such a position that he cannot have control over the same, or that he cannot obtain a full view of the road and traffic ahead of the vehicle;
 - (d) shall, whenever necessary and provided it is not in contravention of any law or regulation, by sounding his horn or other appliance, give audible and sufficient warning of the approach or position of the vehicle; but he shall not use any appliance which has not been approved by the Ministry, the Authority or the Service or make any unnecessary noise with his horn or other appliance;
 - (e) shall, on the request of any authorized officer in uniform, or of any person having charge of a horse, mule or donkey or other beast of draught or burden or of any cattle, sheep, goats or pigs, or if any such officer or person shall put up his hand as a signal for that purpose, or if any such officer shall blow his whistle as a signal for that purpose, cause the vehicle to stop and to remain stationary or to proceed at not more than four miles an hour if so desired so long as may be reasonably necessary;

(f) shall, before rounding any curve or corner, or entering or crossing a road or approaching a fork, reduce speed; and in rounding any curve or corner, shall keep as close as possible to the right-hand side of the road, and when rounding a curve at which the road ahead is not visible for a greater distance than one hundred yards or any corner, or entering or crossing a road or approaching a fork, shall not pass or attempt to pass any traffic travelling in the same direction; and shall not other- wise than by reason of an enforced stoppage or owing to the necessities of traffic, stop his vehicle within twenty-five feet from any corner;

(g) shall not be asleep while in charge of the vehicle on a highway;

(h) shall draw up his vehicle close to the side of the road, so as to allow a clear roadway for passing traffic and shall obey the directions of any authorised officer in uniform as to where he is to place his vehicle while waiting on the road, and shall not leave such vehicle unattended on any highway with the engine running nor shall he quit the vehicle without having taken due precautions against its being started in his absence, or allow the vehicle to stand on such highway so as to cause any unnecessary obstruction thereof;

(i) shall not leave the vehicle if disabled on any highway the right side or near-side thereof, and in such case shall at a distance of 3 metres from both the front and rear of the vehicle, one each a triangular shaped sign which shall be 60cm on each side of the said sign, which said sign shall be hollowed and painted with reflective colour with the word “C” boldly inscribed on the said sign, and shall cause such vehicle to bear lighted lamps at the front and rear thereof between sunset and sunrise as specified in subparagraph (i) of paragraph (i) of regulation 7;

(j) shall obey all directions, whether verbal or by signal, given by an authorized officer in uniform, to stop the vehicle, or to make it slow down, or to pass on any indicated side of the authorized officer, or to keep to any indicated line of traffic;

(k) shall make use of the hand-signals as prescribed and shall pay regard to such signals when used by other persons:

Provided that mechanical or electrically operated direction indicators when fitted to a vehicle may be used for indicating that he intends to turn to the right or left;

(l) shall comply with the signs illustrated in the Schedule to the Regulations, and to all traffic signs placed on or near any highway by

order of the authority responsible for the maintenance of the highway for the guidance of drivers of vehicles;

(m) shall obey all notices, intended to apply to vehicles, which may be erected or exhibited on or near any highway or so as to be visible from any highway by order of the authority responsible for the maintenance of the highway, prohibiting, restricting, or regulating traffic over bridges or sections of road;

(n) shall on approaching any authorised officer on duty at any road junction give the appropriate signal to him, and shall on no account make a turn or proceed to cross the road until such officer has signaled permission for him to do so;

(o) shall not permit any person to be on the vehicle in such a position as to interfere with the driver's control of the vehicle, or his full view of the road and traffic ahead or his ability to make the prescribed hand-signals, and shall not on a right-hand steering controlled vehicle, permit any person to sit or stand on the right-hand side of the driver, nor more than two persons on the left-hand side of the driver, and on a left-hand steering controlled vehicle shall not permit any person to sit or stand on the left-hand side of the driver, nor more than two persons on the right-hand side of the driver;

(p) shall, on demand being made by an authorised officer in uniform produce his licence to drive such a vehicle for the inspection of such officer:

Provided that if within twenty-four hours after the production of his licence was demanded he produces the licence in person to such office as may have been specified by him at the time of its production was required, he shall not be convicted of an offence under this sub-paragraph;

(q) shall not permit any person to ride on the wing, running boards, fenders or bonnet or sides of the vehicle except for the purpose of testing the vehicle during repairs;

(r) shall not permit in the case of a commercial vehicle, any person to ride on the steps, tail-board, canopy or roofing of the vehicle, nor on any load or freight on the vehicle or on any trailer drawn thereby, if any part of the person on such load or freight is at a greater height than eleven feet from the ground level;

(s) shall not permit any person other than the person in charge thereof to be carried in a motor vehicle which is being drawn by another motor vehicle;

(t) shall except in the case of a motor-cycle carry two triangular shaped signs described in sub-paragraph (i) of this paragraph; a jack or other appliance sufficiently strong to lift the vehicle for the purpose of changing a wheel and the necessary tool for effecting such a change.

(2) (i) Every motor vehicle shall in approaching and passing traffic coming in the opposite direction be driven on the right or near side of the highway.

(ii) Every motor vehicle when overtaking traffic proceeding in the same direction shall pass such traffic on the left or off side thereof.

(iii) When one motor vehicle is being overtaken by another the front vehicle shall give way to allow the overtaking vehicle to pass. In all cases a motor vehicle shall be driven so as to give as much space as possible for the passing of other traffic.

(iv) When two or more motor vehicles approach each other on a highway the driver of each vehicle shall, where by reason of the width and condition of such highway, it is necessary or desirable so to do, cause his vehicle to slow down for the purpose of allowing safe passage to the other vehicles or any other traffic on the highway.

(v) The driver of a commercial vehicle shall, whenever it is necessary or desirable by reason of the width or condition of the highway so to do, stop his vehicle in order to allow lighter motor traffic approaching or overtaking him to pass.

Motorcycle 16. Motorcycle capacity and use

(1) Subject to the provisions of section 4 of the Law, motorcycles below 200cc engine capacity shall not be used or operated on bridges and carriage road with two or more lanes in opposite directions.

(2) A motorcycle for mail distribution or courier services may be exempted from route restriction, provided that such a motorcycle shall:-

(a) have a minimum engine capacity of 200cc;

(b) carry prescribed vehicle number plate and or identification;

(c) be fitted with properly fixed mail cabin on the pillion; and

(d) not carry passenger.

(3) A motorcycle for mail distribution or courier services shall not be used as such unless an exemption from route restriction has been granted by the Ministry.

(4) No person shall drive or ride or be carried on a motorcycle, without wearing a protective helmet.

(5) In case of a passenger on a motorcycle the owner or the driver of such motorcycle shall provide a protective helmet for the use of the passenger.

(6) No person shall drive or ride or carry a passenger on a motorcycle unless the motorcycle is comprehensively insured under the prescribed insurance policy.

Motorcycle passengers . 17. The driver of a motorcycle shall not carry any person in front of him on the cycle, but if the cycle is fitted with a seat properly constructed for the purpose and firmly affixed to the frame, may carry not more than one person at the rear of the cycle.

Molesting or obstructing the driver . 18. Any person in a motor vehicle who shall in any way obstruct or molest the driver of such motor vehicle whilst the same is in motion, shall be guilty of an offence.

Stoppage of machinery of stationary motor vehicle 19. (1) Every motor vehicle shall be so constructed as to enable the driver, when the vehicle is stationary, to stop the action of any machinery attached to, or forming part of, the vehicle so far as may be necessary for the prevention of noise. The driver shall avoid unnecessary noise when the vehicle is stationary.

(2) Proper precautions shall be taken by the owner and by the person in charge of any motor vehicle to prevent the unnecessary discharge of the products of combustion, steam, or lubricating oil on any highway.

(3) Any person who cause or permits any motor vehicle to obstruct a public highway shall be guilty of an offence.

(4) No person shall except when directed to do so by an authorized officer in the execution of his duty cause or permit any motor vehicle to stand on any road during the hours of darkness otherwise than with the right or near side of the vehicle as close as may be to the edge of the carriageway:

Provided that this paragraph shall not apply to ambulances and vehicles engaged in emergency services.

- Route restricted to that licensed . 20. No commercial vehicle shall stand or ply for hire on any route other than that for which it is authorized or as prescribed by the Ministry in respect of the vehicle.
- Fares, time-tables, etc. 21. (1) The Ministry may—
- (a) impose tables of maximum, and where necessary, minimum fares for commercial vehicles;
 - (b) determine the days and hours during which commercial vehicles plying for hire on any specified route shall or shall not ply for hire;
 - (c) require hackney carriages plying for hire in his area or any specified part thereof to be fitted with a meter or other device approved by him for the purpose of indicating the correct authorized fare for any journey.
- (2) All such matters shall be regulated by public notice and any person aggrieved thereby may appeal to the Governor whose decision shall be final.
- Table of fares and time-table to be carried and exhibited . 22. (1) Every commercial vehicle shall carry and exhibit a copy of the table of fares and the time-table, if any, applicable to it printed in large and legible type and placed in such a position on the vehicle as the Ministry may direct and every meter or other device for indicating authorized fares with which a commercial vehicle may be required to be fitted shall be maintained in good working order.
- (2) Any person who shall demand or receive more than the maximum or accept less than the minimum fares so imposed as aforesaid shall be guilty of an offence.
- Badges 23. (1) No person shall drive a commercial vehicle without having obtained from the Ministry a driver's or rider's badge as the case may be.
- (2) Such badge shall only be issued to a person who holds a valid professional driver's licence.
- Issue of Badge. 24. (1) The Ministry shall issue such badge on payment of the prescribed fee and on being satisfied that in addition to the applicant holding the appropriate driving licence he is also a fit and proper person to drive a commercial vehicle.

(2) The Ministry may require an applicant for a commercial vehicle driver's badge to pass a test designed to demonstrate his knowledge of streets and the shortest and best routes within the area in which it is reasonable to suppose that he will ply for hire, and if the Ministry requires him to pass such a test and he fails to do so the Ministry shall not issue such badge.

(3) Any person dissatisfied with the decision of the Ministry to grant or refuse to grant such a badge may appeal to a magistrate, within fourteen days of the grant or refusal to grant the badge.

Conductor's badge . 25.

(1) The owner of commercial vehicle shall from time to time submit to the Ministry for registration the names and addresses of all persons whom he intends to employ as conductors, such persons having attained the age of eighteen years. The Ministry, on being satisfied that such persons are fit and proper persons to be so registered shall thereupon, and upon payment of the prescribed fee for each registration, issue to the owner a conductor's badge for each of the persons so registered.

(2) Upon any such person ceasing to act as a conductor in the employ of the owner, the owner shall so notify the Ministry forthwith and return the badge issued in respect of such person whereupon the Ministry shall cancel the registration.

Badge to be worn . 26.

Any badge issued in accordance with the preceding regulations shall be displayed in a conspicuous and prescribed manner by the driver or conductor to whom it is issued whenever, in the case of the driver, he is driving or in charge of a hackney or stage carriage on a highway and whenever, in the case of the conductor, he is acting as a conductor of a stage carriage.

Surrender of driver's and conductor's badge. 27.

If any driver of a hackney or stage carriage or conductor of a stage carriage to whom or in respect of whom a badge has been issued is convicted for an offence against these regulations or the Law or is considered by the Ministry which issued the badge to be unsuitable to drive or be in charge of such a vehicle, as the case may be, the licensing authority may, if he thinks fit, require the surrender of such badge even if in the case of a driver the licence to drive a motor vehicle has not been suspended or revoked by the court in accordance with the provisions of the Law, and such driver or conductor shall surrender such badge accordingly:

Provided that the driver or conductor may, within eight days of receiving a demand from the Ministry to surrender the badge, appeal against such demand to a magistrate.

Licence to be 28.

The driver of any hackney or stage carriage shall at all times when the

- produced on demand. vehicle is on a highway carry the hackney or stage carriage licence issued in respect of the vehicle and shall produce such licence on demand by an authorized officer in uniform.
- Prohibition of noises to attract customer. 29. No owner, driver or conductor or person acting on behalf of the owner, driver or conductor of a hackney or stage carriage standing or plying for hire shall—
- (a) speak, make any noise or sound any instrument in order to attract the attention of the public or of a possible passenger; or
 - (b) act in any way so as to make himself objectionable or a nuisance to any person or so as to cause any annoyance or inconvenience to any person.
- No smoking while driving . 30. The driver of a hackney or stage carriage shall not smoke whilst driving the vehicle.
- Prohibition of Sale of Liquor, etc. 31. It is an offence to-
- (a) sell or offer for sale alcoholic drink, herbal and pharmaceutical drug or drink within 100 metres of a bus stop, a bus terminus or a park for commercial vehicles;
 - (b) trade, hawk, vend or offer for sale any item of goods or services, or to beg or solicit for alms, or to engage in cleaning of the windscreen of a vehicle or any other part of a vehicle on any of the roads and bridges specified in Schedule II to this Law.
- Procedure for engagement on stands. 32. (1) The drivers of the first two hackney carriages on a stand shall stay beside their vehicles and must be ready to be hired at once by any person.
- (2) If any person wishes to engage a hackney carriage of a particular seating capacity or type and if such a hackney carriage is not the first one on the stand, the driver of the first hackney carriage of the required seating capacity or type on the stand shall accept the hire and it shall be unlawful for any other driver to do so.
- (3) All hackney carriages on the stand must move up as vacancies occur.
- Drivers must not stop vehicle longer than necessary . 33. No driver of a hackney carriage while hired shall unless requested by the hirer, stop his vehicle for a longer time than is reasonably necessary and if he is not hired he shall not stop his vehicle except on a public stand nor shall he loiter when driving his vehicle on a highway when not hired.

- Drivers shall not refuse to be hired without reasonable excuse.
34. The driver of a hackney carriage shall not without reasonable excuse—
- (a) refuse to be hired when the vehicle is on the stand;
 - (b) refuse to drive the vehicle to any place indicated by the hirer if the whole journey including the return journey does not exceed twenty-five miles;
 - (c) refuse to carry such number of passengers not exceeding the number specified in the licence for the vehicle as he may be required to carry by the hirer.
- Procedure regarding property left in vehicle .
35. If the driver of a hackney carriage or the conductor or driver of a stage carriage finds any property left in the vehicle after the completion of a journey he shall without undue delay take the same to the nearest authorized station.
- Limitation of number of passengers.
36. (1) The maximum number of persons allowed to be carried at any one time in a hackney or stage carriage shall be determined by the licensing authority and shall be inscribed on the hackney or stage carriage licence and clearly and legibly painted on the vehicle in the manner as may be prescribed by the Ministry.
- (2) Save as provided in regulation 37 each passenger shall be provided with seating accommodation, the supports of which shall be firmly fixed in position. A width of fourteen inches and depth of at least ten inches shall be respectively allowed for the seating accommodation of each passenger. In the case of seats facing in the same direction a clear space of at least ten inches shall be allowed between the foremost part of one seat and the rear part of the seat in front and in the case of seats arranged facing each other a clear space of at least nineteen inches shall be allowed between the front edge of one seat and the front edge of the seat facing it.
- (3) In the case of vehicles intended for the carriage of mixed loads of passengers and goods the seats may be movable provided that each such seat is so constructed as to be capable of being firmly; fixed in position when its use is required and provided also that when such seat is so used it shall be so firmly fixed.
- (4) The driver's seat in a stage carriage carrying goods or passengers, or in a vehicle carrying goods and passengers shall be not less than two feet wide and shall be so constructed as to allow a space of at least one foot on each side of the steering column. Such seat shall be divided off from any seating accommodation provided for any person sitting in the driver's compartment by a fixed partition at least fifteen inches in height

from the level of the seat and no person except the driver shall occupy the driver's seat.

(5) In any case where the driver's seat is so partitioned off, one person only may sit in the remaining portion of the driving compartment if the seat provided is not less than fourteen inches but less than twenty-eight inches. If such seat is not less than twenty-eight inches in width, then not more than two persons may sit thereon.

(6) (a) Each person shall be taken as weighing 168 lb. which shall include an allowance of 28 lb. hand luggage, and in no case shall the number of persons to be carried at any one time exceed the number determined by dividing the registered freight or load which the vehicle is constructed to carry expressed in pounds avoirdupois by the number 168.

(b) Two children under the age of twelve years shall be taken as one person.

Standing Accommodation in omnibus accommodation. 37.

In calculating the number of persons that an omnibus may be allowed to carry, the Ministry may take into consideration the standing room available for passengers in addition to the actual available seating

Stage carriage carrying freight and persons and freight. 38.

A stage carriage carrying only goods shall be permitted to carry a weight equal to its registered freight or load. In the case of a vehicle carrying persons as well as goods, the total combined weight of the persons calculated with hand luggage at 168 lb. each and goods shall not exceed the registered freight or load of such vehicle:

Provided that the number of persons carried on such vehicle shall not exceed the maximum number allowed by the Ministry and provided also that proper seating accommodation is available for each passenger.

Offences in Vehicles. 39.

No person shall, while he is travelling in or upon a stage carriage—

(a) use any obscene, indecent, offensive or quarrelsome language or gesture, or behave in any manner likely to annoy or to insult any other person; or

(b) willfully interfere with the comfort of any passenger; or

(c) spit upon or out of or willfully soil any part of the stage carriage; or

- (d) willfully damage or deface the stage carriage or any part thereof or any part of its equipment; or
- (e) willfully do or cause to be done with respect to any part of the stage carriage or of its equipment anything which is calculated to obstruct or interfere with the working of the stage carriage or to cause injury or discomfort to any person; or
- (f) willfully obstruct or impede the driver or conductor in the exercise of his duty; or
- (g) enter into conversation with the driver of the stage carriage while it is in motion; or
- (h) smoke or carry a lighted pipe, cigar or cigarette in any part of the stage carriage in which a notice prohibiting smoking is exhibited; or
- (i) sell or offer for sale or distribute any goods or any printed matter of any description; or
- (j) throw out any article from any part of the stage carriage; or
- (k) refuse to pay his fare when lawfully demanded.

Special offences relating to this Part.

40. No person shall—

- (a) cause or permit any vehicle to stand or ply for hire which is not licensed under this Part of these regulations;
- (b) cause or permit any vehicle to stand or ply for hire which does not carry an identification plate as provided in this Part of these regulations;
- (c) cause or permit any vehicle to ply for hire without exhibiting the table of fares and time-table, if any, and the number of persons the vehicle is licensed to carry;
- (d) cause or permit any hackney carriage which under these regulations is required to be fitted with a meter or other device for indicating authorised fares to stand or ply for hire without such a meter or device in proper working order, or, while hired, fail to bring such meter or device into operation, or alter, damage or interfere in any way with the proper operation of such meter or device;

(e) cause or permit any hackney or stage carriage to stand for passengers at any place except at a stand appointed by the licensing authority;

(f) while in charge of a stage carriage take up or set down passengers except at the stopping places prescribed by the Ministry;

(g) drive or be in charge of, any motor vehicle on a highway, standing or plying for hire without carrying on his person or in the vehicle the hackney or stage carriage licence;

(h) drive or be in charge of, any motor vehicle on a highway standing or plying for hire without wearing the prescribed driver's badge;

(i) act as a conductor of a stage carriage without being registered by the licensing authority;

(j) act as a conductor of a stage carriage without wearing the prescribed conductor's badge;

(k) employ as a conductor of a stage carriage a person who is not registered by the licensing authority;

(l) while in charge of a hackney or stage carriage contravene or permit any contravention of these regulations;

(m) while in charge of a hackney or stage carriage cause or permit a breach of any condition attached to the licence issued in respect of such carriage.

Commercial 41.
vehicle
operator licence .

(1) No person shall operate or cause to be operated a commercial vehicle without having obtained a commercial vehicle operator licence from the Ministry.

(2) The Ministry may not issue a commercial vehicle operator licence in respect of a vehicle unless such vehicle has been inspected and certified by the Vehicle Inspection Service.

(3) The Ministry shall refuse a licence to, or if already issued, suspend the licence, of any vehicle found to be unfit for operation as a commercial vehicle after due inspection.

(4) Every licence issued under this Part shall bear a distinct number which shall be painted conspicuously on the front and rear part of the vehicle or in any other manner as may be prescribed by the Ministry.

(5) A licence issued under this Part shall be valid for one year from the date of issuance.

Prohibition of unauthorized Marks, Paintings etc. 42. Except as may be prescribed by Motor Vehicle Administration Agency, Lagos State Signage and Advertisement Agency or any other agency of the State the use of marks, stickers, slogans, symbols, paintings, photos etc. on commercial vehicles is prohibited.

Registration and certification. 43. A vehicle shall not be used or operated for commercial purposes unless:-

(1) The vehicle is registered as commercial vehicle with the Lagos State Motor Vehicle Administration Agency;

(2) The vehicle is branded in the specific colour as prescribed by the Ministry;

(3) The driver holds a current certificate issued by the Lagos State Drivers' Institute in addition to possession of a valid class "E" driver's license; and

(4) The vehicle is fitted with a waste basket, fire extinguisher and First Aid box.

Maximum period of driving commercial vehicles. 44. (1) In the case of a commercial vehicle no person may drive or cause or permit any person employed by him to drive—

(a) subject to the provisions of paragraph (2), for any continuous period of more than five and one-half hours; or

(b) subject to the provisions of paragraph (3), for periods amounting in the aggregate to more than ten and one-half hours in any period of twenty-four hours commencing two hours after midnight; or

(c) so that the driver has not at least eight consecutive hours for rest in any period of twenty-four hours calculated from the commencement of any period of driving.

(2) Where in any such period of twenty-four hours one period of duty only is worked not exceeding eight hours in length then such period may, subject to the provisions of sub-paragraph (c) of paragraph (1) be worked instead of the period specified in sub-paragraph (a) of paragraph (1):

Provided that the driver is allowed intervals of rest and time for refreshment of not less than forty minutes in the aggregate and one of such

intervals is of not less than twenty minutes to be taken not earlier than two hours after the beginning nor later than five hours after the beginning of the eight-hour period of duty.

(3) Where it is necessary for a driver to conclude a long distance journey the period specified in sub-paragraph (b) of paragraph (1) may be extended to a period which shall not exceed twelve-and-a-half hours in all.

(4) For the purpose of this regulation—

(a) any two or more periods of driving time shall be deemed to be a continuous period unless separated;

(b) any time spent by a driver on other work in connection with a commercial vehicle or the load carried thereby shall be reckoned as time spent in driving.

(5) If any person acts in contravention of this regulation he shall be guilty of an offence:

Provided that a person shall not be liable to be convicted under this regulation if he proves to the court that the contravention was due to unavoidable delay in the completion of any journey arising out of circumstances which he could not reasonably have foreseen.

(6) This regulation shall not apply to motor vehicles used for fire brigade or ambulance purposes or to vehicles other than commercial vehicles.

Marks
required to
be on vehicles
to be renewed
as often as
necessary .

45. Where under the Law or these regulations it is required that a motor vehicle or trailer shall have painted or marked thereon any words, letters, figures or symbol the owner shall cause such words, letters, figures or symbol to be repainted or otherwise marked from, time to time as often as may be necessary to keep the said words, letters, figures or symbol legible and clearly distinguishable.

Power to
inspect vehicles.

46. (1) The Ministry or any authorised officer may inspect any motor vehicle or trailer with a view to ascertaining whether the provisions of the Law or of any regulation made or permit issued thereunder are being complied with, and in the event of any non-compliance with any of the said provisions such licensing authority or authorised officer may by an order in writing prohibit the further use of such motor vehicle or trailer until the said provisions have been complied with to his satisfaction. Any person using or permitting to be used a motor vehicle or trailer in contravention of any such order shall be guilty of an offence.

(2) An authorised officer in uniform may stop any motor vehicle with a view to ascertaining whether such motor vehicle or any trailer drawn thereby is being used in contravention of the Law or any regulation made or permit or licence issued thereunder, and in the event of any motor vehicle or trailer being used in such manner an authorised officer may take the motor vehicle and trailer or cause them to be taken to any authorised station or place of safety there to be detained until the motor vehicle or trailer and driver can be identified, and further, any such licensing authority or authorised officer may require a commercial vehicle to be brought for weighing or re-weighing to such place as the licensing authority or authorised officer may direct.

(3) The owner or driver of any motor vehicle shall, on demand by any authorised officer, produce such vehicle or any trailer drawn thereby at such time and place as the authorised officer may appoint and submit it for such inspection and test as may be required with a view to ascertaining whether the provisions of the Law or of any regulation or permit or licence issued thereunder are being complied with.

Definition 47. In this part—

“vehicle” has the meaning assigned to it in section 41 of the Law except that it does not include a motor vehicle or trailer.

Hand signals 48. The driver, rider or person having control of any vehicle on any highway shall—

(a) make use of the prescribed hand-signals for drivers of motor vehicles in these regulations;

(b) between sunset and sunrise show a white light to the front sufficient to warn persons on the highway and a red light or red reflex glass to the rear;

(c) except when overtaking traffic proceeding in the same direction, keep to the right of the road;

(d) when overtaking traffic proceeding in the same direction pass such traffic only on the left or off-side thereof;

(e) whenever necessary, give audible and sufficient warning of approach by sounding the bell, horn or other appliance with which such vehicle is required by these regulations to be fitted;

(f) shall comply with the prescribed traffic signs placed on or near any highway by order of the Ministry or other authority responsible for the maintenance of the highway for the guidance of drivers of vehicles.

No person shall on any highway—

49. Riding cycle not fitted with brake or bell
- (a) ride a bicycle not fitted with at least one efficient brake and an efficient bell, horn or other appliance for giving audible warning of approach;
 - (b) ride a bicycle of which at least nine inches of the lowest part of the rear mudguard is not painted white on the outside;
 - (c) fasten any animal so as to obstruct, endanger or annoy any person lawfully using such highway; or
 - (d) leave any vehicle standing without having some proper person to hold any animal which may be attached to the same; or
 - (e) propel any go-cart, rickshaw, barrow, truck, handcart or similar vehicle otherwise than by holding the pole or shafts; or
 - (f) ride or drive furiously any animal or vehicle or drive at a speed of more than eight miles an hour any vehicle carrying a load which projects three feet or more beyond either end of such vehicle; or
 - (g) willfully or by negligence prevent, hinder or interrupt the free passage of any person or vehicle or animal; or
 - (h) draw up any vehicle so as to obstruct free passage along a street;
 - (i) drive, ride, propel or park any vehicle or animal on any footway or pavement provided for the use of pedestrians;
 - (j) whilst riding a bicycle hold on to any motor vehicle or other vehicle while it is on the move.

Offence 50. Any person who fails to comply with or acts in contravention of any condition attached to any licence or permit issued under these regulations shall be guilty of an offence.

Penalties 51. The penalties for offences under these regulations, where no other penalties are provided, shall be as prescribed under section 38 of the Law.