

CHAPTER 347

THE TRAFFIC AND ROAD SAFETY ACT

Arrangement of Sections

Section

PART I—INTERPRETATION

1. Interpretation

PART II—ADMINISTRATION

2. Chief Licensing Officer of motor vehicles
3. Functions of Chief Licensing Officer of motor vehicles
4. Licensing officers, *etc.*
5. Control by Minister

Records

6. Licensing year defined
7. Registers
8. Searches

9. Certified copies

**PART III—REGISTRATION AND LICENSING OF MOTOR
VEHICLES, *ETC.***

10. Prohibition of possession of motor vehicles, *etc.* without registration
11. Classification of motor vehicles, *etc.*
12. Application for registration of motor vehicles
13. Registration of motor vehicles, *etc.*
14. Re-registration of motor vehicles
15. Importation of motor vehicles
16. Environmental levy on motor vehicles

Alteration of records

17. Change of registration particulars
18. Cancellation of registration on destruction or permanent removal of motor vehicle, *etc.*
19. No licence for de-registered vehicle until re-registered
20. Change of classification for licences
21. Application for dealers plates and dealers vehicle licence
22. Issue of dealers plates and dealers vehicle licence
23. Use of dealers plates
24. Cancellation of dealers vehicle licence
25. Return of dealers plates
26. Licence for manufacturing or dealing in motor vehicles, *etc.* and spare parts

Supplementary provisions

27. Presumption of owner of vehicle
28. Notice of change of ownership
29. Exemption from registration, licensing, *etc.*
30. Offences and penalties
31. Regulations for purposes of Part

PART IV—DRIVING LICENCES*Issue of driving licences*

32. Prohibition of driving without valid driving licence
33. Grouping of motor vehicles, *etc.* for driving licences
34. Licensing of driving schools and instructors
35. Learner drivers
36. Learner driving licence
37. “L” Plates
38. Driving tests
39. Driving licences
40. Conditional driving licences
41. Cancellation of documents, *etc.* issued corruptly
42. Special provisions for public service vehicles

Disqualification and endorsement of driving licence

- 43. Mandatory cancellation or suspension of driving licence
 - 44. Particulars of convictions to be endorsed
 - 45. Discretionary powers of cancellation or suspension
 - 46. Endorsement
 - 47. Appeal
 - 48. Issue of duplicate or substitute driving licences
 - 49. Production of driving licence on cancellation or endorsement
 - 50. Custody of driving licence while cancelled, *etc.*
 - 51. Application for driving licence after cancellation
 - 52. Removal of disqualification
 - 53. Automatic disqualification
 - 54. Offences and penalties
 - 55. Offences for applying or obtaining driving licence or driving while disqualified
56. Regulations for purposes of Part

PART V—LICENCES FOR PUBLIC SERVICE, PRIVATE
OMNIBUS AND GOODS VEHICLES

57. Licensing year defined for purposes of Part

Competent Authority

58. Competent Authority

Registers

- 59. Registers
- 60. Searches
- 61. Certified copies
- 62. Classification of vehicle operator's licence
- 63. Licensing and regulation of special networks using online digital application
- 64. Minister to organise public transport and keep statistics, *etc.*
- 65. Regulation of entry into market
- 66. Application for private and contract omnibus operator's licence
- 67. Omnibus and country taxicab operator's licence

68. Procedure of Competent Authority for public omnibus and country taxicab operator's licence
69. Grant of omnibus and country taxicab operator's licence
70. Public omnibus and country taxicab operator to give notice to Competent Authority
71. Road services not to be suspended without permission
72. Temporary replacement of authorised vehicles
73. Duration of licences
74. Extension of routes
75. Temporary public omnibus operator's licence
76. Temporary licence
77. Application for goods operator's licence
78. Grant of goods operator's licence
79. Application for town taxicab and rental vehicle operator's licence
80. Town taxicab and rental vehicle operator's licence
81. Grant of town taxicab, country taxicab and rental vehicle operator's licence
82. Grant of owners transport vehicle permit
83. Renewal of certain vehicle operator's licence
84. Amendment of licence
85. Review of licences
86. Appeal to Minister
87. Protection of Minister and members of Competent Authority from civil suit
88. Operator's vehicle licence
89. Cancellation of licence
90. Alteration of records
91. Recovery of fares and wilful damage to public service vehicle
92. Recovery of fares by passenger
93. Prohibition of touting
94. Goods vehicle to be licensed to carry passengers
95. Inspection of goods vehicle
96. Limitation of loads
97. Offences and penalties
98. Regulations for purposes of Part

PART VI—USE OF MOTOR VEHICLES

99. Condition of motor vehicle, *etc.* for use on road

100. Causing bodily injury or death through reckless driving
101. Driving with blood alcohol concentration above prescribed limit
102. Driving under influence of drugs
103. Blood tests
104. Breath analyser test
105. Persons authorised to withdraw and analyse blood
106. Detention of persons while affected by alcohol
107. Careless or inconsiderate use of motor vehicle
108. Speed limit
109. Driving while disqualified or without driving licence
110. Compliance with speed limit not defence to other charges
111. Assignment of demerit points on conviction for certain offences
112. Emergency motor vehicles
113. Compulsory stopping at railway crossings
114. Duties of drivers in case of accidents
115. Access to care without regard to ability to pay
116. Custody or care of accident patients
117. Riding in dangerous position
118. Restriction on pillion riding
119. Obstructing driver of motor vehicle, *etc.*
120. Causing damage to motor vehicle
121. Taking motor vehicle without consent of owner
122. Regulations for purposes of Part

PART VII—SAFER VEHICLES

123. Standards for safety and environmentally compliant motor vehicles, trailers and engineering plants
124. Procedures for testing motor vehicles
125. Modification of motor vehicles
126. Importation and supply of motor vehicles
127. Importation and supply of used motor vehicles
128. Importation of vehicles requiring modification
129. Use of vintage, specialist and enthusiast vehicles
130. Periodic inspection of motor vehicles for environmental and road safety compliance

PART VIII—CONTROL OF TRAFFIC

131. Permits for herds, funeral procession or parade

- 132. Closure of road
- 133. Restriction of traffic on road
- 134. One-way traffic
- 135. Regulations for purposes of Part

PART IX—ENFORCEMENT

Enforcement

- 136. Duties of police
- 137. Records of traffic offences
- 138. Filing of accident reports and drivers' files
- 139. Inspector General to submit annual traffic accident and safety report
- 140. Power to demand production of driving licence
- 141. Power to demand name and address of owner of vehicle
- 142. Employer to keep record of driver
- 143. Owner or hirer, *etc.* to give identity of driver
- 144. Examination of vehicle on road
- 145. Power to order examination
- 146. Examination by vehicle inspector
- 147. Removal of vehicle from parking place
- 148. Police may require motor vehicle to be driven to police station
- 149. False information
- 150. Offences and penalties

Institution of proceedings

- 151. Warning to be given before prosecution
- 152. Application of Part
- 153. Institution of traffic proceedings
- 154. Traffic charge and summons
- 155. Irregularities in proceedings
- 156. Admissibility of certificates
- 157. Punishment without prosecution
- 158. Appointment of traffic wardens
- 159. Regulations

PART X—MISCELLANEOUS

- 160. Persons propelling pushcarts or riding animals, *etc.*
- 161. Restrictions on riding bicycles
- 162. Application of Act to persons in public service and vehicles of Government
- 163. Exemptions
- 164. General penalties for contravention
- 165. Compensation
- 166. General power to make regulations
- 167. Power to amend Schedule 1

SCHEDULES

<i>Schedule 1</i>	Currency Point
<i>Schedule 2</i>	Registration Fees
<i>Schedule 3</i>	Environmental Levy on Motor Vehicles
<i>Schedule 4</i>	Traffic Charges and Summons and Affidavit of Service

CHAPTER 347**THE TRAFFIC AND ROAD SAFETY ACT**

Commencement: 11 September, 1998 (sections 122 & 166); 15 March, 1999; 1 December, 2008 (sections 99, 100, 101)

An Act to provide for the regulation of road transport and road safety management; to designate the department of transport regulation and safety as the Competent Authority; to provide for penalties in relation to road traffic offences and for related matters.

PART I—INTERPRETATION**1. Interpretation**

- (1) In this Act, unless the context otherwise requires—
- “bicycle” means any vehicle which has at least two wheels propelled by means of pedals or hand cranks solely by the muscular energy of the person riding it;
- “carriageway” means a portion of a public road including the various traffic lanes and auxiliary lanes, but excludes shoulders;
- “Chief Licensing Officer” means the Chief Licensing Officer of motor vehicles designated under section 2 and includes a Deputy Chief Licensing Officer;
- “Commissioner” means the Commissioner responsible for transport regulation and safety;
- “country taxicab” means a public service vehicle, not being a town taxicab with a seating capacity not exceeding seven excluding the driver and marked in a manner prescribed by regulations;
- “Competent Authority” means the department of transport regulation and safety in the Ministry responsible for transport;
- “currency point” has the value assigned to it in Schedule 1 to this Act; “dealer” means a person who trades in, manufactures, assembles or

repairs motor vehicles, trailers or engineering plants for financial reward or gain on the own account of that person in accordance with section 26;

“demerit points system” means a method by which numerical values are assigned to traffic offences in proportion to the seriousness of the offence;

“digital network” means a set of communication standard for simultaneous digital transmission of voice, video, data and other network services over the traditional circuits of the public switched telephone network;

“driver” means—

- (a) in relation to a motor vehicle, a person who drives or attempts to drive or is in charge of a motor vehicle or other vehicle, including a cycle or an instructor of a learner driver;
- (b) in relation to a towed vehicle, a person who drives the towing vehicle; and
- (c) in relation to digital transport network, a person who—
 - (i) receives via a digital network a request for the provision of pre-arranged rides from one or more potential user;
 - (ii) uses a vehicle to offer or provide one or more potential user through a request with a pre-arranged ride following connection with the passenger via a digital network; and
 - (iii) has met the safety requirements prescribed under this Act;

“driving school” means a school licensed under section 34 where a person intending to drive a motor vehicle, trailer or engineering plant receives instructions in driving a motor vehicle, trailer or engineering plant;

“dual-purpose vehicle” means a vehicle that is constructed or adapted for the carriage of passengers and of goods or burden of any description, the unladen weight of which does not exceed two tonnes;

“engineering plant” means movable plant or equipment being a self-propelled vehicle or trailer designed or constructed for special purposes of engineering operations which, when proceeding on a road, does not carry any load other than such as is necessary for its propulsion or equipment;

“examining officer” means a person appointed as an examining officer under section 4(1)(c) for purposes of testing drivers for issuance of a drivers’ licence;

“goods operator’s licence” means a licence issued under section 77;

“goods vehicle” means a heavy motorcar which is constructed or adapted for use for the conveyance of goods or burden of any description;

“heavy goods vehicle” means a heavy motorcar which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding a weight prescribed by regulations;

“heavy motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers, the permissible maximum weight of which exceeds twelve thousand kilogrammes;

“heavy omnibus” means a motor vehicle used for the carriage of persons, having a seating accommodation exceeding thirty seats in addition to the driver’s seat and may be coupled to a trailer whose permissible maximum mass exceeds seven hundred fifty kilogrammes;

“heavy tractor” means a tractor the weight of which exceeds two tonnes;

“insurance” has the same meaning as in the Insurance Act;

“licence” means a licence issued under this Act;

“licensed instructor” means a person licensed under section 34(3) to instruct a person to drive a motor vehicle, trailer or engineering plant;

“licensing officer” means a person appointed as a licensing officer under section 4(1)(a) for purposes of licensing and registering motor vehicles, trailers and engineering plants under this Act;

“licensing year” has the meaning assigned to it in sections 6 and 57;

“light goods vehicle” means a motor vehicle which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding three thousand five hundred kilogrammes but does not exceed seven thousand five hundred kilogrammes and may be coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes;

“light omnibus” means a vehicle having seating accommodation for more than eight people in addition to the driver but not exceeding sixteen people in addition to the driver, and may be coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes; or, which may be coupled to a trailer, not used for the carriage of persons, the permissible maximum mass of which exceeds seven hundred fifty kilogrammes but does not exceed the unladen mass of the motor vehicle, where the

combined permissible maximum mass of the vehicles so coupled does not exceed twelve thousand kilogrammes;

“manufacture” with its grammatical variations and cognate expressions, means to subject any physical matter to any process which materially changes the matter in substance, character or appearance;

“medium goods vehicle” means a medium motor vehicle which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding three thousand five hundred kilogrammes but not exceeding twelve thousand kilogrammes;

“medium motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers the permissible maximum weight of which exceeds three thousand five hundred kilogrammes but does not exceed twelve thousand kilogrammes;

“medium omnibus” means a motor vehicle used for the carriage of passengers and having seating accommodation of more than eight people in addition to the driver’s seat but not exceeding thirty people in addition to the driver’s seat and may be coupled to a trailer the permissible maximum mass of which does not exceed seven hundred kilogrammes;

“Minister” means the Minister responsible for transport;

“motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers, the permissible maximum weight of which does not exceed three thousand five hundred kilogrammes, and in the case of a passenger vehicle having not more than eight seats in addition to the driver’s seat;

“motorcycle” means any two-wheeled motor vehicle, with or without a side car, equipped with a propelling engine;

“motor vehicle” means any self-propelled vehicle intended or adapted for use on the road;

“owner” means, in the case of a vehicle which is for the time being registered under this Act, the person or persons appearing as the owner or owners of the vehicle in the register kept by the Chief Licensing Officer under this Act;

“owner’s transport vehicle” means a goods vehicle of an employer of labour in respect of which a permit is granted under section 82 to carry the employees or agents of that employer;

“passenger vehicle” means a vehicle that is constructed or adapted solely for the carriage of passengers and their effects and includes a dual-purpose vehicle;

- “pedestrian crossing” means a crossing for foot passengers of the part of a road normally used by vehicular traffic established under this Act and indicated by traffic signs in accordance with the regulations applicable to that crossing;
- “pre-arranged rides” means the provision of a platform whereby a passenger requests a driver for a ride through a digital network and the driver accepts the request from the passenger;
- “private omnibus” means a motor vehicle used for the carriage of persons, not being a public service vehicle, having seating accommodation for more than eight persons in addition to the driver’s seat;
- “public omnibus” means a public service vehicle that carries passengers at separate fares on a previously determined route;
- “public service vehicle” means a passenger vehicle licensed to carry passengers for hire or reward;
- “quadricycle” means a motor vehicle with four wheels used only for pleasure purposes;
- “register” means a register which includes information stored for use in a computer and any other apparatus;
- “registered practitioner” has the meaning assigned to it under the Medical and Dental Practitioners Act;
- “rental vehicle” means a passenger vehicle which is a public service vehicle not carrying passengers at separate fares and which plies for hire at a licensed fixed place of business not being a taxi rank, taxi park, bus park or road, on daily, weekly or monthly basis or for a specific journey;
- “road” has the same meaning as defined in the Roads Act;
- “semitrailer” means any trailer designed to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle and that a substantial part of its weight and of the weight of its load is borne by the motor vehicle;
- “special machinery” includes tractors and earth moving equipment including graders, bulldozers and compactors;
- “tourist vehicle” means a motor vehicle that is specially designed and built for transportation of tourists;
- “town taxicab” means a motorcar used as a passenger vehicle which stands on a rank or plies for hire on a road or a fixed place of business and is licensed to carry passengers for hire or reward under a contract express or implied for the use of the vehicle as a

whole at an authorised fee and rate displayed on the vehicle and the sum indicated on the meter;

“traffic warden” means a person appointed as a traffic warden under section 158(1);

“trailer” means any vehicle designed to be drawn or propelled by a motor vehicle but does not include—

- (a) an integral sidecar, integral fore car or integral trailer attached to a motorcycle, which shall be regarded as forming part of the vehicle to which it is attached;
- (b) engineering plant; or
- (c) agricultural implement not constructed or adapted for the conveyance of goods or burden of any description when drawn by a farmer’s power-driven vehicle;

“transportation network company” means a person that uses a digital network to connect licensed drivers and motor vehicles to willing users for a fee;

“tricycle” means a motor vehicle with three wheels;

“vintage motor vehicle” means a motor vehicle registered in Uganda before the 1st day of January, 1980 and which is used solely for purposes of exhibition at motor shows or similar events;

“vehicle” includes a machine or implement of any kind drawn or propelled along roads whether by animal, mechanical, electrical or any other motive power;

“vehicle inspector” means a person appointed as a vehicle inspector under section 4(1)(b).

(2) Where, for the purposes of Part V of this Act, there is reasonable doubt whether a person is a citizen of Uganda, the burden of proof shall be upon that person.

(3) For the purposes of Part V of this Act, a “company” whether incorporated in Uganda or not, and a “firm” the firm name of which is registered in Uganda, shall be regarded as a citizen of Uganda if, in the case of a company, more than fifty-one percent of its share capital, or in the case of a firm, more than fifty-one percent of its partnership property, is held by or on behalf of persons who are citizens of Uganda.

(4) A statutory declaration made by a director, partner or other person responsible for the management of the company or firm referred to in subsection (3) that to the best of his or her knowledge and belief more

than fifty-one percent of the share capital of the company or more than fifty-one percent of the partnership property of the firm is held as described in subsection (3) shall be *prima facie* evidence that it is so held.

PART II—ADMINISTRATION

2. Chief Licensing Officer of motor vehicles

The head of the department of transport regulation and safety is designated as the Chief Licensing Officer.

3. Functions of Chief Licensing Officer of motor vehicles

The person designated as Chief Licensing Officer under section 2 shall perform the following functions—

- (a) administer the provisions of this Act relating to motor vehicle registration and licensing;
- (b) advise the Minister on matters of policy for motor vehicles and driver licensing;
- (c) keep, in the prescribed form, registers of motor vehicles, registration plates, licences and driving licences;
- (d) furnish to an applicant, a certified copy of any entry in any register;
- (e) approve and record the modification of motor vehicles or cancel particulars of registration;
- (f) issue ‘L’ identification plates to licensed instructors in the prescribed specifications for the motor vehicle, trailer or engineering plant used by the instructor for purpose of instruction;
- (g) issue motor vehicle dealers plates and registration plates for all registered motor vehicles, trailers and engineering plants;
- (h) cancel or suspend the registration of any motor vehicle, trailer or engineering plant for breach of this Act and regulations made under this Act;
- (i) cancel or suspend a driving licence or a class of driving licence for breach of this Act or regulations made under this Act;
- (j) licence all dealers of motor vehicles, trailers or engineering plants, assembly plants, manufacturers and motor vehicle repair facilities;
- (k) keep custody of all confiscated, cancelled and suspended registration plates and driving licences; and

- (1) give directions to licensing officers, vehicle inspectors and examining officers.

4. Licensing officers, etc.

(1) There shall be appointed for the purposes of this Act, the following public officers—

- (a) licensing officers;
- (b) vehicle inspectors; and
- (c) examining officers,

and such other persons as may be necessary for carrying out the provisions of this Act.

(2) All licensing officers and all vehicle inspectors shall be under the direction of the Chief Licensing Officer.

5. Control by Minister

The Chief Licensing Officer shall be subject to the overall control of the Minister on matters of policy and shall comply with any directions on such matters given by the Minister.

Records

6. Licensing year defined

Except as provided in section 57, “licensing year” means a period of twelve months beginning with the date of first registration of the motor vehicle, trailer or engineering plant.

7. Registers

- (1) The Chief Licensing Officer shall keep in the prescribed form—
 - (a) registers of all motor vehicles, trailers and engineering plant registered in Uganda;
 - (b) registers of registration plates and licences issued for motor vehicles, trailers and engineering plant; and
 - (c) register of all holders of driving licences,and shall cause every licensing officer to keep registers of all motor vehicles,

trailers and engineering plant registered by him or her and registration plates and licences issued by him or her.

(2) All registers shall be open for inspection on demand by a police officer who shall be entitled to copy any entry in a register.

8. Searches

(1) All registers in the custody of the Chief Licensing Officer and licensing officers shall be open for inspection by members of the public during prescribed hours upon payment of the prescribed fee.

(2) A Ministry, department or agency of Government is exempted from paying the fees prescribed under subsection (1).

9. Certified copies

(1) The Chief Licensing Officer shall, upon payment of the prescribed fee, furnish to an applicant a certified copy of any entry in any register.

(2) The copy of any entry in a register which is certified under the hand of the Chief Licensing Officer to be a correct copy shall be *prima facie* evidence in all court proceedings of the facts contained in it.

PART III REGISTRATION AND LICENSING OF MOTOR VEHICLES, *ETC.*

10. Prohibition of possession of motor vehicles, *etc.* without registration

(1) A person shall not possess a motor vehicle, trailer or engineering plant, other than a motor vehicle, trailer or engineering plant exempted from the provisions of this Act, unless the motor vehicle, trailer or engineering plant is registered under this Act.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

11. Classification of motor vehicles, *etc.*

(1) For the purposes of this Act, motor vehicles, trailers and engineering plant shall be divided into the following classes—

- (a) heavy goods vehicles;
- (b) heavy omnibuses;
- (c) heavy tractors;
- (d) medium goods vehicles;
- (e) medium omnibuses;
- (f) light goods vehicles;
- (g) light omnibus;
- (h) tractors;
- (i) motorcars and dual-purpose vehicles excluding light goods vehicles;
- (j) engineering plant;
- (k) motorcycles;
- (l) trailers and semitrailers;
- (m) tricycles, except those used by persons with disabilities; and
- (n) quadricycles except those used by persons with disabilities.

(2) Regulations made under section 166 may provide—

- (a) that any provision of this Act which would otherwise apply to hover vehicles shall not apply to them, or shall apply to them subject to such modifications as may be specified in the regulations; or
- (b) that any provision of this Act which would not otherwise apply to hover vehicles shall apply to them subject to such modifications, if any, as may be specified in the regulations.

12. Application for registration of motor vehicles

An application for the registration of a motor vehicle, trailer or engineering plant shall be made to the Chief Licensing Officer in the manner prescribed by regulations.

13. Registration of motor vehicles, *etc.*

(1) A licensing officer shall, prior to the registration of a motor vehicle, trailer or engineering plant, verify the particulars in the application for registration and shall satisfy himself or herself that

- (a) the motor vehicle, trailer or engineering plant is in a fit and proper condition for the purpose for which it is intended to be used, and he or she shall, for that purpose send the motor vehicle, trailer or engineering plant to a vehicle inspector for examination;
- (b) the motor vehicle, trailer or engineering plant has been lawfully exported from its country of origin or the country in which it was last registered, and that the applicant is in possession of an export permit relating to the motor vehicle, trailer or engineering plant other than a temporary permit or permit for exportation for a limited period only, if that is required by the law of the country of origin or of last registration;
- (c) the motor vehicle, trailer or engineering plant has been lawfully imported into Uganda; and
- (d) any tax or duty due in respect of the motor vehicle, trailer or engineering plant under any written law including the registration fees prescribed in Schedule 2 to this Act has been paid.

(2) If an application is made to register a goods vehicle or trailer the body of which has not been made by the manufacturers of the chassis, or the load capacity of which has not been declared by the manufacturers, a licensing officer shall not register the goods vehicle or trailer, until a vehicle inspector has determined its load capacity.

(3) The decision of a vehicle inspector under subsection (2) is final.

(4) A licensing officer shall, when satisfied as to the particulars of a motor vehicle, trailer or engineering plant contained in an application for registration, enter the particulars in the register and shall assign the motor vehicle, trailer or engineering plant a number or mark to be shown on the registration plates to be affixed to the motor vehicle, trailer or engineering plant and shall issue to the applicant registration plates and a registration book in the prescribed form, for the motor vehicle, trailer or engineering plant.

(5) Where a motor vehicle, trailer or engineering plant is owned by more than one person, the registration shall be effected in the names of all the owners.

(6) A person who has an interest, including through a lease, security or loan in a motor vehicle, trailer or engineering plant shall register the interest under the Security Interest in Movable Property Act.

(7) The Registrar under the Security Interest in Movable Property Act shall immediately submit to the Chief Licensing Officer returns of all interests registered under subsection (6).

(8) The Chief Licensing Officer shall, upon receipt of the returns under subsection (7) and proof of payment of registration fees, enter the interests in the relevant registration books.

(9) The Chief Licensing Officer shall endorse the words “tax free” on all registration books relating to motor vehicles, trailers or engineering plants brought into the country duty free.

(10) The registration of a motor vehicle, trailer or engineering plant shall not be effected under a business name, whether registered or unregistered, or under the name of any unincorporated body.

(11) Any person who, without lawful authority or excuse—

- (a) makes any registration plate which resembles a registration plate issued by the licensing officer;
 - (b) knowingly has in his or her possession a registration plate so issued;
 - (c) knowingly has in his or her possession a registration plate which resembles a registration plate so issued and which is likely to deceive;
 - (d) uses any registration plate so issued which is altered or defaced;
 - (e) fraudulently or knowingly alters or defaces any registration plate so issued;
 - (f) fraudulently uses, lends or permits to be used a registration plate so issued; or
 - (g) buys or sells any registration plate which resembles a registration plate so issued and which is likely to deceive,
- commits an offence and is liable, on conviction—
- (i) in the case of a first offence, to imprisonment for a term not exceeding five years;
 - (ii) in case of a second or subsequent offence, to imprisonment for a term not exceeding seven years.

(12) Where a person is convicted of an offence under subsection (11), the court shall, in addition to any penalty imposed under that subsection, order the forfeiture of any registration plate to which the offence relates and may also order the forfeiture of any machine or equipment used in the manufacture of the registration plate and the closure of the workshop or factory where the registration plate was manufactured.

14. Re-registration of motor vehicles

(1) An owner of a motor vehicle, trailer or engineering plant whose registration is cancelled or otherwise de-registered may apply to the Chief Licensing Officer for re-registration of the motor vehicle, trailer or engineering plant.

(2) An application under subsection (1) shall be in a manner prescribed by regulations and shall be accompanied by the prescribed fee.

(3) The Chief Licensing Officer may, where he or she is satisfied with an application made under this section, and upon payment of the prescribed fee by the applicant, re-register the motor vehicle, trailer or engineering plant.

15. Importation of motor vehicles

(1) A person shall not import a motor vehicle which is fifteen years old or more from the year of manufacture.

(2) Subsection (1), does not apply to—

- (a) road tractors for semitrailers;
- (b) motor vehicles for the transport of goods with a gross vehicle weight of at least four tonnes;
- (c) special purpose motor vehicles including; breakdown lorries, crane lorries, fire fighting vehicles, concrete mixer lorries, road sweeper lorries, spraying lorries, mobile workshops, forklifts, mobile drilling rigs, mobile radiological units, works trucks, tanks and other armoured fighting vehicles, cesspool emptiers, water bowser, bullion spreaders, bitumen spreaders, bucket trucks, aircraft refuellers, spraying trucks, workshop vans and mobile banks;
- (d) agricultural or forestry tractors; and
- (e) earth moving motor vehicles, tamping machines and road rollers.

16. Environmental levy on motor vehicles

(1) A person who imports a motor vehicle which is nine years old or more, from the year of manufacture, shall pay an environmental levy on that vehicle.

(2) The environmental levy payable shall be as prescribed in Schedule 3 to this Act.

(3) The environmental levy shall be collected by the Uganda Revenue Authority before clearance of the motor vehicle.

Alteration of records

17. Change of registration particulars

(1) The owner of a motor vehicle, trailer or engineering plant shall, if change of circumstances affect the accuracy of the registered particulars of his or her motor vehicle, trailer or engineering plant, within fourteen days, forward the registration book with the prescribed fee to the Chief Licensing Officer to enable the register and the registration book to be amended, and shall supply the Chief Licensing Officer with such information as the Chief Licensing Officer may require.

(2) A person shall not drive any class of motor vehicle, trailer or engineering plant on a public road unless he or she is in possession of a copy of the registration book in respect of the motor vehicle, trailer or engineering plant.

(3) A police officer of or above the rank of assistant inspector of police may seize any registration book which does not contain accurate particulars of a motor vehicle, trailer or engineering plant and forward it to a licensing officer for the register and the registration book to be amended or cancelled.

(4) Any person aggrieved by any amendment or cancellation under subsection (3) may within thirty days appeal to the Competent Authority against the decision, and the Competent Authority may confirm or reverse a decision.

(5) Whenever required by a police officer, a person shall provide the original copy of the registration book referred to in subsection (2) within one hundred twenty hours.

(6) Any person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding six months, or both.

18. Cancellation of registration on destruction or permanent removal of motor vehicle, *etc.*

(1) If any registered motor vehicle, trailer or engineering plant is destroyed or becomes permanently useless as a motor vehicle, trailer or engineering plant or is removed permanently from Uganda, the owner of the motor vehicle, trailer or engineering plant shall immediately give to a licensing officer notice of its destruction, condition or removal, as the case may be, and shall deliver to the licensing officer the registration book of the motor vehicle, trailer or engineering plant and its registration plates.

(2) Upon receipt of the notice and other matters referred to in subsection (1), the licensing officer shall send the notice to the Chief Licensing Officer who shall cancel the registration of the motor vehicle, trailer or engineering plant.

19. No licence for de-registered vehicle until re-registered

Where the registration of a motor vehicle, trailer or engineering plant has been cancelled, a licence shall not be issued in respect of it until it is again registered and the prescribed registration fee is paid.

20. Change of classification for licences

(1) When a motor vehicle, trailer or engineering plant has been altered or it is intended that its use be changed so that the classification of the motor vehicle, trailer or engineering plant for the purpose of licence fees payable under this Act is changed, the owner shall, before the motor vehicle, trailer or engineering plant is used on the road after the alteration, or under the different use, surrender for cancellation his or her current licence to the licensing officer.

(2) Upon the surrender of a licence under subsection (1) and the payment by the owner of the prescribed fee, the licensing officer shall issue the owner with a new licence applicable to the motor vehicle, trailer or engineering plant.

21. Application for dealers plates and dealers vehicle licence

A dealer in, or manufacturer of, or repairer of, motor vehicles, trailers or engineering plant may apply to a licensing officer in the prescribed form accompanied by the prescribed fee for one or more sets of special registration plates, in this Part referred to as dealers plates, and a dealers vehicle licence in respect of each set of dealers plates.

22. Issue of dealers plates and dealers vehicle licence

Upon receipt of an application under section 21, a licensing officer shall, if satisfied that the applicant is a dealer in, manufacturer of, or repairer of, motor vehicles, trailers or engineering plant, issue him or her with the vehicle dealers plates and dealers vehicle licence applied for.

23. Use of dealers plates

- (1) No motor vehicle, trailer or engineering plant shall proceed from the premises of a dealer, manufacturer or repairer of motor vehicles, trailers or engineering plant and be used on a road for any of the following purposes
- (a) proceeding to or returning from an inspection by an inspector;
 - (b) proceeding from the premises of a dealer to a railway station or wharf for entraining or shipment, or from a train or ship to those premises;
 - (c) test or trial during or after completion, construction, assembly or repair;
 - (d) test or trial by or on behalf of an intending purchaser, or for proceeding to or from the place where the purchaser intends to keep it;
 - (e) proceeding to or from a public weighbridge for the purpose of its weight being ascertained or to or from a place for registration;
 - (f) exportation to or importation from a neighbouring country;
 - (g) proceeding from the premises of a dealer to the premises of a purchaser or of another dealer or manufacturer;
 - (h) proceeding to or returning from a workshop in which a body is to be or has been fitted to the motor vehicle, trailer or engineering

plant or where the motor vehicle, trailer or engineering plant is to be or has been painted or repaired; or

- (i) proceeding to or returning from an exhibition of motor vehicles, trailers or engineering plant,

unless the motor vehicle, trailer or engineering plant is displaying valid dealers plates issued under section 22.

(2) No motor vehicle, trailer or engineering plant shall be used on any road under the authority of a dealers vehicle licence—

- (a) to convey passengers or goods for profit or reward; or
- (b) to carry or convey any goods whatsoever except such load as may be necessary for the purpose of testing the motor vehicle, trailer or engineering plant; and no such load, and no part of it shall be removed from the motor vehicle, trailer or engineering plant at any time between the departure from and the return to the loading place of the motor vehicle, trailer or engineering plant, except in the case of an accident.

(3) No motor vehicle, trailer or engineering plant shall be used on any road under the authority of a dealers vehicle licence unless the holder of the licence or a person duly authorised by him or her accompanies the motor vehicle, trailer or engineering plant.

(4) Not more than two persons in addition to the driver shall travel in a motor vehicle, trailer or engineering plant displaying dealers plates.

(5) A dealers vehicle licence shall remain in force for one year from the date of issue unless the licence is cancelled or the dealer ceases to carry on the business.

(6) A dealers vehicle licence shall not be transferable without the written consent of a licensing officer.

24. Cancellation of dealers vehicle licence

(1) A licensing officer may at any time cancel a dealers vehicle licence for a breach of any of the provisions of this Act relating to dealers vehicle licences and dealers plates.

(2) Any person aggrieved by the decision of a licensing officer under subsection (1) may, within one month after the service on him or her of notice of the cancellation, appeal to the Competent Authority, and the Competent Authority may confirm or reverse the decision.

25. Return of dealers plates

When a dealers vehicle licence expires the holder of the licence shall return the dealers plates relating to the licence to a licensing officer; except that the dealers plates may be retained by the holder of a dealers vehicle licence who is issued with a new dealers vehicle licence in respect of the same plates.

26. Licence for manufacturing or dealing in motor vehicles, *etc.* and spare parts

(1) Notwithstanding any other written law, a person shall not repair motor vehicles, trailers or engineering plant or trade, manufacture, deal in new, second-hand or reconditioned motor vehicles, trailers or engineering plant, unless the person—

- (a) has an approved place of business; and
- (b) is in possession of a licence issued by the Chief Licensing Officer.

(2) For the purpose of this section, “approved place of business” means a place of business approved under the licence referred to in subsection (1).

(3) Every person who is issued with a manufacturers licence under subsection (1) shall keep in the prescribed manner written records of transactions made.

(4) A police officer or any person authorised by the Minister may, at any reasonable time, enter and inspect an approved place of business in which a person holding a manufacturers licence carries on business, or in which he or she has reasonable grounds to suspect that the business of repairing motor vehicles, trailers or engineering plant for trade is being carried on in contravention of this Act and may take possession of any written records kept under this section or of any unauthorised or unaccounted for spare parts found at the premises or place.

(5) Any person who repairs a motor vehicle, trailer or engineering plant for trade or manufactures or deals in new, second-hand or reconditioned motor vehicles, trailers or engineering plant or replicas of them, commits an offence if he or she—

- (a) does not have an approved place of business and is not in possession of a valid licence;
- (b) has an approved place of business but is not in possession of a valid licence for the place of business;
- (c) does not keep in the prescribed manner written records of transactions made; or
- (d) does not keep in the prescribed manner and form details of spare parts manufactured, bought or sold.

(6) Any person who commits an offence under subsection (5) is liable, on conviction, to a fine of not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

Supplementary provisions

27. Presumption of owner of vehicle

The person in whose name a motor vehicle, trailer or engineering plant not subject to a hiring agreement, or a hire purchase agreement or a finance lease agreement is registered shall, unless the contrary is proved, be presumed to be the owner of the motor vehicle, trailer or engineering plant.

28. Notice of change of ownership

(1) Within three months after the sale or other disposition of any kind of any registered motor vehicle, trailer or engineering plant, the person selling or otherwise disposing of it shall notify the licensing officer, in the prescribed form accompanied by the prescribed fee, of the sale or disposition, the name and address of the new owner, the mileage recorded on the mileage recorder, if any, of the motor vehicle, trailer or engineering plant and other particulars as may be prescribed.

(2) Any person who purchases a motor vehicle and does not notify the licensing officer of the change in ownership and submit the particulars of ownership to the licensing officer within three months commits an offence

and is liable, on conviction, to a fine not exceeding fifteen currency points or to imprisonment for a term not exceeding six months, or both.

(3) Subsection (1) shall not apply to a change of possession consequent on a contract of hiring where the period of hiring does not exceed three months or where the registered owner continues to employ and pay the driver of the motor vehicle, trailer or engineering plant.

(4) Where a motor vehicle, trailer or engineering plant which is subject to a hire purchase agreement is lawfully repossessed under the terms of that agreement, subsection (1) shall apply as if the registered owner had sold or otherwise disposed of the motor vehicle, trailer or engineering plant to the person entitled to repossess it.

(5) A licensing officer shall, in registering the change of ownership of a motor vehicle, trailer or engineering plant, make an entry of the change of ownership in the appropriate register and shall amend the registration book accordingly or complete the new registration book and deliver the amended registration book or a new registration book to the new registered owner of the motor vehicle, trailer or engineering plant.

(6) Any person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

(7) For the avoidance of doubt, both the owner and the buyer of a motor vehicle, trailer or engineering plant shall be liable under subsection (6).

29. Exemption from registration, licensing, *etc.*

The Minister may, by statutory order, for a fixed period prescribed in the order, provide for the exemption, either wholly or partially, and either unconditionally or upon conditions, of persons or of their motor vehicles, trailers or engineering plant or of any classes of such persons or motor vehicles, trailers or engineering plant, from any of the requirements of this Part or regulations made under or by virtue of this Part.

30. Offences and penalties

(1) Any person who uses or permits to be used on any road a motor vehicle, trailer or engineering plant—

- (a) which is not registered in accordance with this Part;
- (b) without the prescribed registration plates issued and affixed in the prescribed manner;
- (c) without any insurance prescribed by law for that use; or
- (d) while any registration plate affixed to it in the prescribed manner is in any way obscured or is rendered or allowed to become not easily distinguishable by night or by day,

commits an offence and is liable, on conviction, to a fine of not less than ten currency points and not exceeding forty currency points or to imprisonment for a term not less than one year and not exceeding two years, or both.

(2) Any person who uses or permits to be used on any road, a motor vehicle, trailer or engineering plant of which that person is the owner, unless that person or the authorised agent of that person has possession of the registration book issued in relation to it commits an offence and is liable, on conviction, to a fine of not less than five currency points and not exceeding fifteen currency points or to imprisonment for a term not exceeding six months, or both.

(3) Any person who affixes or causes to be affixed to any motor vehicle, trailer or engineering plant any registration plate not authorised by this Act or by regulations and which is likely to be mistaken for any authorised registration plate commits an offence and is liable, on conviction, to a fine not exceeding thirty currency points or to imprisonment for a term not exceeding one year, or both.

(4) Any person who gives false information or who makes an incorrect statement—

- (a) when effecting or changing the registration of a motor vehicle, trailer or engineering plant;
- (b) as to the mileage recorded on the mileage recorder (if any) of a motor vehicle, trailer or engineering plant;
- (c) when effecting the change of ownership of a motor vehicle, trailer or engineering plant; or
- (d) when applying for a dealers vehicle licence,

commits an offence and is liable, on conviction, to a fine of not less than ten

currency points and not exceeding thirty currency points or to imprisonment for a term not exceeding six months, or both.

- (5) Any person who—
 - (a) alters the mileage recorder (if any) on a motor vehicle, trailer or engineering plant so as to reduce the mileage recorded;
 - (b) obtains, uses or permits to be used dealers plates otherwise than in accordance with this Part; or
 - (c) fails to surrender his or her registration plates or his or her registration book for alteration or cancellation as required so to do under this Part.

(6) commits an offence and is liable, on conviction, to a fine of not less than five currency points and not exceeding fifteen currency points or to imprisonment for a term not exceeding six months, or both.

(7) Where a person is charged with an offence under subsection (1) (a) or (d), it shall be a good defence that an application had been made in the prescribed manner to a licensing officer to have the motor vehicle, trailer or engineering plant registered in his or her name and the registration book had not at that time been received from the licensing officer.

31. Regulations for purposes of Part

Regulations may be made under section 166 for all or any of the following purposes—

- (a) regulating the registration of motor vehicles, trailers or engineering plant and the issue of registration plates and licences for them and requiring owners of motor vehicles, trailers or engineering plant to furnish all such particulars as may be required for that purpose;
- (b) providing for the proper recording of particulars, as referred to in paragraph (a), registers, for the cancellation of registration books of motor vehicles, trailers or engineering plant or for the return of registration plates and licences issued under this Part or where incorrect particulars have been furnished or registration books or licences have been issued in error;
- (c) prescribing forms and materials of registration plates and licences, the size, shape and character of the numbers or distinguishing marks to be shown on them, the number of registration plates to

- be affixed to each motor vehicle, trailer or engineering plant and the mode in which the registration plates and licences are to be affixed;
- (d) prescribing forms of applications, registration books, identification marks, certificates and other matters that may be required for the purposes of this Part and prescribing conditions on which duplicates or substitutes for any registration plate or licence or any registration book or other document may be issued;
 - (e) prescribing the form of written records of particulars of transactions made and details of spare parts bought or sold;
 - (f) prescribing the fees or charges to be paid for
 - (i) the registration or re-registration of various classes of motor vehicles, trailers or engineering plant;
 - (ii) registration plates;
 - (iii) licences for various classes of motor vehicles, trailers or engineering plant;
 - (iv) the alteration or cancellation of particulars of registration of a motor vehicle, trailer or engineering plant;
 - (v) the alteration or cancellation of a licence issued for a motor vehicle, trailer or engineering plant;
 - (vi) searches of registers;
 - (vii) certified copies of records;
 - (viii) dealers vehicle licences;
 - (ix) dealers plates;
 - (x) notice of change of ownership of a motor vehicle, trailer or engineering plant; and
 - (xi) duplicate copies of, or substitutes for, registration books, licences, registration plates or other documents; and
 - (g) prescribing anything to be prescribed under this Part.

PART IV—DRIVING LICENCES

Issue of driving licences

32. Prohibition of driving without valid driving licence

(1) A person shall not drive any class of motor vehicle, trailer or engineering plant on a road unless he or she is in possession of a copy of a valid driving licence or a copy of a valid learner driving licence in respect of that group of motor vehicle, trailer or engineering plant.

(2) Whenever required by a police officer, a person shall provide the original copy of the driving licence or learner driving licence referred to in subsection (1) within seventy-two hours.

(3) No person who owns or who has charge of a motor vehicle, trailer or engineering plant of any group shall allow or permit any person to drive the motor vehicle, trailer or engineering plant unless the person driving is the holder of a valid driving licence or a valid learner driving licence endorsed in respect of that group of motor vehicle, trailer or engineering plant.

(4) No person shall be entitled to more than one driving licence, but the driving licence may be endorsed to permit him or her to drive one or more groups of motor vehicle, trailer or engineering plant.

33. Grouping of motor vehicles, *etc.* for driving licences

(1) For purposes of issuing driving licences, motor vehicles shall be divided into the following groups—

- (a) Group A—motorcycles with a cubic capacity exceeding 125 cm³ and a power exceeding 11 Kw;
- (b) Group A1—motorcycles with a cubic capacity not exceeding 125 cm³ and a power not exceeding 11 Kw (light motorcycles);
- (c) Group B—
 - (i) motor vehicles, having a permissible maximum mass not exceeding three thousand five hundred kilogrammes and not more than eight seats in addition to the driver's seat;
 - (ii) motor vehicles of category B coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes; or
 - (iii) motor vehicles of category B coupled to a trailer, the permissible maximum mass of which exceeds seven hundred fifty kilogrammes but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed three thousand five hundred kilogrammes;
- (d) Group B1—tricycles and quadricycles;
- (e) Group BE—
 - (i) motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds seven

- hundred fifty kilogrammes and exceeds the unladen mass of the motor vehicle; or
- (ii) motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds seven hundred fifty kilogrammes, where the combined permissible maximum mass of the vehicles or motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds seven hundred fifty kilogrammes, where the combined permissible maximum mass of the vehicles so coupled exceeds three thousand five hundred kilogrammes;
 - (f) Group C motor vehicles, other than those in category D, having a permissible maximum mass exceeding three thousand five hundred kilogrammes or motor vehicles of category C coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes;
 - (g) Group C1—motor vehicles, with the exception of those in category D, the permissible maximum mass of which exceeds three thousand five hundred kilogrammes but does not exceed seven thousand five hundred kilogrammes or motor vehicles of subcategory C1 coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes;
 - (h) Group C1E—motor vehicles of subcategory C1 coupled to a trailer the permissible maximum mass of which exceeds seven hundred fifty kilogrammes but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed twelve thousand kilogrammes;
 - (i) Group CE—motor vehicles of category C coupled to a trailer whose permissible maximum mass exceeds seven hundred fifty kilogrammes;
 - (j) Group D motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat but not exceeding thirty seats in addition to the driver's seat or motor vehicles of category D coupled to a trailer the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes;
 - (k) Group D1—motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat but not more than sixteen seats in addition to the driver's seat

or motor vehicles of subcategory D1 coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilogrammes;

- (l) Group D1E—motor vehicles of subcategory D1 coupled to a trailer, not used for the carriage of persons, the permissible maximum mass of which exceeds seven hundred fifty kilogrammes but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed twelve thousand kilogrammes;
- (m) Group DE—motor vehicles used for the carriage of passengers seating accommodation exceeding thirty seats in addition to the driver's seat and motor vehicles of this subcategory category may be coupled to a trailer whose permissible maximum mass exceeds seven hundred fifty kilogrammes;
- (n) Group F—special machinery including tractors and earth moving equipment including graders, bulldozers and compactors; and
- (o) Group G—agricultural tractors.

(2) An applicant for a Group F driving licence shall, before being granted the driving licence, hold a driving licence in Group B, BE, C, C1, C1E, CE, D1, D1E, D or DE which equates to maximum permissible weight or the maximum permissible number of passengers to the engineering plant which the applicant proposes to drive.

(3) A person may possess a driving licence allowing him or her to drive all the possible classes or a combination of motor vehicles, including Group A.

(4) The Minister may, by statutory order, amend the groups of motor vehicles for driving licences specified under this section.

34. Licensing of driving schools and instructors

(1) The Chief Licensing Officer may, upon application by any person and the payment of the prescribed fee, licence that person to operate a driving school for the teaching of persons to operate motor vehicles, trailers or engineering plant safely and efficiently, subject to such terms as may be prescribed in relation to the licence.

(2) No person shall operate a driving school except under and in accordance with a licence issued under subsection (1).

(3) The Chief Licensing Officer may, on the application of any person in the prescribed form accompanied by the prescribed fee, issue an instructor's licence to an applicant.

(4) Before issuing a licence under subsection (3), the Chief Licensing Officer shall satisfy himself or herself that the applicant has complied with all prescribed requirements for an instructor's licence and shall issue a certificate to that effect.

(5) A licence issued under subsection (3) may be issued for such duration and upon such terms and conditions as may be prescribed, and shall not be transferable.

(6) Any person who instructs any other person to drive any group of motor vehicle, trailer or engineering plant without a valid licence issued under this section or, being a licensed instructor, instructs any person to drive a motorcycle, a motorcar, a dual-purpose vehicle or a tractor otherwise than as a student enrolled in a driving school, commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

(7) Any person who—
(a) operates a driving school contrary to this section;
(b) instructs any other person to drive any group of motor vehicle, trailer or engineering plant without a valid instructor's licence issued under this section; or
(c) being a licensed instructor, instructs any person to drive a motorcycle, a motorcar, a dual-purpose vehicle, or a tractor otherwise than as a student enrolled in a driving school,
commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

35. Learner drivers

(1) Every person who wishes to drive a Group A, A1, B, B1 or G motor vehicle and who—

(a) does not possess a valid driving licence;

- (b) is not disqualified from driving Group A, A1, B, B1 or G motor vehicles;
- (c) is of or above the age of eighteen years; or
- (d) is certified by a medical practitioner to be of good physical and mental health,

shall receive instruction from a licensed instructor in the group of the motor vehicle in respect of which he or she seeks a driving licence, and in the case of a motorcar or dual-purpose vehicle, tractor or motorcycle shall enroll as a student and receive instruction from a driving school.

(2) Every person who wishes to drive a Group BE, C, C1, C1E, CE, D1, D1E, D, DE or F motor vehicle and who—

- (a) does not possess a valid driving licence for the appropriate group;
- (b) is not disqualified from driving;
- (c) is over the age of twenty-five years;
- (d) is certified by a medical practitioner to be in good physical and mental health; and
- (e) possesses a valid Group B driving licence,

shall receive instruction from a licensed instructor in the group of motor vehicles in respect of which he or she seeks to have his or her driving licence extended.

(3) No person required to receive instructions from a licensed instructor under subsection (2) shall be issued with a driving licence in respect of any of the groups of motor vehicles to which the instruction relates unless he or she has been issued with a certificate from the Competent Authority that he or she has satisfactorily completed the course of instructions.

(4) If the applicant for a driving licence fails to produce his or her birth certificate, or any other proof or evidence of age, the opinion of the licensing officer shall be conclusive as to the person's age.

(5) No person shall be granted a driving licence under subsection (2) unless he or she has undergone a prescribed course which includes training in elementary mechanics.

36. Learner driving licence

(1) A licensing officer may, upon the application of a learner driver in the prescribed form accompanied by the prescribed fee, and in the case of

an application to drive a Group A, A1, B, B1, BE or G motor vehicle, upon being satisfied that the applicant is registered with a driving school, issue the applicant with a learner driving licence in the prescribed form permitting him or her to drive while under the personal supervision of his or her instructor except that a motorcycle may be driven by a driver unaccompanied.

(2) A valid Group B driving licence shall be regarded as a learner driving licence for the purposes of section 35(2).

(3) A learner driving licence shall be valid for three months and may, in the discretion of the licensing officer, be renewed for further periods of three months at a time upon payment of the prescribed fee, but no learner driving licence shall be renewable after a period of twelve months beginning with the date on which it was first issued unless the applicant has, within twelve months, submitted himself or herself for at least one driving test.

37. “L” Plates

(1) Upon payment of the prescribed fee, the Chief Licensing Officer shall issue to every licensed instructor a set of “L” identification plates in the prescribed form for the motor vehicle, trailer or engineering plant used by the instructor for the purpose of instruction.

(2) When a motor vehicle, trailer or engineering plant is being used by a licensed instructor for the purposes of instructing a learner driver, it shall display the “L” plates issued under subsection (1) in the prescribed position at the front and at the back of the vehicle.

38. Driving tests

(1) When, in the opinion of the licensed instructor, a learner driver—
(a) is competent to drive a motor vehicle, trailer or engineering plant of the group for which he or she desires a driving licence; and
(b) has a good knowledge of this Act and regulations and, in particular—
(i) the highway code; and
(ii) prescribed road signals and road signs,
the licensed driving instructor shall apply to a licensing officer for the learner driver to be tested.

(2) Driving tests shall be conducted, upon payment of the prescribed fee, by such examining persons as may be authorised by the Minister in accordance with this Act and regulations.

(3) The Minister may, in accordance with the Public Private Partnerships Act enter into an agreement with a private entity to undertake driver testing on behalf of the Government for purposes of issuing driving licences.

(4) No person with a disability shall be denied a driving licence by reason of his or her disability.

39. Driving licences

(1) An application for a driving licence or a learner driving licence, except an application for a renewal of the permit, shall be made in person to a licensing officer in the prescribed form, accompanied by the prescribed fee, and the particulars required in such form and the licence shall be signed by the applicant in the presence of the licensing officer.

(2) If the applicant satisfies an examining officer of the matters referred to in section 38(1)(a) and (b), he or she shall, upon payment of the prescribed fee, be issued with a driving licence in the prescribed form by a licensing officer.

(3) A driving licence shall be valid for twelve months, three years or five years from the date of issue but may, on application being made in the prescribed form and on payment of the prescribed fee, be renewed for further periods of twelve months, three years or five years at a time, as the case may be.

(4) A person whose driving licence has for any reason not been renewed within a period of two years from the date of expiry, shall, on application for renewal, undergo theory and practical tests before the licence is renewed and he or she is allowed to retain the group of motor vehicles endorsed in his or her driving licence.

(5) An applicant under subsection (4) shall pay the prescribed fee and fine before his or her driving licence is renewed.

(6) The holder of a valid Group B driving licence who satisfies an examining officer of the matters referred to in section 38(1)(a) and any special provisions of this Act governing the motor vehicle, trailer or engineering plant of the group in respect of which he or she seeks to have his or her driving licence extended shall be entitled to have his or her Group B driving licence extended by a licensing officer to cover that group.

(7) The holder of a driving licence for any group of motor vehicles whose permit is extended to cover any other group of motor vehicles shall be entitled to a driving licence for that group of motor vehicles upon passing the prescribed tests.

(8) Notwithstanding anything in this section and section 38, a driving licence may be issued by the licensing officer to any person without requiring that person to undergo a test of competency to drive if the person is or has within the period of the last five years been the holder of a driving licence or drivers licence issued to him or her under the laws of Uganda or of any part of the Commonwealth or other country where the permit or licence is only granted after a prescribed test has been passed and the examining officer is satisfied that the person—

- (a) has been so tested as to his or her ability to drive a motor vehicle of the group or groups in respect of which he or she has applied for a driving licence; and
- (b) has a knowledge of this Act and regulations and, in particular—
 - (i) the highway code; and
 - (ii) the prescribed road signals and road signs.

(c) The Minister shall, by regulations, prescribe special conditions and procedure for recognition and conversion of foreign driving licences.

(10) Subsection (8) shall be construed so as not to limit the operation and effect of this Part, otherwise than as provided in this section.

(11) Regulations made under section 166 may provide for the grant under subsection (8) of licences valid for a period not less than seven days and not more than six months as may be specified in the licence.

40. Conditional driving licences

Where the applicant for a driving licence is a person suffering from any bodily defect or incapacity, any driving licence issued under section 39 may be issued conditionally upon the observance of the conditions set in it, including, where appropriate, a condition that the driving licence shall relate only to a specified class of motor vehicle especially constructed or adapted for the applicant's use.

41. Cancellation of documents, etc. issued corruptly

(1) Any person who corruptly offers, solicits, receives or agrees to receive for himself or herself or any other person any gift as an inducement to or a reward for issuing any document required to be issued under this Act commits an offence and is liable, on conviction, to a fine of not less than thirty currency points and not exceeding seventy currency points or to imprisonment for a term not less than two years and not exceeding five years, or both.

(2) A court before which any person is convicted of an offence under subsection (1) for issuing any document required to be issued under this Act in contravention of any provision of this Act shall declare any document so issued invalid and any other document obtained on the authority of that document to be cancelled.

42. Special provisions for public service vehicles

(1) Notwithstanding anything in this Part, a person shall not drive a public service vehicle with seating capacity of eight seats and above, a private omnibus or goods vehicle unless—

- (a) he or she has held a driving licence for a Group B motor vehicle for not less than five years;
- (b) his or her driving licence has been extended to include the appropriate group;
- (c) he or she has completed such tests and complied with all the prescribed requirements;
- (d) he or she holds a certificate to that effect signed by the Chief Licensing Officer; and
- (e) he or she has been issued with a driver's badge by the Chief Licensing Officer.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to imprisonment for a term not exceeding seven years.

Disqualification and endorsement of driving licence

43. Mandatory cancellation or suspension of driving licence

- (1) A court before which a person is convicted of—
 - (a) a first offence under any provision of sections 100, 101 and 109(1)(b), may cancel that person's driving licence for a period of not less than eighteen months and not exceeding three years and may declare that person to be disqualified from obtaining a driving licence of any type for the stated period;
 - (b) a first offence under section 107 or under 109(1)(b), may suspend that person's driving licence for a period of not less than six months but not exceeding one year and may declare that person to be disqualified from obtaining a driving licence of any type for the stated period;
 - (c) a first offence under section 109(1)(a) or (b), may disqualify that person from driving or cancel that person's driving licence, as the case may be, for a period of not less than six months and less than three years respectively, and may declare that person to be disqualified from obtaining a driving licence of any type for the stated period;
 - (d) a second or subsequent offence under sections 100 or 101 shall cancel that person's driving licence for a period of not less than two years and not exceeding four years and shall declare that person to be disqualified from obtaining a driving licence of any type for the stated period;
 - (e) an offence under section 117, may suspend that person's driving licence for a period of not less than six months and not exceeding two years and shall declare that person to be disqualified from obtaining a driving licence of any type for the stated period;
 - (f) a second or subsequent offence under section 107 or under section 109(1)(b), may suspend that person's driving licence for a period of not less than twelve months but not exceeding three years and may declare that person to be disqualified from obtaining a driving licence of any type for the stated period;

- (g) a second or subsequent offence under section 108(1)(a) or (b) may declare that person to be further disqualified from obtaining a driving licence for six years or ten years, respectively;
- (h) in case of an offence under section 100 where death is caused by the offence, shall cancel that person's driving licence and declare him or her to be disqualified from obtaining a driving licence of any type;
- (i) an offence under section 101 where the proportion of alcohol in his or her blood exceeds the prescribed limit, then whether or not it exceeds one hundred fifty milligrammes of alcohol in one hundred litres of blood at the time he or she provided the specimen, may—
 - (i) on first conviction, suspend that person's driving licence for a period of not less than six months and not more than one year;
 - (ii) on a second conviction, suspend that person's driving licence for a period of not less than two years and not more than five years; and
 - (iii) on a third or subsequent conviction, cancel that person's driving licence,

unless the court for special reasons thinks fit to order a shorter period of cancellation or suspension of that person's driving licence and to order him or her to be disqualified from obtaining a driving licence for a shorter period or not to order him or her to be disqualified.

(2) The court shall, if the person convicted holds a driving licence, endorse the particulars of the conviction on the driving licence.

44. Particulars of convictions to be endorsed

A court before which a holder of a licence specified in section 62 or the driver of a vehicle operating under such a licence is convicted of an offence against this Act shall endorse the particulars of the conviction on the licence and notify the particulars of the conviction to the Competent Authority and the Inspector General of Police.

45. Discretionary powers of cancellation or suspension

A court before which a person is convicted of any offence under this Act while his or her driving licence is endorsed, may, in its discretion, cancel or

suspend that person's driving licence for a period not exceeding one year and declare that person to be disqualified from obtaining a driving licence of any type for the stated period.

46. Endorsement

A court before which a person is convicted of any offence under this Act shall endorse the particulars of the conviction on the convicted person's driving licence.

47. Appeal

An appeal shall lie against an order made by the court under section 43, 45 or 46 in the same manner as an appeal against a conviction, and, if an appeal is lodged, the court making the order or the court to which the appeal lies may suspend the operation of the order pending the determination of the appeal.

48. Issue of duplicate or substitute driving licences

(1) If a driving licence is lost, defaced or mutilated, a licensing officer shall, on payment of the prescribed fee, issue to the holder of the licence a duplicate driving licence or learner driving licence, as the case may be.

(2) Where any driving licence or learner driving licence which has been lost is subsequently found, the holder of the licence shall deliver to the licensing officer any duplicate issued under subsection (1).

(3) On the issue of a duplicate or substitute driving licence to any person, the licensing officer shall enter on that driving licence the particulars endorsed on any previous driving licence held by that person unless the holder has previously become entitled under this Act to the issue of a driving licence free from endorsement.

(4) Any person whose driving licence is endorsed by a court under section 46, who has not previously become entitled under this Act to have a driving licence issued to him or her free from endorsement, who applies for or obtains a driving licence without giving the particulars of the endorsement entered on his or her driving licence commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to

imprisonment for a term not exceeding one year, or both; and any driving licence so obtained shall be declared invalid by the court.

(5) When a person whose driving licence is endorsed by a court under section 46 has had, during a continuous period of three years or more from the day when the endorsement was entered on his or her driving licence, no other endorsement entered on his or her driving licence, he or she shall, on application, be entitled at any time, subject to the payment of the prescribed fee, on surrendering any subsisting driving licence, to have a new driving licence issued to him or her free from endorsement.

(6) In reckoning the period of three years for the purpose of subsection (5), any period during which the driving licence of the applicant was suspended by an order of a court for holding or obtaining a driving licence, shall be excluded.

49. Production of driving licence on cancellation or endorsement

A person whose driving licence is suspended or cancelled or whose driving licence is required for endorsement under section 43, 45 or 46 shall surrender the driving licence to the court for particulars of the conviction to be endorsed on the driving licence.

50. Custody of driving licence while cancelled, *etc.*

Where the court cancels or suspends a driving licence or orders a driving licence to be endorsed under section 43, 45 or 46, the court shall send notice of it to the Chief Licensing Officer and shall, in every case where a person's driving licence is cancelled or suspended, forward the driving licence to the Chief Licensing Officer.

51. Application for driving licence after cancellation

A person who applies for a driving licence after a period of cancellation has expired shall—

- (a) where the period of cancellation is more than two years;
- (b) where the cause of the cancellation was reckless driving under section 100; or

(c) where the cause of the cancellation occurred within a period of one year from the date of issue of the cancelled licence, only be required to undergo a driving test in accordance with section 38(2).

52. Removal of disqualification

(1) A person who, by virtue of a conviction or order, is disqualified from holding or obtaining a driving licence may, at any time after the expiration of one year from the date of the conviction or order, apply to the chief magistrate's court to remove the disqualification, and the High Court may, if it thinks fit, and having regard to—

- (a) the character of that person;
- (b) the conduct of that person subsequent to the conviction or order;
- (c) the nature of the offence; and
- (d) any other circumstance of the case,

either by order remove the disqualification from such date as may be specified by the High Court, or refuse the application.

(2) Where an application under subsection (1) has been refused, a further application under that subsection shall not be entertained within three months after the date of the refusal of the application.

(3) If, under this section, the High Court orders a disqualification to be removed, it shall cause particulars of the order to be endorsed on the driving licence, if any, previously held by the applicant and may, in any case, order the applicant to pay the whole or any part of the costs of the application.

53. Automatic disqualification

A person who—

- (a) is disqualified from obtaining a driving licence;
- (b) has had his or her driving licence cancelled; or
- (c) in any way is prohibited from driving any group of motor vehicle, trailer or engineering plant,

in any other country shall be disqualified from driving in Uganda as if the disqualification, cancellation or prohibition had been made by a court in Uganda.

54. Offences and penalties

A person who—

- (a) owns a motor vehicle, trailer or engineering plant which is used on a road for the purpose of teaching a person to drive a motor vehicle, trailer or engineering plant when at the time the motor vehicle, trailer or engineering plant is being used for teaching and there is no person in the motor vehicle, trailer or engineering plant holding a valid instructors licence issued under this Part;
- (b) teaches or instructs any person to drive a motor vehicle, trailer or engineering plant on a road when he or she is not in possession of a valid instructors licence issued under this Part;
- (c) while in possession of a learner driving licence, drives a motor vehicle, trailer or engineering plant without a person holding a valid instructors licence being in or on the motor vehicle, trailer or engineering plant at the time;
- (d) while in possession of a learner driving licence, drives a motor vehicle, trailer or engineering plant which is not at the time displaying “L” plates affixed in the prescribed manner;
- (e) not being a licensed instructor drives a motor vehicle, trailer or engineering plant which is displaying “L” plates;
- (f) being the manager, controller or conductor of a driving school permits a motor vehicle used for the purposes of instruction to be driven by a learner driver when no licensed instructor is present in the motor vehicle at the time or which is not at the time displaying “L” plates affixed in the prescribed manner;
- (g) being the holder of a valid instructors licence, permits a motor vehicle, trailer or engineering plant other than a motor vehicle, trailer or engineering plant authorised to be used for the purposes of instructing a learner driver;
- (h) being the holder of a valid instructors licence, permits a motor vehicle, trailer or engineering plant to be driven by a learner driver when the motor vehicle, trailer or engineering plant is not at the time displaying “L” plates affixed in the prescribed manner;
- (i) fails without reasonable excuse to produce his or her driving licence or learner driving licence under section 32(2); or
- (j) makes a false statement or gives false information when applying for any licence or driving licence under this Part,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

55. Offences for applying or obtaining driving licence or driving while disqualified

(1) Any person who is disqualified under this Act from obtaining a driving licence and who applies for or obtains a driving licence while he or she is so disqualified commits an offence and is liable, on conviction, to imprisonment for a term not less than one year and not exceeding three years; and any driving licence so obtained shall be of no effect.

(2) A police officer in uniform may apprehend, without a warrant, any person whom he or she finds driving a motor vehicle, trailer or engineering plant while he or she is disqualified from holding or obtaining a licence under this Act, whether or not by an order of a court, or, if the disqualification is limited to the driving of a motor vehicle, trailer or engineering plant of a particular group of description, a motor vehicle while he or she is so disqualified.

56. Regulations for purposes of Part

Regulations may be made under section 166 for all or any of the following purposes—

- (a) regulating the licensing of driving instructors, applications for and the issue of licences for them, the examination, testing and control of driving instructors, the period of and the manner and circumstances in which licences may be renewed or cancelled and the manner in which instruction is to be given;
- (b) providing for the examination and testing of applicants for driving licences, the manner in which applicants are to be tested and the renewal of driving licences;
- (c) providing for the special examination and testing of holders of driving licences in any case where it is considered by the Chief Licensing Officer necessary in the interests of public safety, and for the revocation of their licences if the holders refuse or neglect to be examined or tested or are otherwise found to be for any reason unfit to continue to hold their licences;

- (d) prescribing forms and materials of “L” plates, the size, shape and character of the letters to be shown on them, the number of those plates to be affixed to a motor vehicle, trailer or engineering plant and the mode in which they are to be affixed;
- (e) prescribing forms of applications, licences, permits and other matters that are required to be prescribed under this Part, registers of driving licences and licences issued under this Part, the correction, alteration or cancellation of entries in those registers, the issue of duplicates or substitutes for any licence, permit or plate that may be issued;
- (f) the mode in which driving licences are to be suspended, cancelled or endorsed and the form in which cancellation and endorsements shall be entered on driving licences;
- (g) the fees to be paid for—
 - (i) the issue of an instructor’s licence;
 - (ii) the issue of a learner driving licence;
 - (iii) the issue of a driving licence;
 - (iv) the issue of “L” plates;
 - (v) the testing of motor vehicles, trailers or engineering plant to be used for the purpose of instruction;
 - (vi) the testing and examining of drivers;
 - (vii) alteration of records and permits; and
 - (viii) duplicates of records of or substitutes for licences, permits or plates;
- (h) defining the persons who are forbidden to drive under this Part because of their physical or mental condition and providing for the test to be carried out on those persons and the standard by which a person should be taken to be incapable of driving a motor vehicle, trailer or engineering plant under this Act;
- (i) specifying the conditions to be satisfied before a driving school is licensed, including the qualifications of instructors, the number and conditions of motor vehicles, trailers or engineering plant and other teaching aids to be used in the driving school and the conditions and adequacy of premises to be used and the curriculum to be followed;
- (j) prescribing anything to be prescribed under this Part.

PART V—LICENCES FOR PUBLIC SERVICE, PRIVATE
OMNIBUS AND GOODS VEHICLES

57. Licensing year defined for purposes of Part

In this Part, the expression “licensing year” means a period of twelve months from the date of issue of a licence.

Competent Authority

58. Competent Authority

(1) The department of transport regulation and safety in the Ministry responsible for transport is designated as the Competent Authority for purpose of this Act.

- (2) The Competent Authority shall—
 - (a) carry out its duties under this Act and regulation made under this Act;
 - (b) regulate the use of public service vehicles, private omnibuses and goods vehicles other than owner’s transport and producer sellers’ vehicles throughout Uganda;
 - (c) provide strong and central organisation in order to intensify road safety activities and interventions and to fully and continuously exploit available knowledge and experience in all matters connected to road safety in its role as the lead agency of Government responsible for road safety management;
 - (d) provide a stronger central organisation to intensify activity and exploit fully and continuously available knowledge and experience in all matters connected with road safety;
 - (e) promote and use research into causes of traffic road accidents;
 - (f) promote and use statistical research as to the number, type and cost of traffic accidents;
 - (g) diagnose from research and statistical records or any other sources, causes of road accidents and suggest countermeasures;
 - (h) combat accidents;
 - (i) identify local accident hazards, devise and suggest remedies and advise the authorities concerned to promote action;
 - (j) make proposals for amending traffic and road safety legislation with a view to reducing road traffic accidents;

- (k) encourage and provide training and education for road users;
- (l) increase the road user's knowledge of particular hazards, how they arise and how to cope with them;
- (m) induce a more positive attitude to road safety through lectures, demonstrations, campaigns or any other means;
- (n) take measures to foster a change behaviour of road users so that a person does not put himself or herself or others at risk;
- (o) review road designs for safety before and during construction, rehabilitation or upgrading of public roads;
- (p) collect, prepare and disseminate educational material on road safety;
- (q) prepare and promulgate fully integrated programmes of public information and publicity by means of all appropriate media of mass communication;
- (r) advise on current or projected ideas concerning motor vehicle, trailer or engineering plant design, equipment and maintenance with particular reference to safety devices; and
- (s) discharge such other functions as the Minister may, by statutory instrument, prescribe.

(3) The Competent Authority may, in liaison with the Uganda Police Force, carry out joint enforcement of the provisions of this Act.

Registers

59. Registers

(1) The Competent Authority shall keep in the prescribed form registers of all licences issued under this Part.

(2) All registers shall be open for inspection on demand by a police officer who is entitled to copy any entry in a register.

60. Searches

All registers in the custody of the Competent Authority may be open for inspection by members of the public during prescribed hours and upon payment of the prescribed fee.

61. Certified copies

(1) The Commissioner shall, upon payment of the prescribed fee, furnish to an applicant a certified copy of any entry in a register.

(2) The copy of any entry in a register which is certified under the hand of the Commissioner to be a true copy is *prima facie* evidence in all court proceedings of the facts contained in the register.

62. Classification of vehicle operator's licence

(1) The licences issued by the Competent Authority under this Part shall be categorised into the following classes—

- (a) public omnibus operator's licence;
- (b) private omnibus operator's licence;
- (c) contract or temporary omnibus operator's licence;
- (d) goods operator's licence;
- (e) country taxicab operator's licence;
- (f) rental vehicle operator's licence;
- (g) commercial motorcycles and tricycles licence; and
- (h) tourist vehicle licence.

(2) A tourist agent vehicle operator's licence shall be issued under section 13 of the Uganda Tourism Act.

63. Licensing and regulation of special networks using online digital application

(1) A person who wishes to provide an online digital platform for the provision of public service transport to passengers or goods shall apply to the Competent Authority for a licence to operate the online digital network in a manner prescribed by regulations.

(2) The Competent Authority may, before granting a licence to an applicant under subsection (1)—

- (a) carry out background checks on the applicant;
- (b) require that the drivers to be hosted on the digital platform are accredited and issued with badges;
- (c) require the applicant to submit a tax clearance from the Uganda Revenue Authority;

- (d) require the applicant to obtain the relevant insurance; and
- (e) require the applicant to submit periodic reports and information to the Competent Authority.

(3) A person who wishes to carry passengers or goods for reward through an online digital network referred to in subsection (1) shall apply to the Competent Authority for an operator's licence in a manner prescribed by regulations.

64. Minister to organise public transport and keep statistics, etc.

(1) The Minister shall cause the road passenger transport industry to be organised, as far as possible, on a route basis, and the business shall be divided into express and local services in such a way that licensed operators keep within their catchment areas and on the routes for which they are licensed.

(2) The Minister may in organising public transport under subsection (1), require public transport providers to form companies, registered associations, partnerships, cooperatives or savings and credit cooperative societies in a manner prescribed by regulations in order to qualify for a licence under this Act.

(3) The Minister may by regulations, require public transport providers to make special provisions for persons with disabilities.

(4) The Competent Authority shall furnish to the Minister once in every year a list of routes and packages of routes covering the whole of Uganda, selected and assembled so as to provide transport services to meet reasonable passenger demand and which will be reasonably efficient and economic either as listed singly or otherwise for both large and small prospective operators.

(5) In compiling the routes and package for routes due regard and consideration shall be given to—

- (a) the needs of the public;
- (b) the desirability of providing services which are both efficient and economic;
- (c) the coordination, so far as possible, of all forms of passenger transport both in any particular area and in the whole of Uganda;

- (d) any decision of the Minister or the High Court arising from section 86;
- (e) the transport policy agreed upon between Uganda and any other State.

(6) The Minister shall for the purposes of subsections (4) and (5) cause to be made a regular collection, storage and analysis of comprehensive road transport data and statistics in respect of road vehicles used for the carriage of passengers and goods for hire and reward and passengers and goods carried and the industry generally, including, but not limited to, vehicle operating costs, road factors, frequency and efficiency of services and passenger demand.

65. Regulation of entry into market

The Minister may by regulations—

- (a) specify conditions for entry into the transport sector;
- (b) prescribe the criteria for qualification and requirements for entry into the transport sector in Uganda, including management, financial capacity and size and quality of fleet;
- (c) prescribe operational standards to be followed by all entrants;
- (d) provide a procedure for exiting the transport services industry; and
- (e) prescribe conditions under which a driving licence may be cancelled including for commission of a criminal offence.

66. Application for private and contract omnibus operator's licence

(1) A person who wishes to carry passengers in an omnibus without charge shall apply to the Competent Authority in the prescribed form accompanied by the prescribed fee for a private omnibus operator's licence.

(2) A person who wishes to carry passengers for hire or reward over such routes not being fixed routes and at such rates as may be agreed upon by that person and the passengers, shall apply to the Competent Authority in the prescribed form accompanied by the prescribed fee for a contract omnibus operator's licence.

(3) An applicant for any class of an omnibus operator's licence shall comply with any matters which may be prescribed, and the application shall be accompanied by any other forms or documents as may be prescribed.

67. Omnibus and country taxicab operator's licence

(1) Subject to this Act, a public omnibus and a country taxicab operator's licence shall authorise the holder of the licence—

- (a) to run a service for the carriage of passengers over such fixed route or routes as the Competent Authority may direct;
- (b) to run a scheduled service over such routes at such frequency and regularity as the Competent Authority may direct; and
- (c) to incorporate such intermediate stops on any route as the Competent Authority may direct.

(2) A private omnibus operator's licence shall authorise the holder of the licence to run an omnibus for the carriage of passengers subject to the conditions specified in the licence.

(3) A contract omnibus operator's licence shall authorise the holder of the licence—

- (a) to contract with any person or group of passengers to carry passengers between such places as the Competent Authority may direct;
- (b) to charge such fixed amount for the hire of the omnibus to carry passengers between different places as the Competent Authority may direct.

68. Procedure of Competent Authority for public omnibus and country taxicab operator's licence

(1) Within one month after receipt of the information under section 64(4) and (5), the Competent Authority shall cause it to be published in the *Gazette* and in at least one newspaper circulating in Uganda for the information of the public and prospective public omnibus and country taxicab operators and shall invite applications from those operators to assist the Competent Authority in its subsequent deliberations.

(2) Not less than two months after the advertisement has been published under subsection (1), the Competent Authority shall meet to

consider, allocate and offer one or more of the previously advertised routes or packages of routes to prospective transport operators.

(3) Within fourteen days after the receipt of a notification of the decision of the Competent Authority, the prospective operator shall signify in writing his or her unconditional acceptance or rejection of any offer received, as the case may be.

69. Grant of omnibus and country taxicab operator's licence

(1) Subject to this section, the Competent Authority may grant to an applicant an omnibus or a country taxicab operator's licence of the class applied for to provide such service as may be specified in the licence; but the Competent Authority shall not grant an operator's licence for an omnibus or country taxicab, unless it has received unconditional acceptance of an offer made to the operator under section 68(3).

(2) The Competent Authority shall not offer, grant or renew a public omnibus or country taxicab operator's licence to any person who—

- (a) has been convicted of an offence involving fraud or dishonesty within two years before the date of his or her application;
- (b) is in breach of a condition of any previously held operator's licence; or
- (c) has had a public service operator's licence of any type held by him or her cancelled under this Act or any other enactment,

and shall have due regard to the reliability, character and financial stability of that person, the condition of his or her motor vehicles and the facilities at his or her disposal for the general maintenance of service on the route or routes or combination of routes.

(3) In considering the grant of a private and contract omnibus operator's licence, the Competent Authority shall have due regard to—

- (a) the needs of the public;
- (b) the desirability of providing services which are both efficient and economic;
- (c) the coordination, so far as possible, of all forms of passenger transport both in any particular area and in the whole of Uganda;
- (d) the interests of any persons holding omnibus operator's licences over any route or routes or part of routes, and of any persons who

are providing transport facilities along or near the route or routes or combination of routes concerned;

- (e) any representation or objection relating to the grant of the licence lodged with the Competent Authority under this Act or regulations made under this Act; and
- (f) the agreed transport policy of neighbouring countries.

(4) A private and contract omnibus operator's licence shall be for the duration of a licensing year and may be granted subject to such terms and conditions as the Competent Authority may think fit to impose.

(5) The Competent Authority shall not grant or renew a private or contract omnibus operator's licence to any applicant who—

- (a) has been convicted of an offence involving fraud or dishonesty within two years from the date of application;
- (b) is in breach of a condition of his or her operator's licence; or
- (c) has had a public service operator's licence of any type held by him or her cancelled under this Act or any other enactment.

(6) Unless earlier revoked, a public omnibus and a country taxicab operator's licence shall be for a period of five years after which it shall be subject to review as provided for in section 64(4) and (5).

(7) An omnibus operator's licence shall not be transferred except with the consent of the Competent Authority.

(8) The Competent Authority shall not issue an omnibus or country taxicab operator's licence under this Act unless it is satisfied that the motor vehicle in respect of which a licence is required complies with the requirements of this Act and regulations made under this Act.

70. Public omnibus and country taxicab operator to give notice to Competent Authority

(1) A licensed public omnibus or country taxicab operator shall give a minimum of six months' notice to the Competent Authority of the intention to surrender the licence or of the intention not to seek renewal of the other licence after its expiration.

(2) Any person who causes a breakdown in any sector of the road transport industry or a deterioration in service to the public by failure to give the required notice specified by subsection (1), or by failure to comply with conditions attached to his or her operator's licence which results in that licence being revoked by the Competent Authority under section 69(6), commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

(3) Where it is proved that any body of persons, whether corporate or unincorporated, has committed an offence under subsection (2) any person who, at the time of the commission of the offence, was a director, partner or responsible officer of that body shall also be liable to the penalties prescribed for the offence unless he or she proves that the offence was committed without his or her knowledge or consent and that he or she took all reasonable steps to ensure compliance with the relevant provisions.

71. Road services not to be suspended without permission

(1) Where the holder of an operator's licence wishes to suspend the operation of any service authorised under the licence held by the holder otherwise than for reasons beyond the control of the holder, the holder shall obtain the prior permission of the Competent Authority.

(2) In requesting permission under subsection (1), the holder shall state the reasons and the period for which he or she wishes it to remain in force.

(3) In any case, when the service is suspended for reasons beyond the control of the holder of the licence and where the duration of the suspension exceeds three days, the holder of the licence shall send notification of the suspension to the Competent Authority.

(4) Any person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

72. Temporary replacement of authorised vehicles

(1) Where a vehicle specified in an operator's licence for a public service (in this Part referred to as "the specified vehicle") has been destroyed, rendered unfit for service or withdrawn from service for overhaul or repair,

and the holder of the licence desires permission until that vehicle is replaced or rendered fit for service again for the temporary use in its place of another vehicle (in this Part referred to as “the substitute vehicle”) which vehicle he or she is not authorised to use under his or her existing licence, and the carrying capacity of which does not exceed by more than ten percent the carrying capacity of the specified vehicle, he or she may apply by letter to the Commissioner requesting permission to use the substitute vehicle in place of the specified vehicle.

(2) The holder shall, if the Competent Authority so requires, send to the Competent Authority the vehicle licence and registration plates of the specified vehicle.

(3) If the Competent Authority decides to grant the permission, the holder shall, if the holder thinks it necessary, retain the vehicle licence and registration plates of the specified vehicle so long as the substitute vehicle remains in use.

(4) Upon the return to the Competent Authority of the vehicle licence of the substitute vehicle, the Competent Authority shall return to the licence holder the vehicle licence and registration plates of the specified vehicle if it has been in the possession of the holder.

(5) The permission granted under this section shall be valid for a period of three months after which it shall expire.

73. Duration of licences

(1) A licence granted under section 69, 75, 78 or 81 shall remain in force for the period stated on the licence or until it is revoked by the Competent Authority or until it is surrendered by the holder of the licence.

(2) A licence granted under section 69, 75, 78, 81 or 94 shall not be transferred or assigned except with prior consent in writing of the Competent Authority.

(3) An application for the consent of the Competent Authority to transfer or assign a licence shall be made in writing in such form as the Competent Authority may direct.

74. Extension of routes

The Competent Authority may at any time extend or vary any route or combination of routes, in respect of which it has granted a licence under section 69, notwithstanding that the extension or variation has not been advertised in accordance with section 68, if the Competent Authority is satisfied that the extension or variation is in the public interest and is of such a nature as not to affect adversely the interests of any other person providing transport facilities.

75. Temporary public omnibus operator's licence

(1) Where a demand exists to move passengers to and from places in Uganda which are not linked by a licensed public operators omnibus service, the Competent Authority may, on application, grant a temporary omnibus or country taxicab operator's licence in respect of a goods motor vehicle to be used as a temporary public omnibus or as a temporary contract omnibus.

(2) In granting to an applicant a temporary omnibus operator's licence under this section, the Competent Authority may relax any regulations relating to the construction of the body of an omnibus but may impose any other conditions as it sees fit.

(3) In dealing with an application for the renewal of a licence issued under this section, the Competent Authority shall consider whether, under all the circumstances then obtaining, the applicant should be required to regularise the type of vehicle he or she proposes to use on the service.

(4) Subject to the general directions of the Competent Authority, a public officer designated (for any particular area) by the Minister may, subject to such conditions as the officer may impose, issue a permit authorising any person to carry a stated number of passengers on a goods vehicle for hire or reward, either at separate fares or at a single inclusive fare for the whole journey.

(5) The Competent Authority may, depending on the capacity of the vehicle, by regulations, specify the maximum number of passengers excluding the driver and the conductor permitted to be carried on a goods vehicle licensed under this section.

(6) A goods vehicle licensed under this section shall not be permitted to carry, at any one time, more than twenty-five persons excluding the driver and the conductor.

(7) Nothing in this section shall be taken to permit the carrying on any vehicle of a load exceeding the maximum permitted load of the vehicle.

76. Temporary licence

(1) Notwithstanding anything in this Act, the Competent Authority may, if it considers the immediate provision of a road service necessary for the convenience of the public, grant temporarily a public omnibus operator's licence in respect of that road service subject to such conditions as the Competent Authority considers necessary, for a period of three months, which may be extended for a further period not exceeding three months.

(2) A licensee who fails to comply with any condition of a licence granted to him or her in accordance with this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

(3) The Competent Authority may at any time revoke a licence granted under this section if the Competent Authority is satisfied that the licensee has failed to comply with any condition of his or her licence or of any provision of this Act or regulations made under this Act.

77. Application for goods operator's licence

(1) A person who wishes to carry goods in a goods vehicle or omnibus for reward shall apply to the Competent Authority in the prescribed form accompanied by the prescribed fee for a goods operator's licence.

(2) An applicant for a goods operator's licence shall comply with any matters which may be prescribed and the application shall be accompanied by other forms or documents as may be prescribed.

78. Grant of goods operator's licence

(1) Subject to this section, the Competent Authority may grant to an applicant a goods operator's licence to provide such service as may be specified in the licence.

(2) A goods operator's licence shall be for the duration of a licensing year and may be subject to such terms and conditions as the Competent Authority may think fit.

(3) The Competent Authority may not grant or renew a goods operator's licence to any applicant who—

- (a) has been convicted of an offence involving fraud or dishonesty within two years before the date of his or her application;
- (b) is in breach of a condition of the goods operator's licence; or
- (c) has had a public service operator's licence of any type held by him or her cancelled under this Act or any other enactment.

(4) A goods operator's licence shall not be transferable.

(5) The Competent Authority shall not issue a goods operator's licence under this Act unless it is satisfied that the motor vehicle to be used complies with the requirements of this Act and regulations made under this Act.

79. Application for town taxicab and rental vehicle operator's licence

(1) The owner of a motor vehicle who wishes to use that motor vehicle for the carriage of passengers for hire or reward within Kampala Capital City, a city, municipality or town shall apply to the Competent Authority in the prescribed form accompanied by the prescribed fee for an operator's licence.

(2) The owner of a motor vehicle who wishes to hire out that motor vehicle for hire or reward on a daily, weekly or monthly basis shall apply to the Competent Authority in the prescribed manner accompanied by the prescribed fee for a rental vehicle operator's licence.

(3) An applicant for any class of licence under this section shall comply with any matters which may be prescribed and the application shall be accompanied by any other forms or documents as may be prescribed.

80. Town taxicab and rental vehicle operator's licence

A rental vehicle operator's licence shall authorise the holder of the licence to hire out the motor vehicles specified in the licence for hire or reward at an agreed rate or sum on a daily, weekly or monthly basis.

81. Grant of town taxicab, country taxicab and rental vehicle operator's licence

(1) Subject to this section, the Competent Authority may grant to any applicant an operator's licence of the class applied for under section 79 to provide such service as may be specified in the licence.

(2) In considering the grant of an operator's licence under this section, the Competent Authority shall have regard to—

- (a) the needs of the public;
- (b) the desirability of providing services which are both efficient and economic;
- (c) the coordination, so far as possible, of all forms of passenger transport both in any particular area and in the whole of Uganda;
- (d) the reliability, character and financial stability of each applicant for a licence and the facilities at his or her disposal for the general maintenance of the service; and
- (e) the interests of any persons holding omnibus operator's licences over any route or routes or part of the route or routes or combination of routes or part of the routes, and of any persons who are providing transport facilities along or near the route or routes or combination of routes concerned.

(3) An operator's licence granted under this section shall be for the duration of a licensing year and may be subject to such terms and conditions as the Competent Authority may think fit.

(4) The Competent Authority may not grant or renew an operator's licence to any applicant who—

- (a) has been convicted of an offence involving fraud or dishonesty within two years before the date of his or her application;
- (b) is in breach of a condition of his or her operator's licence;
- (c) has had a vehicle operator's licence of any type held by him or her cancelled under this Act or any other enactment.

(5) The Competent Authority shall not license a town taxicab or rental motor vehicle under this Act, unless it is satisfied that the motor vehicle complies with the requirements of this Act and regulations made under this Act.

82. Grant of owners transport vehicle permit

Any employer of labour may make an application to the licensing officer in the prescribed manner and, on payment of the prescribed fee, may be granted a permit to be known as an “owners transport vehicle permit” to carry his or her employees or agents on any goods vehicle owned by him or her to and from their places of work.

83. Renewal of certain vehicle operator’s licence

(1) Not less than one month before the end of a licensing year, every holder of a vehicle operator’s licence, other than the holder of a public omnibus or country taxicab operator’s licence, who intends to renew his or her licence shall apply to the Competent Authority in the prescribed manner accompanied by the prescribed fee and any other forms or documents that may be prescribed.

(2) The Competent Authority shall, if satisfied as to the particulars shown in the application and if satisfied that all requirements of this Act and regulations made under this Act have been complied with, renew the licence of the applicant for the next licensing year.

(3) In renewing a licence under this section, the Competent Authority may make such amendments to the licence and impose such new terms and conditions as it considers fit.

84. Amendment of licence

(1) The holder of a vehicle operator’s licence shall, if a change of circumstances affects the accuracy of his or her licence or if he or she wishes to have any particulars of his or her licence amended, apply to the Competent Authority in the prescribed manner for the amendment of his or her licence.

(2) In the case of an application for an amendment of an omnibus or country taxicab operator’s licence, the Competent Authority shall, if it is of the opinion that the proposed amendment is of major importance, cause the application to be advertised and, not less than two months after an advertisement has been published, the Competent Authority shall meet to consider the application as if the application were for a new omnibus or country taxicab operator’s licence.

- (3) In all other cases, the Competent Authority may, in its discretion, grant the application and the applicant's licence shall be amended accordingly.

85. Review of licences

(1) The Competent Authority may, if it is of the opinion that any vehicle operator's licence or any class of vehicle operator's licence should be reviewed, cause to be published in the *Gazette* and in at least one newspaper circulating in Uganda a notice in the prescribed form of its intention to hold a meeting, which may be attended by the public.

(2) The Competent Authority shall at the same time serve a copy of the notice on the holders of the licences affected.

(3) The public may at the meeting make representations or objections to the review of the licence.

(4) Not less than one month after the date of publication of a notice under subsection (1), the Competent Authority shall meet and hear representations, if any, from the holders of any licences affected and any other representations or objections to the review of the licence.

(5) The Competent Authority shall have regard to the same considerations as if it were considering a grant of a licence of the class affected and may, in its discretion, order the amendment of any licence or the cancellation of any licence so, however, that an amendment to or cancellation of any licence ordered under this section shall not have effect until the end of the licensing year in which the review is held.

86. Appeal to Minister

- (1) A person who—
- (a) being an applicant for the grant or variation of a licence which may be issued under this Part, is aggrieved by the decision of the Competent Authority or by any condition attached to the licence;
 - (b) having duly made an objection to or a representation concerning any application under this Part is aggrieved by the decision of the Competent Authority on it; or

(c) being the holder of a licence under this Part, is aggrieved by the revocation or suspension of the licence, or by any variation of the conditions, attached to it,
may appeal to the Minister within thirty days after the date of the notice of the decision appealed against.

(2) A person mentioned in subsection (1), who is dissatisfied with the decision of the Minister, may appeal to the High Court on a question of law within thirty days after the date of the decision of the Minister is notified to him or her.

87. Protection of Minister and members of Competent Authority from civil suit

No action shall be brought against the Minister, or against a member of the Competent Authority in respect of any act done or order made by the Minister in good faith in the execution of any function conferred on him or her under this Act and regulations made under this Act.

88. Operator's vehicle licence

(1) Operator's vehicle licences shall be divided into the following classes—

- (a) Class O—
 - (i) public omnibus vehicle licence;
 - (ii) private omnibus vehicle licence;
 - (iii) contract omnibus vehicle licence;
 - (iv) temporary public omnibus vehicle licence; and
 - (v) temporary contract omnibus vehicle licence;
- (b) Class G goods vehicle licence;
- (c) Class T—town taxicab vehicle licence;
- (d) Class C—country taxicab vehicle licence;
- (e) Class A—tourist agent vehicle licence;
- (f) Class R—rental vehicle licence; and
- (g) Class M—commercial motorcycles (two wheeled).

(2) Any person who holds a vehicle operator's licence of a class specified in section 62, or a renewal of a licence issued under section 14 of the Uganda Tourism Act, shall, before commencing or renewing at the beginning of a licensing year any operations on the road authorised by the

licence, apply to the Competent Authority in the prescribed manner for an operators vehicle licence in respect of every vehicle the person intends to use for any operations on the road specified in that licence.

(3) If the Competent Authority is satisfied that a motor vehicle complies with regulations made under or for the purposes of sections 98(b) and 121, it may grant to any applicant an operators vehicle licence in respect of that motor vehicle.

89. Cancellation of licence

(1) If the holder of a vehicle operator's licence—
(a) has been convicted of an offence involving fraud or dishonesty relating to the having of a vehicle operator's licence; or
(b) is in breach of a condition of the vehicle operator's licence,
the licence shall be cancelled by the Competent Authority.

(2) Subject to section 70(1), the holder of a vehicle operator's licence may at any time surrender his or her licence to the Competent Authority for cancellation.

90. Alteration of records

(1) The Competent Authority shall, in any case where a vehicle operator's licence has been amended, renewed or cancelled, amend the registers accordingly.

(2) The Competent Authority may correct any clerical errors appearing in any register.

(3) Every correction or amendment to any register made under this section shall be initialled and dated by the Chief Licensing Officer.

91. Recovery of fares and wilful damage to public service vehicle

- (1) Any person who—
(a) fails to pay any sum due from him or her for accommodation in a public service vehicle, when plying for hire, on demand made by the owner of the motor vehicle or by the person authorised by the owner to receive that sum; or

(b) wilfully damages any public service vehicle, commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

(2) Upon any conviction for an offence under subsection (1), the magistrate, instead of or in addition to the imposition of a fine, may make an order for the payment by the offender of a sum by way of damages or of any sum due by the offender, and may further, if he or she thinks fit, award costs and compensation against the offender in respect of any loss of time incurred by the owner, driver or conductor of the public service vehicle in attending the court.

(3) A police officer in uniform may arrest without warrant any person who commits an offence under this section unless that person gives to that officer his or her name and address and satisfies the police officer that he or she will duly answer any summons or other proceedings which may be taken against him or her.

92. Recovery of fares by passenger

(1) Where, at any place on its route, a public service vehicle is more than one hour late owing to a breakdown or any fault or neglect of the owner, his or her servants or agents, any passenger who has paid his or her fare may elect to alight from the public service vehicle and recover the full fare paid by him or her.

(2) Where a fare is recoverable under subsection (1), it shall be the duty of the person who received the fare to repay it to the passenger on demand or provide an alternative public service vehicle or other suitable vehicle for passengers to enable them to reach their destinations.

(3) Any person liable to repay a fare under this section who fails to repay that fare commits an offence and is liable, on conviction, to a fine of not less than one currency point and not exceeding five currency points in addition to being ordered to repay the fare, and the amount of the fare shall be recoverable as a fine.

93. Prohibition of touting

(1) An owner, driver or conductor, or person acting on behalf of the owner, driver or conductor of a public service vehicle authorised to carry

passengers shall not make any noise or sound any instrument in order to attract the attention of the public or of a possible passenger, or by troublesome or frequent demands or by persistent following, hold out the vehicle for hire to the public, or attempt to induce any person to become a passenger of the vehicle in such a manner as to constitute a nuisance, or act in any way so as to cause annoyance or inconvenience to any person.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

94. Goods vehicle to be licensed to carry passengers

(1) No person shall use a goods vehicle on a road for the carriage of passengers for hire or reward or of non-fare paying passengers or of goods except in accordance with the terms of a basic licence.

(2) A person wishing to obtain a basic licence for the carriage of passengers for hire or reward or non-fare paying passengers or for goods may apply to the Competent Authority.

(3) An application for a basic licence shall be in the prescribed form, accompanied by the prescribed fee.

(4) A basic licence shall be issued in respect of one trip or more trips or generally.

(5) A basic licence shall be valid for one year and may be renewed.

95. Inspection of goods vehicle

Before issuing a licence to carry passengers or goods or both in respect of any goods vehicle, the Competent Authority shall require the applicant to produce an inspection report showing that the goods vehicle has been examined by an inspector of vehicles and that a certificate of fitness to carry passengers or goods has been issued in respect of the goods vehicle.

96. Limitation of loads

(1) No goods vehicle shall be used on a road with a load greater than the load specified by the manufacturer of the chassis of the goods vehicle.

(2) No goods vehicle shall be used on a road if it is loaded in such a manner as to make it a danger to other persons using the road or to persons travelling on the goods vehicle, and if any load or part of a load falls from any such goods vehicle, that fact shall be *prima facie* evidence that the goods vehicle was loaded in a dangerous manner, until the contrary is proved to the satisfaction of the court.

(3) Any person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.

(4) For the purposes of this section, persons travelling on a goods vehicle shall be taken to be part of the load.

97. Offences and penalties

(1) Any person who—

- (a) uses a motor vehicle for the carriage of passengers or goods for hire or reward when not licensed to do so; or
- (b) being a holder of a vehicles operator's licence, carries passengers or goods in breach of his or her licence or any of the terms or conditions of his or her licence,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

(2) Any person who gives false information or who makes an incorrect statement when applying for

- (a) a licence;
- (b) an amendment of a licence;
- (c) a renewal of a licence; or
- (d) cancellation of a licence,

under this Part commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

98. Regulations for purposes of Part

Regulations may be made under section 166 for all or any of the following purposes—

- (a) prescribing forms of applications and licences under this Part and all other forms that may be required in relation to such licences or to any application in respect of them;
- (b) prescribing the testing of motor vehicles to be used under a vehicle operator's licence and the application for the form of the licence and the conditions relating to the grant of an operators vehicle licence for such motor vehicles;
- (c) prescribing registers to be kept under this Part, the form of the registers, the matters to be entered in the registers and the means by which entries in them shall be verified;
- (d) prescribing the accounts and records required to be kept by any holder of a vehicle operator's licence and prescribing the forms in which the accounts and records shall be verified;
- (e) providing for the furnishing by any person of information for any purpose under this Part and prescribing the nature of the information and the form, manner and time in or at which it is to be furnished;
- (f) prescribing all other forms that may be necessary for any purpose of this Part;
- (g) providing for the custody, production and cancellation of licences issued under this Part or under regulations made under this Act and providing for and requiring the return of the licence upon cancellation or amendment;
- (h) prescribing the conditions on which duplicates of or substitutes for any document may be issued, and the fees to be paid in respect of the issue of any documents;
- (i) regulating the procedure of the Competent Authority;
- (j) prescribing matters in relation to the design, construction, equipment, condition and inspection of motor vehicles that may be used under a vehicle operator's licence;
- (k) providing for and regulating the issue, duration, conditions and revocation of certificates of fitness for motor vehicles that may be used under a vehicle operator's licence and generally prescribing the conditions upon or subject to which they may be used and regulating the use of the certificates;

- (l) prescribing the documents, plates and marks and signs to be carried by or shown on vehicles to be used under a vehicle operator's licence and the manner in which they are to be carried and providing for and regulating the issue, duration, conditions, revocation and replacement of those documents, plates and marks;
- (m) regulating the carriage of passengers, passengers' luggage and of goods in motor vehicles used under a vehicle operator's licence and the claiming of lost luggage and goods;
- (n) prescribing any matters that may be necessary with respect to taxicab stands and other places of hiring taxicabs and telephones for use in connection with them and with respect to the hiring of taxicabs;
- (o) prescribing the fares that may be charged for the carriage of passengers in any motor vehicle used under a vehicle operator's licence, and the recovery of or reimbursement of those fares;
- (p) limiting the hours during which and the conditions upon or subject to which any person may drive a motor vehicle used under a vehicle operator's licence;
- (q) providing for the holders of taxicab licences to join organisations or societies of taxicab licence holders;
- (r) generally regulating the carrying on of the services of public service vehicles and goods vehicles;
- (s) prescribing the fees to be paid for—
 - (i) any licence issued under this Part;
 - (ii) the renewal of a licence issued under this Part;
 - (iii) the amendment or cancellation of a licence issued under this Part;
 - (iv) searches of registers;
 - (v) certified copies of licences;
 - (vi) duplicate copies of licences;
 - (vii) the testing or examination of any motor vehicle under this Part;
- (t) prescribing anything to be prescribed under this Part.

PART VI—USE OF MOTOR VEHICLES

99. Condition of motor vehicle, *etc.* for use on road

(1) No motor vehicle, trailer or engineering plant shall be used on a road unless the motor vehicle, trailer or engineering plant and all its parts and equipment, including tyres and lights, are in good condition and in efficient working order and are in such condition that the driving of the vehicle on the road either in the daytime or at night is not likely to be a danger to the persons travelling on the motor vehicle, trailer or engineering plant or to other users of the road.

(2) No motor vehicle, trailer or engineering plant shall be used on a road with a load greater than the load capacity declared by the manufacturers of the chassis of the motor vehicle, trailer or engineering plant or the capacity determined by a vehicle inspector under section 13(2).

(3) No motor vehicle, trailer or engineering plant shall be used on a road if the distribution, packing and adjustment of the load is such as to make it a danger to persons travelling on the motor vehicle, trailer or engineering plant or to other users of the road.

(4) For the purpose of subsections (2) and (3), the persons travelling on a motor vehicle, trailer or engineering plant shall be taken to be part of the load except that

- (a) a child who is under the apparent age of five years and who does not occupy a seat shall not be taken to be a passenger;
- (b) any two children, each of whom is over the apparent age of five years and under the apparent age of twelve years, shall be taken to be one passenger; and
- (c) in the case of a vehicle licensed under section 88, subsections (2) and (3) of this section shall, with regard to the number of passengers carried, be taken to be complied with if the number does not exceed the number permitted by the licence.

(d) Any person who uses on a road a motor vehicle, trailer or engineering plant in contravention of subsection (1), (2) or (3) commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

- (6) For the purposes of subsection (5)—
 - (a) in the case of a contravention of subsection (1), any person who is shown to the satisfaction of the court to have been responsible for the maintenance of the motor vehicle, trailer or engineering plant; and
 - (b) in the case of a contravention of subsection (2) or (3), any person who is shown to the satisfaction of the court to have been responsible for the loading of the motor vehicle, trailer or engineering plant,shall be taken to have committed the like offence and is liable, on conviction, to the same penalties provided under this section.

100. Causing bodily injury or death through reckless driving

(1) Any person who causes the death of any person by reckless driving of a motor vehicle, trailer or engineering plant commits an offence and is liable, on conviction, to imprisonment for a term not exceeding ten years.

(2) Any person who causes bodily injury to any person by reckless driving of a motor vehicle, trailer or engineering plant commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding three years, or both.

(3) Any person who causes an accident by reckless driving commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

(4) A police officer in uniform may arrest without warrant the driver of any motor vehicle, trailer or engineering plant who commits an offence under this section within his or her view—

- (a) if the driver refuses to give his or her name and address;
 - (b) if the police officer has reason to believe that the name or address so given is false;
 - (c) if the motor vehicle, trailer or engineering plant does not bear an identification plate; or
 - (d) for any other reason as the Minister may prescribe by regulations.
- (5) The court which convicts a person under subsection (1) or (2) may award to any person injured as a result of the offence, or to the dependent

of any person whose death arises out of the commission of the offence, compensation not exceeding fifty percent of any fine paid or that would be paid under this Act by the person convicted in respect of the offence.

(6) Where a person is convicted of aiding, abetting, concealing, procuring or inciting the commission of an offence under this section, and it is proved that he or she was present in the vehicle at the time of the offence of which he or she is convicted, the conviction shall, for the purposes of the provisions of this Act relating to disqualification from holding or obtaining a driving licence, be taken to be in respect of an offence in connection with the driving of a motor vehicle, trailer or engineering plant.

(7) For the purposes of this section “reckless driving” means disregard for the rules of the road or driving without proper caution; and includes

- (a) driving over the prescribed speed limit;
- (b) failing to use signals;
- (c) disobeying traffic signs and signals;
- (d) drifting into another lane;
- (e) distracted driving;
- (f) using a hand held mobile phone while driving;
- (g) driving a vehicle on a public road without due care and attention or reasonable consideration for other persons using the public road;
- (h) driving while under the influence of drink or drugs contrary to this Act; or
- (i) failing to stop for a pedestrian at a designated pedestrian crossing.

101. Driving with blood alcohol concentration above prescribed limit

(1) A person who drives or attempts to drive a motor vehicle, trailer or engineering plant on a road or other public place, having consumed alcohol in such quantity that the proportion of the alcohol in his or her blood or breath, as ascertained from a laboratory test for which he or she subsequently provides a specimen under section 103 or a breath analyser test, exceeds the prescribed limit at the time he or she provides the specimen, commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding three years, or both.

(2) A police officer in uniform may, in a manner prescribed by regulations impound the vehicle of a person who contravenes this section.

(3) For the purpose of this Act, “prescribed limit” means such proportion of alcohol in such proportion of blood as the Minister may by regulations prescribe.

102. Driving under influence of drugs

(1) Any person who, while under the influence of a drug drives a motor vehicle, trailer or engineering plant or attempts to drive a motor vehicle, trailer or engineering plant on any road, commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding three years, or both.

(2) For the avoidance of doubt, reference to drug under this section means a drug prohibited under the Narcotic Drugs and Psychotropic Substances (Control) Act and the National Drug Policy and Authority Act and includes a pharmaceutical drug or prescribed drug.

103. Blood tests

(1) A police officer in uniform may require a person driving or attempting to drive a motor vehicle, trailer or engineering plant or motorcycle or bicycle on a public road or other public place to accompany him or her to a police station or to a hospital, clinic, or health centre of a registered practitioner to provide a specimen of blood for a laboratory test, if the police officer has reasonable cause to suspect him or her of having alcohol or drugs in his or her body or system.

(2) Notwithstanding subsection (1), a police officer in uniform may require any person driving or attempting to drive a motor vehicle, trailer, engineering plant or motorcycle or bicycle on a public road or other public place to provide a specimen of urine for testing for drug or alcohol level with quick medical kits, if the police officer has reasonable cause to suspect him or her of having alcohol or drugs in his or her body or system.

(3) Where an accident occurs owing to the presence of a motor vehicle, trailer or engineering plant on a road or other public place, a police officer in uniform may require any person who the police officer has reasonable cause

to believe was driving or attempting to drive or who is in charge of the motor vehicle, trailer or engineering plant at the time of the accident to accompany him or her to a police station, a hospital, clinic or health centre of a registered practitioner to provide a specimen of blood for a laboratory test.

(4) A person shall not be required to provide a specimen of blood under subsection (3) while at a hospital as a patient if the registered practitioner in immediate charge of his or her care is not first notified of the proposal to make the requirement, or objects to the provision of a specimen of blood on the ground that its provision or the requirement to provide it would be prejudicial to the proper care or treatment of the patient.

(5) Where a person required by a police officer in uniform under subsection (1), (2) or (3) to provide a specimen of blood for a laboratory test fails to do so and the police officer has reasonable cause to suspect him or her of having alcohol in his or her body, the police officer may arrest that person without warrant, except while he or she is at a hospital as a patient.

(6) A person required to provide a specimen of blood under this section who refuses to provide the specimen, commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points, and the failure to provide a specimen of blood shall be taken by the court as *prima facie* evidence that the accused's blood alcohol level is above the prescribed limit or the person is under the influence of drugs.

104. Breath analyser test

A police officer in uniform may, in any reasonable place, carry out on any person who may be required by him or her to provide a specimen of blood under section 103, a breath analyser test; and subsections (4) and (5) of that section shall, with the necessary modifications, apply to him or her as they apply to a person required to provide a specimen of blood and who fails or refuses to do so.

105. Persons authorised to withdraw and analyse blood

(1) When a person submits to a blood test at the request of a police officer made under section 103, only a registered practitioner or a registered nurse may withdraw blood for the purpose of determining the alcohol content in the blood.

(2) Chemical analysis of the person's blood shall be considered valid under this section if performed, according to methods approved by the chief medical officer, by a person possessing a valid permit issued by the chief medical officer for the purpose.

(3) The chief medical officer may approve satisfactory techniques or methods to ascertain the qualifications and competence of individuals to conduct any analysis referred to in subsection (2) and issue permits which shall be subject to termination or revocation at the discretion of the chief medical officer.

(4) A person tested under this section may have a registered practitioner, or a qualified technician, chemist, registered nurse, or other qualified person of his or her own choosing to administer a chemical test in addition to any test administered at the direction of the police officer; but failure or inability to obtain an additional test by such a person shall not preclude the admission of evidence relating to a test taken at the direction of a police officer in accordance with this section.

(5) Upon the request of the person who submits to a blood test under this section, full information concerning the test shall be made available to him or her or his or her advocate.

106. Detention of persons while affected by alcohol

A person required to provide a specimen of blood for laboratory test under this Act may after that be detained at a police station until it appears to a police officer that the proportion of alcohol in that person's blood does not exceed the prescribed limit and in any case not exceeding twelve hours.

107. Careless or inconsiderate use of motor vehicle

Any person who uses, parks or stands a motor vehicle, trailer or engineering plant on any road carelessly or without reasonable consideration for other persons using the road commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding six months, or both.

108. Speed limit

(1) The Minister may, by regulations, prescribe speed limits in respect of all public roads or sections of public roads.

(2) Notwithstanding any other law, the Minister may, by statutory order, prescribe temporary maximum speed limits for motor vehicles, trailers or engineering plant of different classes or descriptions on any part of any road for such period as may be specified in the order.

(3) Any person who fails to comply with a speed limit set under subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding three years, or both.

109. Driving while disqualified or without driving licence

(1) Any person who drives a motor vehicle, trailer or engineering plant on a road while he or she is—

- (a) disqualified from driving, or while he or she is not in possession of a valid driving licence or is in possession of a learner driving licence and is driving unaccompanied in the motor vehicle, trailer or engineering plant by a licensed instructor or driving, accompanied by a licensed instructor, in an unauthorised motor vehicle, trailer or engineering plant; or
- (b) disqualified from driving because his or her driving licence has been cancelled by a court,

commits an offence and is liable, on conviction, to a fine of not less than thirty currency points and not exceeding one hundred fifty currency points or to imprisonment for a term not less than one year and not exceeding five years, or both.

(2) Any person who drives a motor vehicle, trailer or engineering plant on a road while disqualified from driving because his or her driving licence has been suspended by a court commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding three years, or both.

(3) Any person who drives a motor vehicle, trailer or engineering plant while disqualified for being without a valid driving licence issued for

a motor vehicle, trailer or engineering plant of that group or who drives a public service vehicle or a private omnibus without a valid certificate issued by the Competent Authority commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding two years, or both.

(4) Any person who drives a motor vehicle, trailer or engineering plant on a road while in possession of a valid driving licence which is capable of being renewed but has not been renewed commits an offence and is liable, on conviction, to a fine of not less than two currency points and not exceeding five currency points.

110. Compliance with speed limit not defence to other charges

It is no defence in any proceedings for an offence relating to the use of a motor vehicle, trailer or engineering plant on any road, other than an offence of exceeding any speed limit, that at the time of the alleged offence the motor vehicle, trailer or engineering plant was being driven at a speed not exceeding the speed limit duly fixed in respect of that road and motor vehicle, trailer or engineering plant.

111. Assignment of demerit points on conviction for certain offences

(1) The Minister may, by regulations, prescribe a demerit point system for purposes of this Act.

- (2) Regulations made under subsection (1) shall provide for—
 - (a) the categorisation of offences according to the degree of severity;
 - (b) a schedule of offences and the number of points deductible for each offence;
 - (c) the demerit points to be recorded in relation to an offence against any licence held by that person;
 - (d) the manner of calculating the demerit points to be deducted; and
 - (e) any other matter that the Minister may deem necessary.

112. Emergency motor vehicles

(1) Notwithstanding this Act and subject to this section, the driver of an authorised emergency motor vehicle, trailer or engineering plant may, where the observance of this Act would be likely to hinder the use of an

authorised emergency motor vehicle, trailer or engineering plant for the purpose for which it is being used—

- (a) park or stand in any place on a road, whether or not that place is a parking place;
- (b) after slowing down, as may be necessary for safe operation, proceed past a red or stop sign;
- (c) exceed the prescribed speed limit, so long as he or she does not endanger life or property; or
- (d) disregard any regulation governing direction of movement or turning in a specified direction.

(2) The exemption granted by this section to an authorised emergency motor vehicle, trailer or engineering plant shall apply only when the driver of the motor vehicle, trailer or engineering plant, while in motion, sounds an audible signal by bell, siren or exhaust whistle, as may be reasonably necessary, or, if the motor vehicle, trailer or engineering plant is equipped with the flashing beacon of a type prescribed by the Minister, and is exhibiting a light visible under normal atmospheric conditions from a distance of one hundred fifty metres to the front of the motor vehicle, trailer or engineering plant.

(3) This section does not relieve the driver of an authorised emergency motor vehicle, trailer or engineering plant from the duty to drive with due regard and care for the safety of persons or property, nor protect the driver from consequences of his or her disregard for the safety of such persons or property.

(4) Upon the immediate approach of an authorised emergency motor vehicle, trailer or engineering plant, the driver of every other motor vehicle, trailer or engineering plant shall, except when otherwise directed by a police officer in uniform, give the right of way, and shall immediately drive to a position parallel to and as close as possible to the left-hand edge of the curb of the roadway, clear of any intersection, and shall stop and remain in that position until the authorised emergency motor vehicle, trailer or engineering plant has passed.

(5) For the purposes of this section—

“authorised emergency motor vehicle” means a motor vehicle, trailer or engineering plant for the purposes of the police, fire brigade, ambulances, the military motor vehicles of the armed forces and

such other motor vehicles, trailers or engineering plant as may be designated by the Minister in consultation with the Chief Licensing Officer by statutory order;

“emergency” means a serious, unexpected or dangerous situation requiring immediate action.

(6) Any person who fails to comply with this section commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding two years, or both.

113. Compulsory stopping at railway crossings

(1) Subject to this section, the driver of a motor vehicle, trailer or engineering plant shall, before entering on any railway level-crossing, stop clear of the line for such time as may be necessary to make adequate observations to ascertain whether or not the line is clear.

(2) Subsection (1) does not apply to any railway level-crossing that is for the time being controlled on the approach to the railway line by a police officer or traffic warden or railway-crossing keeper, or to any railway level-crossing at which a warning device in the form of a barrier arm is for the time being erected.

114. Duties of drivers in case of accidents

(1) Where an accident, arising directly or indirectly from the use of a motor vehicle, trailer or engineering plant, occurs to any person or to any motor vehicle, trailer or engineering plant, the driver of the motor vehicle, trailer or engineering plant shall stop if, having regard to all the circumstances, it is reasonably safe to do so and shall ascertain whether any person has been injured, in which event it shall be his or her duty to render all practicable assistance to the injured person.

(2) Where the driver does not stop as required by subsection (1) for fear of his or her safety, he or she shall immediately report the accident at the nearest police station.

(3) In case of any accident, if any person is injured by the accident, the driver of the motor vehicle, trailer or engineering plant—

- (a) shall give to any police officer present and to any person concerned, his or her name and address and also the name and address of the owner and the number of the registration plates assigned to the vehicle; and
- (b) shall report the accident in person at the nearest police station or to a police officer as soon as reasonably practicable and in any case not later than twenty-four hours after the time of the accident, unless the driver is incapable of doing so by reason of injuries sustained by him or her in the accident.

(4) In the case of any accident, if no person is injured by the accident, the driver of the motor vehicle, trailer or engineering plant shall give to the person concerned his or her name and address, the name and address of the owner of the motor vehicle, trailer or engineering plant and the number of the registration plates assigned to the motor vehicle, trailer or engineering plant.

(5) Whenever the driver of the motor vehicle, trailer or engineering plant—

- (a) is physically incapable of giving immediate notice of an accident as required by subsection (3) and there is another occupant in the motor vehicle, trailer or engineering plant at the time of the accident capable of doing so, that occupant shall give or cause to be given the particulars of the accident not given by the driver;
- (b) is physically incapable of making a report of an accident as required by subsection (3), and the driver is not the owner of the motor vehicle, trailer or engineering plant, then the owner of the motor vehicle, trailer or engineering plant involved in the accident shall, after learning of the accident, make the report of the accident not made by the driver.

(6) If, as result of being involved in an accident, a motor vehicle, trailer or engineering plant appears to a police officer in uniform to be in such condition that it would not be fit or safe for use on a road, the officer may remove the vehicle's registration plates and return them to the licensing officer.

(7) A motor vehicle, trailer or engineering plant from which the registration plates have been removed under subsection (6) shall not thereafter be driven under its own motive power on a road until it has been tested and been given a certificate of fitness by a vehicle inspector and the licensing officer is satisfied that the registration plates can be reissued to the owner of the vehicle.

(8) Any person who fails to comply with any provision of this section commits an offence and is liable, on conviction, to a fine of not less than five currency points and not exceeding thirty currency points.

115. Access to care without regard to ability to pay

A person involved in an accident shall have access to medical treatment at a hospital, clinic or any other health facility without proof of financial ability to pay until he or she has been stabilised.

116. Custody or care of accident patients

(1) Where a law enforcement officer is at the scene of an accident when an emergency medical service provider arrives, the law enforcement officer may prevent the emergency medical service provider from entering the scene of the accident to provide emergency medical service until the law enforcement officer determines that it is safe for the emergency medical service provider to enter.

(2) The law enforcement officer shall permit the emergency medical service provider access to the patient to provide emergency medical care before transportation to a hospital or health facility.

117. Riding in dangerous position

(1) Except for the purpose of testing or repairing a motor vehicle, trailer or engineering plant, no person shall ride or be carried on the footboard, tailboard, steps, mudguards, canopy or roofing of any motor vehicle, trailer or engineering plant or in any manner or position as is in the circumstances unsafe.

(2) No person shall ride or be carried on any load upon a motor vehicle, trailer or engineering plant if it is unsafe by reason of the insufficiency of space available for that person to stand or sit or by reason of the position in which he or she is carried of the height or arrangement of the load.

(3) Any person who contravenes any provision of this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

118. Restriction on pillion riding

(1) Not more than one person in addition to the driver shall be carried on any two-wheeled motorcycle; and no person shall be so carried otherwise than on a proper seat securely fixed to the cycle.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine of not exceeding two hundred currency points or to imprisonment for a term not exceeding two years, or both.

119. Obstructing driver of motor vehicle, *etc.*

(1) A person in a motor vehicle, trailer or engineering plant shall not molest or obstruct the driver of the motor vehicle, trailer or engineering plant while it is in motion.

(2) A person shall not carry passengers in a motor vehicle, trailer or engineering plant in such numbers or in such position as to be likely to interfere with the safe driving of the motor vehicle, trailer or engineering plant.

(3) Any person who contravenes this section commits an offence and is liable, on conviction, to a fine of not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

120. Causing damage to motor vehicle

(1) A person who throws any object at a motor vehicle, trailer or engineering plant or at any person in or on the motor vehicle, trailer or engineering plant or who places any object on any road or by any means impedes the progress of any motor vehicle, trailer or engineering plant by which injury or damage may be caused to the motor vehicle, trailer or engineering plant or person commits an offence.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

121. Taking motor vehicle without consent of owner

(1) Any person, whether employed by the owner of the motor vehicle, trailer or engineering plant or not, who takes and drives away or attempts to take and drive away any motor vehicle, trailer or engineering plant without the consent of the owner or his or her agent commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

(2) In any trial for an offence under this section, the court shall not convict the accused if satisfied that the accused acted in the reasonable belief that he or she had lawful authority or in the reasonable belief that the owner would, in the circumstances of the case, have given his or her consent if he or she had been asked for it.

(3) If, in any prosecution for stealing a motor vehicle, trailer or engineering plant, the court is of the opinion that the defendant is not guilty of stealing the motor vehicle, trailer or engineering plant but is guilty of an offence under this section, the court may find him or her guilty of an offence under this section.

(4) A police officer may arrest without warrant any person reasonably suspected by him or her of having committed or attempting to commit an offence under this section.

(5) In addition to any penalty specified in this section, the court may order that the convicted person shall pay to the owner of the motor vehicle, trailer or engineering plant such sum as represents fair compensation for any damage sustained by the owner of the motor vehicle, trailer or engineering plant.

122. Regulations for purposes of Part

Regulations may be made under section 166 for all or any of the following purposes—

- (a) providing for minimising the noise and the issue of smoke or fumes from the working of any motor vehicle, trailer or engineering plant;
- (b) providing for the safe carriage of goods and passengers in motor vehicles, trailers and engineering plant, for the licensing

- of conductors and baggage attendants and for the conduct of drivers, conductors, baggage attendants and passengers in motor vehicles;
- (c) restricting or prohibiting the use of motor vehicles, trailers or engineering plant that, owing to defects of construction or equipment or disrepair, are unsuitable for safe use;
 - (d) prescribing the construction of motor vehicles, trailers or engineering plant and the equipment to be used on them;
 - (e) prescribing the affixing of efficient brakes and good tyres on motor vehicles, trailers or engineering plant and the kinds of lamps that may be carried on motor vehicles, trailers or engineering plant, requiring the carrying of those lamps and prescribing how and when they are to be used;
 - (f) regulating the attaching and use of bells, alarms, reflectors, direction indicators and other instruments for giving notice of the approach, position or course of motor vehicles, trailers or engineering plant, or for assisting in their control; prescribing the kinds of them to be used on different classes of motor vehicles, trailers or engineering plant; and prohibiting the use on any class of motor vehicle, trailer or engineering plant of any bell, alarm, reflector, direction indicator or other instrument of a kind mentioned in this paragraph that is not prescribed for use on that class of motor vehicle, trailer or engineering plant or of a kind that is prescribed for use on any other class of motor vehicle, trailer or engineering plant;
 - (g) prescribing the maximum weight and maximum dimension of any motor vehicle, trailer or engineering plant, and any load on it that may be used on any road, the maximum weight that may be transmitted on the road surface by the wheel or wheels on any one axle of a motor vehicle, trailer or engineering plant and the maximum and minimum air pressure of the tyres of any motor vehicle, trailer or engineering plant;
 - (h) providing for the periodical examination of motor vehicles, trailers and engineering plant and the issue of certificates of fitness;
 - (i) requiring any person who sells a motor vehicle, trailer or engineering plant intended to be used on the road to deliver to the purchaser at the time of the sale, a current certificate of fitness issued within a specified time before the sale and certifying that the motor vehicle, trailer or engineering plant has been

- inspected in accordance with the regulations and complies with the requirements of regulations made under this Act concerning construction, equipment and condition of motor vehicles, trailers or engineering plant;
- (j) limiting the hours during which and regulating the conditions upon which any person may drive a public service vehicle;
 - (k) fixing for the safety of the public or the better preservation of roads the maximum speed of motor vehicles, trailers or engineering plant or of specified classes of motor vehicles, trailers or engineering plant on any specified road or in any locality or throughout Uganda, or fixing maximum speeds of motor vehicles, trailers or engineering plant on specified classes of road;
 - (l) prescribing the duties and regulating the conduct of persons using roads for any purpose and, in particular, of persons in charge of or riding in a motor vehicle, trailer or engineering plant on roads and of persons in charge of or driving or leading animals on roads;
 - (m) prescribing the construction and equipment and testing of bicycles and regulating their use on roads;
 - (n) regulating the control of pedestrians on roads;
 - (o) making provision for ensuring adequate safety for cyclists and pedestrians and persons with inability or disabilities on the road and, in particular, the provision of rack or rump for storage of support equipment used by persons with disabilities;
 - (p) prescribing the fees to be paid for any certificate of fitness issued under this Part;
 - (q) generally regulating traffic of all classes, whether vehicular, pedestrian, animal or otherwise, and prohibiting traffic or any class of traffic, either absolutely or conditionally, on any specified road;
 - (r) providing for use of speed controlling and measuring devices, portable or other weighbridges, brake testing devices, vehicle lights testing devices, camera records, tyre checking equipment and the construction, type or standard of any such equipment;
 - (s) generally regulating the use of motor vehicles, trailers or engineering plant and prescribing the conditions upon which they may be used; and
 - (t) prescribing anything to be prescribed under this Part.

PART VII—SAFER VEHICLES**123. Standards for safety and environmentally compliant motor vehicles, trailers and engineering plants**

(1) The Minister may, by statutory instrument, determine safe and environmentally friendly vehicle standards for motor vehicles, trailers and engineering plants.

(2) In determining safe vehicle standards under subsection (1), the Minister may incorporate international best practices and standards and consult any relevant stakeholder.

124. Procedures for testing motor vehicles

The Minister may, by statutory instrument, prescribe procedures and arrangements for determining whether motor vehicles, trailers or engineering plants comply with this Act including the procedure for

- (a) testing and inspection of the roadworthiness of vehicles or vehicle components;
- (b) inspection of the procedures followed in the manufacture of vehicles or vehicle components;
- (c) testing and inspection of the materials, machinery, appliances, articles or facilities used in the manufacture of vehicles or vehicle components;
- (d) the operation of the facilities used in the carrying out testing and inspection of vehicles; or
- (e) the keeping of records relating to the manufacture, testing or inspection of vehicles or vehicle components and the examination of those records by vehicle inspectors.

125. Modification of motor vehicles

(1) A person shall not modify a chassis of a motor vehicle, trailer or engineering plant without prior written permission of the manufacturer of the chassis of the motor vehicle, trailer or engineering plant.

(2) Notwithstanding subsection (1), the Minister may, in consultation with the Chief Licensing Officer make regulations for the modification of motor vehicles, trailers and engineering plant.

(3) Subject to subsection (2), a person who wishes to modify a motor vehicle, trailer or engineering plant shall apply to the Chief Licensing Officer in a manner prescribed by regulations for authorisation to undertake the modification of the motor vehicle, trailer or engineering plant.

126. Importation and supply of motor vehicles

(1) Subject to this Act, a person shall not import into or sell a motor vehicle, trailer or engineering plant in Uganda unless it is in compliance with the standards issued by the Uganda National Bureau of Standards in consultation with the Minister.

(2) Notwithstanding subsection (1), a person may supply a motor vehicle under prescribed conditions and with the written approval of the Minister, with or without conditions.

127. Importation and supply of used motor vehicles

(1) A person commits an offence if the person supplies to the market a used imported vehicle where—

- (a) the vehicle does not comply with the prescribed standards;
- (b) the vehicle does not have a used import plate; or
- (c) the supply is not authorised under the applicable law.

(2) The Minister may, by regulations made under this Act, prescribe the maximum age of vehicles to be imported into Uganda.

(3) Any person who commits an offence under subsection (1) is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding five years, or both.

128. Importation of vehicles requiring modification

A person may import a non-standard motor vehicle, trailer or engineering plant for purposes of modification with the written approval of the Chief Licensing Officer and upon such terms and conditions as the Chief Licensing Officer may determine.

129. Use of vintage, specialist and enthusiast vehicles

(1) The Minister may make regulations for the use of vintage, specialist or enthusiast motor vehicles and shall cause to be kept, a register of all such motor vehicles.

- (2) The regulations made under subsection (1) may provide for
 - (a) the form in which the register is to be kept;
 - (b) the procedure for application;
 - (c) the procedure for registration;
 - (d) the criteria to be satisfied before the motor vehicle, trailer or engineering plant may be entered on the register;
 - (e) the inspection of the register;
 - (f) the procedures to be followed for removing a motor vehicle, trailer or engineering plant from the register; and
 - (g) any other matter that the Minister may deem necessary.

130. Periodic inspection of motor vehicles for environmental and road safety compliance

All motor vehicles shall be inspected periodically for environmental and road safety compliance and in the case of public service vehicles, every after one year and other motor vehicles, every after two years.

PART VIII—CONTROL OF TRAFFIC**131. Permits for herds, funeral procession or parade**

(1) No herd exceeding fifty animals and no procession other than a funeral or wedding procession or parade containing two hundred or more persons or fifty or more vehicles, excepting military vehicles of the armed forces or vehicles of the police force, shall occupy, march or proceed along any road or street except in accordance with a permit issued by the Inspector General of Police, and subject to such conditions as may be specified on the permit.

(2) Any person in charge of any cattle, dog or other domestic animal who, on any road or in any public place, fails to keep it or them under proper control, or allows it or them to become a danger or annoyance to the public, commits an offence and is liable, on conviction, to a fine not exceeding ten currency points.

132. Closure of road

The Minister may, by statutory order, close any road or part of a road to all motor vehicles, trailers or engineering plant for such period as may be specified in the order.

133. Restriction of traffic on road

The Minister may, by statutory order, restrict the use of a road or any part of the road to such classes or descriptions of motor vehicles, trailers or engineering plant and for such period as may be specified in the order.

134. One-way traffic

The Minister may, by statutory order, restrict the use of a road to one-way traffic for such period as may be specified in the order.

135. Regulations for purposes of Part

Regulations may be made under section 166 for all or any of the following purposes—

- (a) the erection and maintenance of uniform signs, lights and notices and the making of and maintenance of road markings for the guidance, direction and use of persons using roads;
- (b) prescribing the size, colour, design, dimensions and other details of signs, lights, notices and other road markings, the materials of which they are to be made and the manner in which they are to be erected, made and maintained;
- (c) the classification of roads with reference to their suitability for use by different classes of motor vehicles, trailers or engineering plant;
- (d) the provision and control of, and prescribing the form of, pedestrian crossings;
- (e) the control of road works and the maintenance of road works;
- (f) providing for car parks, bus parks and parking places, their control and the provision of parking meters at parking places;
- (g) prescribing anything to be prescribed under this Part; and
- (h) generally for the control of traffic on roads.

PART IX—ENFORCEMENT*Enforcement***136. Duties of police**

Without prejudice to any powers or duties of the police under this Act or any other enactment, it shall be the duty of the police—

- (a) to regulate all traffic and to keep order and prevent obstruction in all roads, parking places, thoroughfares or other places of public resort;
- (b) to divert traffic temporarily, to close and deny public access to any road, parking place, thoroughfare or other place of public resort,

where any emergency or any anticipated event appears to render advisable such a course.

137. Records of traffic offences

(1) The police shall keep a record of all offences under this Act of which any person has been charged together with a record of the final disposition of all the alleged offences.

(2) All records kept under this section shall be so maintained as to show all types of offences and the total of each, and shall accumulate during the period of not less than five years after which the records shall be maintained complete so as to show all types of offences at any time during the five year period.

(3) All forms for records and all notices of offences of the forms shall be serially numbered; and for each month and year, a written record shall be kept available to the public showing the disposal of all forms.

(4) All records and reports made under this section shall be public records.

138. Filing of accident reports and drivers' files

The Inspector General of Police shall maintain or cause to be maintained a suitable system of filing traffic accident reports and the files of individual

drivers, a record of traffic accidents, warnings, arrests, convictions and complaints reported for each driver.

139. Inspector General to submit annual traffic accident and safety report

The Inspector General of Police shall annually prepare and submit to the Minister a traffic report containing information on traffic matters in Uganda as follows—

- (a) the number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent data on the safety activities of the police;
- (b) the number of traffic accidents investigated and other pertinent data on the safety activities of the police.

140. Power to demand production of driving licence

(1) A person driving a motor vehicle, trailer or engineering plant on a road shall carry a copy of his or her valid driving licence at all times while driving and, on being so required by a police officer in uniform to produce an original driving licence for examination, to do so within seventy-two hours.

(2) A person driving a motor vehicle, trailer or engineering plant on a road shall be in possession of a copy of the registration book in respect of the motor vehicle, trailer or engineering plant and, on being so requested by a police officer in uniform, produce the original registration book within one hundred twenty hours.

(3) Notwithstanding subsections (1) and (2), any person intending to drive a motor vehicle, trailer or engineering plant across the Uganda border shall ~~carry~~—his or her driving licence;

- (b) a copy of the registration book bearing such certificate as may be prescribed by the Minister by regulations; and
- (c) a valid insurance certificate in respect of the motor vehicle, trailer or engineering plant,

and shall produce these on demand to a police officer in uniform or customs officer before he or she is permitted to drive his or her motor vehicle, trailer or engineering plant across the Uganda border.

(4) Subsection (3) shall not limit or be construed to limit the authority of a customs officer or any other officer to require the production of any other document required to be produced by any other written law at any customs post or any other post of exit from Uganda.

(5) Any person who contravenes any provision of this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

141. Power to demand name and address of owner of vehicle

The driver of a motor vehicle, trailer or engineering plant shall stop at the request of a police officer in uniform; and if the police officer has reasonable cause to demand his or her name and address, he or she shall give the police officer his or her name and address and, if he or she is not the owner of the vehicle, shall also give the name and address of the owner.

142. Employer to keep record of driver

A person who employs any other person to drive a motor vehicle, trailer or engineering plant shall at all times keep a written record of the name and driving licence number of that other person, and shall on demand by a police officer in uniform, produce the record for inspection.

143. Owner or hirer, *etc.* to give identity of driver

Where any police officer in uniform has reason to suspect that an offence in connection with a motor vehicle, trailer or engineering plant has been committed—

- (a) the owner or hirer of the motor vehicle, trailer or engineering plant shall give to the police officer any information within his or her knowledge as to the identity of the driver;
- (b) any other person shall give to the police officer any information within his or her knowledge as to the identity of the driver.

144. Examination of vehicle on road

(1) A police officer in uniform may stop and examine any motor vehicle, trailer or engineering plant on a road if he or she is of the opinion that the motor vehicle, trailer or engineering plant—

- (a) is in such a condition as to be unfit for the purpose for which it is intended;
- (b) is in such a condition that the driving of the motor vehicle, trailer or engineering plant by day or by night is likely to be a danger to any person or the public;
- (c) has a load greater than the load capacity declared by the manufacturers of the chassis of the motor vehicle, trailer or engineering plant or greater than the load capacity determined by a vehicle inspector under this Act; or
- (d) is loaded in such a manner as to make it a danger to any person.

(2) Where the examination under subsection (1) reveals that the motor vehicle, trailer or engineering plant is unfit or a danger to any person or that it has a load greater than the load capacity declared by the manufacturers of the chassis of the vehicle, the police officer may—

- (a) if he or she considers it sufficiently safe, taking all the relevant facts into consideration, for the motor vehicle, trailer or engineering plant to be moved under its own motive power, order that it be driven immediately to the nearest police station or workplace of a vehicle inspector, whichever is the more convenient;
- (b) if he or she considers that the motor vehicle, trailer or engineering plant is overloaded, order that the motor vehicle, trailer or engineering plant be driven immediately to the nearest weighbridge and weighed or order that the load be made safe before the motor vehicle, trailer or engineering plant is moved; or
- (c) if he or she considers that it would not be safe for the motor vehicle, trailer or engineering plant to be driven under its own motive power, order that the motor vehicle, trailer or engineering plant be towed immediately to the nearest police station or workplace of a vehicle inspector, whichever is the more convenient.

145. Power to order examination

(1) A police officer in uniform above the rank of assistant inspector who has reason to believe that a motor vehicle, trailer or engineering plant

has ceased to be fit for the purpose for which it is licensed may order that the motor vehicle, trailer or engineering plant be produced for examination by a vehicle inspector at a specified time and place.

(2) An order given under subsection (1) shall be taken to be an order prohibiting the use of the vehicle pending the examination other than the driving of it direct to the place specified in the order; except that the person in charge of the motor vehicle, trailer or engineering plant shall be allowed to remove any goods of a personal or perishable nature before the examination under this section.

146. Examination by vehicle inspector

(1) A vehicle inspector may, after examining a motor vehicle, trailer or engineering plant—

- (a) approve it as being fit for the purpose for which it is licensed and issue a certificate of fitness in respect of it;
- (b) permit the motor vehicle, trailer or engineering plant to be driven or towed direct to a workshop for the purpose of being repaired on the condition that the motor vehicle, trailer or engineering plant will be returned direct to the vehicle inspector after the completion of repairs for further examination; or
- (c) condemn the motor vehicle, trailer or engineering plant.

(2) If a motor vehicle, trailer or engineering plant is condemned or is unfit for the purpose for which it is being used and is likely to be a danger to any person until it has been repaired, the vehicle inspector shall immediately remove the registration plates of the vehicle and return them to the licensing officer.

(3) The licensing officer shall either cancel the registration and licence of the motor vehicle, trailer or engineering plant if condemned or shall suspend the licence of the motor vehicle, trailer or engineering plant until he or she is notified by the vehicle inspector that the motor vehicle, trailer or engineering plant is fit for the purpose for which it was licensed.

(4) The owner of a motor vehicle, the registration and licence of which is cancelled or suspended under subsection (3), may appeal against the decision of the licensing officer within thirty days to a court presided over by a magistrate grade I.

147. Removal of vehicle from parking place

A police officer in uniform may take possession of and remove any motor vehicle, trailer or engineering plant which is in a metered parking place where—

- (a) a period of not less than two hours has elapsed from the time at which the motor vehicle, trailer or engineering plant first appeared to have been parked in contravention of regulations made under this Act; and
- (b) the parking meter in respect of the parking place in which the motor vehicle, trailer or engineering plant was parked or permitted to remain has been inspected and found to be free from any defect.

148. Police may require motor vehicle to be driven to police station

A police officer in uniform may, after stopping any motor vehicle, trailer or engineering plant which he or she reasonably suspects of being, or having been, used in the commission of an offence, order its driver to drive it to the nearest convenient police station in order that—

- (a) particulars may be taken of the motor vehicle, trailer or engineering plant, including its registration and its vehicle licence;
- (b) the names and addresses of the driver, owner and any passenger may be obtained; and
- (c) the details of the place at which each passenger entered the motor vehicle and his or her destination may be obtained.

149. False information

A person shall not make any statement when required to do so under this Part which to his or her knowledge is false or in any respect misleading.

150. Offences and penalties

Any person who—

- (a) fails to comply with or who contravenes any requirement, direction or order made under this Part;
- (b) obstructs a police officer in the execution of his or her duty under this Part; or
- (c) contravenes section 149,

commits an offence and is liable, on conviction, to a fine of not less than five

currency points and not exceeding thirty currency points or to imprisonment for a term not less than three months and not exceeding one year, or both.

Institution of proceedings

151. Warning to be given before prosecution

(1) Where a person is prosecuted for an offence under Part VI (excluding regulations made under this Act), he or she shall not be convicted unless—

- (a) he or she was warned in writing at the time the offence was committed that the question of prosecuting him or her for an offence under Part VI would be considered;
- (b) within twenty-eight days after the commission of the offence, a summons for the offence was served on him or her; or
- (c) within twenty-eight days after a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed was served on him or her or sent by registered post to him or her or the person registered as the owner of the motor vehicle, trailer or engineering plant at the time of the commission of the offence.

(2) Notwithstanding anything in subsection (1)—

- (a) failure to comply with a requirement of subsection (1) shall not be a bar to the conviction of the accused in any case where the court is satisfied that—
 - (i) neither the name and address of the accused nor the name and address of the registered owner of the motor vehicle, trailer or engineering plant could, with reasonable diligence, have been ascertained in time for a summons to be served or for a notice to be served or sent under that subsection; or
 - (ii) the accused by his or her own conduct contributed to the failure; and
- (b) the requirements of this section shall, in every case, be presumed to have been complied with until the contrary is proved.

152. Application of Part

(1) This Part shall apply to all proceedings in relation to the contravention of any of the provisions of this Act (in this Part referred to as “traffic proceedings”).

(2) The provisions of this Part are in addition to and not in substitution for the provisions of the Magistrates Courts Act.

153. Institution of traffic proceedings

- (1) Traffic proceedings may be instituted—
 - (a) in the manner provided by the Magistrates Courts Act; or
 - (b) by the completion, service and filing of a traffic charge and summons in the manner provided in this Act.

(2) A traffic charge and summons shall be in the form set out in Schedule 4 to this Act.

(3) The Chief Justice may, by statutory order, amend the form referred to in subsection (2).

154. Traffic charge and summons

(1) When any police officer in uniform has reasonable cause to suspect that any person has contravened any of the provisions of this Act or regulations made under this Act, the police officer may complete and serve upon that person a traffic charge and summons containing the particulars referred to in section 153.

(2) Where a traffic charge and summons has been served upon any person, a copy of the traffic charge and summons shall be lodged with the court specified in the charge.

(3) A person upon whom a traffic charge and summons has been served shall attend the sitting of the court specified in the traffic charge and summons, and the court shall then proceed to hear and determine the matter in accordance with the Magistrates Courts Act.

(4) Where, in any traffic proceedings, any person to whom subsection (3) applies, fails to appear before the court at the time and place specified in the traffic charge and summons, the court shall—

- (a) proceed to hear and determine the charge in his or her absence where the offence charged is punishable by a fine only and may impose the penalty provided in respect of the offence; or
- (b) in any case where the offence charged may be punishable with imprisonment, issue a warrant for the arrest of that person.

(4) Irregularities in proceedings

No finding, sentence or order passed by a court of competent jurisdiction shall be reversed or altered on appeal or revision on account of any error, omission or irregularity in the complaint, summons, warrant, charge, traffic charge and summons, order, judgment or other proceedings under this Part unless the error, omission, irregularity or misdirection has in fact occasioned a failure of justice; and in determining whether any error, omission or irregularity has occasioned a failure of justice, the court shall have regard to the question whether the objection could and should have been raised at an earlier stage in the proceedings under this Act.

156. Admissibility of certificates

A copy of any certificate of fitness purporting to be issued by a vehicle inspector to the effect that he or she examined a motor vehicle, trailer or engineering plant and as to the result of the examination shall, if certified by the Chief Licensing Officer, be *prima facie* evidence in any court proceedings of the facts contained in it; but the court may summon and examine the vehicle inspector as to the subject matter of his or her certificate.

157. Punishment without prosecution

(1) This section applies to any offence created by this Act or regulations made under this Act which is punishable on conviction for a minor traffic offence and being an offence in respect of a motor vehicle, trailer or engineering plant—

- (a) by its obstructing a road, or waiting, or being left or parked or being loaded or unloaded in a road; or
- (b) by the non-payment of the charge made at a street parking place.

(2) Where a police officer or traffic warden has reason to believe that any person is committing or has committed an offence to which this section applies, he or she may give him or her the prescribed notice in writing offering the opportunity of the discharge of any liability to conviction of that offence by payment of a fixed penalty under this section.

(3) Where the notice has been given, no person is liable to be convicted of the offence in question if the fixed penalty is paid in accordance with this section before the expiration of seventy-two hours after the date of the notice or before the date on which proceedings are begun, whichever event last occurs.

(4) Where a person is given a notice under this section in respect of an offence, proceedings shall not be taken against any person for that offence by any police officer or traffic warden until the end of the seventy-two hours after the date of the notice.

(5) The payment of a fixed penalty under this section shall be made to an officer prescribed by the Minister, and the sums paid by way of fixed penalty for any offence shall be treated for the purposes of this section as if they were fines imposed on conviction for that offence.

(6) A notice under subsection (2) shall specify the offence alleged and give particulars of the offence as are necessary for giving reasonable information of the allegation and shall state also the period during which proceedings will not be taken for the offence, the amount of the fixed penalty, and the officers to whom and the address at which the fixed penalty may be paid.

(7) Where a police officer or traffic warden finds a vehicle on an occasion and has reason to believe that, on that occasion, there is being or has been committed in respect of it an offence to which this section applies, the police officer may proceed under this section as if he or she had found a person reasonably believed by him or her to be committing the offence, and for that purpose, a notice affixed to the motor vehicle, trailer or engineering plant shall be taken to be given to the person liable for that offence.

(8) A notice affixed to a motor vehicle, trailer or engineering plant under subsection (7) shall not be removed or interfered with except by or under the authority of the driver or person in charge of the vehicle or the person liable for the offence in question.

(9) Any person who contravenes subsection (8) commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

(10) The fixed penalty for an offence under this section is one hundred currency points, except that the Minister may by regulations provide for the fixed penalty to be less than one hundred currency points or more than one hundred currency points.

(11) Any person who defaults on an operator's licence or forges a licence or any other document required or issued under this Act commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding three years, or both, and in the case of a continuing contravention, is liable to an additional fine not exceeding fifty currency points in respect of each day on which the offence continues.

(12) Any person who commits a second or subsequent offence is liable, on conviction, to a fine not exceeding five hundred currency points or to imprisonment for a term not exceeding five years, or both.

(13) In any proceedings for an offence to which subsection (1) applies, no reference shall be made after the conviction of the accused to the giving or affixing of any notice under this section or to the payment or non-payment of a fixed penalty unless, in the course of the proceedings or in some document which is before the court in connection with the proceedings, reference has been made by or on behalf of the accused to the giving or affixing of a notice, or as the case may be, to that payment or non-payment.

(14) This section applies to such areas as the Minister may, by statutory order, specify.

(15) The Minister may make regulations under section 166 for all or any of the following purposes—

- (a) prescribing the form of notice under subsection (2);
- (b) prescribing the officers to whom a fixed penalty is payable, their duties and the information to be supplied to them;
- (c) specifying the areas where the fixed penalty procedure shall have effect;

- (d) providing for the fixed penalty which is not exceeding one hundred currency points; and
- (e) prescribing a schedule of other minor traffic offences which may be dealt with in accordance with this section.

158. Appointment of traffic wardens

(1) Subject to any written law relating to the appointment of persons to the service of local authorities, there shall be appointed by or under the direction of the Inspector General of Police such number of persons as the Minister considers necessary, to be known as traffic wardens, who shall discharge, in aid of the police, such functions in connection with the control and regulation of road traffic or the enforcement of the law relating to road traffic as may be prescribed.

(2) No person shall be appointed traffic warden if that person is a police officer or is not adequately qualified and suitably trained, before undertaking the duties assigned to traffic wardens under this section.

(3) Every traffic warden appointed by virtue of this section shall wear at all times when he or she is on duty such uniform as the Minister may approve.

159. Regulations

Regulations may be made under section 166—

- (a) prescribing the “point system” by which offences are assigned a fixed points value in proportion to the seriousness of the offences and providing for action to be taken by the Inspector General of Police against a driver who commits a series of driving offences within a prescribed period;
- (b) prescribing devices that may be carried on motor vehicles, trailers or engineering plant to minimise accidents on roads;
- (c) prescribing records to be kept under this Part; and
- (d) prescribing anything to be prescribed under this Part.

PART X—MISCELLANEOUS

160. Persons propelling pushcarts or riding animals, etc.

Every person propelling any pushcart, or riding a bicycle or animal upon a road or driving any animal drawn vehicle shall, *mutatis mutandis*, be subject to this Act.

161. Restrictions on riding bicycles

Not more than one person over the age of seven years shall be carried in addition to the driver on any bicycle, nor shall any such one person be so carried otherwise than sitting on a carrier securely fixed to the bicycle or on a step especially fitted to carry a passenger.

162. Application of Act to persons in public service and vehicles of Government

Except where otherwise permitted by this Act or by any other written law, this Act applies to persons in and vehicles owned by or used in the service of the Government or any local authority.

163. Exemptions

The Minister may, by statutory order, grant an exemption, either wholly or partially, and either unconditionally or upon conditions, to persons or to their vehicles from any of the requirements of this Act.

164. General penalties for contravention

(1) Any person who contravenes or does any act prohibited by this Act or who fails or omits to perform an act required by this Act the contravention or failure to comply with which is not made an offence under any other provisions of this Act or regulations made under this Act commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or to imprisonment for a term not exceeding six months, or both.

(2) Any person who wilfully fails or refuses to comply with any lawful order or direction of a police officer or traffic warden in uniform the failure to comply with which is not made an offence under any other

provision of this Act commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

(3) A parent or guardian who permits or authorises a child or ward under his or her care to do or perform anything prohibited by this Act commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year, or both.

165. Compensation

A court which convicts any person of an offence under this Act may direct that an amount not exceeding fifty percent out of any fine paid by the convicted person be paid to any person who has suffered any loss as a result of the offence.

166. General power to make regulations

(1) The Minister may make regulations for the purpose of giving full effect to the provisions of this Act.

(2) Without prejudice to the general effect of subsection (1), regulations may be made under this section for all or any of the following purposes—

- (a) providing for the appointment and the remuneration of such persons as may be necessary for carrying out the provisions of this Act;
- (b) providing for the inspection of motor vehicles, trailers or engineering plant for any purpose under this Act by any person other than the licensing officer and for the terms and conditions of such inspection;
- (c) prescribing the wearing of safety belts by drivers and passengers of motor vehicles, the wearing of crash helmets by motorcyclists and the use of reflectors on any road;
- (d) regulating the use of mobile telephones in motor vehicles, trailers or engineering plant;
- (e) prescribing the conditions on which motor vehicles licensed outside Uganda may be used within Uganda and on which persons holding driving licences or permits issued outside Uganda may be allowed to drive within Uganda;

- (f) prescribing anything required or authorised to be prescribed under this Act and otherwise providing for anything required or authorised to be provided for by regulations under this Act; and
- (g) generally for better carrying out the purposes and provisions of this Act.

(3) Regulations made under this section may, in relation to any contravention of the regulations—

- (a) prescribe any penalty of not less than a fine of two currency points and not exceeding a fine of thirty currency points or imprisonment for a term not exceeding two years, or both;
- (b) prescribe a severer penalty in respect of a second or subsequent conviction for the same offence;
- (c) in the case of a continuing offence, provide for the imposition of an additional penalty not exceeding a fine of ten currency points in respect of each day on which the offence continues;
- (d) empower the court to forfeit anything used or involved in the contravention.

167. Power to amend Schedule 1

The Minister may, by statutory instrument, with the approval of Cabinet, amend Schedule 1 to this Act.

SCHEDULES

Schedule 1

Sections 1, 167

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Section 13(1)

Registration Fees

<i>Item</i>	<i>Motor vehicle</i>	<i>Fees (Ushs)</i>
(a)	Sedan cars, saloon cars, estate car but excluding dual purpose goods passenger vehicles.	1,500,000/=
(b)	Passenger vehicles, including light omnibuses with a seating capacity not exceeding twenty-eight passengers.	1,500,000/=
(c)	Estate and station wagon vehicles with an engine capacity of 3500 cc or more.	1,700,000/=
(d)	Medium omnibuses and heavy omnibuses with a seating capacity of more than twenty-eight passengers.	1,500,000/=

Schedule 3

Section 16(2)

Environmental Levy on Motor Vehicles

<i>Item</i>	<i>Motor vehicle</i>	<i>Fees (Ushs)</i>
(a)	A motor vehicle which is zero to eight years old from the year of manufacture; excluding goods vehicles.	Nil
(b)	A motor vehicle which is nine years old or more from the year of manufacture; excluding goods vehicles.	50% of the CIF value
(c)	A motor vehicle which is nine years old or more from the year of manufacture, and which is principally designed to carry goods.	20% of the CIF value
(d)	A motor vehicle which is an ambulance and is five years old but does not exceed eight years from the year of manufacture.	Nil

Schedule 4

Section 153(2)

Traffic Charges and Summons and Affidavit of Service

The Republic of Uganda

Traffic Charges and Summons*(The Traffic and Road Safety Act, Cap. 347)*

In the magistrate's court of _____ at _____

Criminal Case (Traffic) No. _____ of 20

Vehicle Registration No. _____

To: _____

Summons

Your attendance is necessary to answer to the charge/charges set out below and you are by this summons commanded to appear without fail in the magistrate's court of _____

at _____ on the _____ day of _____
20 _____, at _____ a.m./p.m., or as soon thereafter as the case
can be heard.

Dated this _____ day of _____, 20

Magistrat

e Charge

Traffic charge and summons received

Affidavit of Service of Traffic Charges and Summons
(The Traffic and Road Safety Act, Cap. 347)

I, _____
(name and rank)

make oath and say as follows—

(1) That I, being a person duly authorised to issue a charge and summons under the Traffic and Road Safety Act, did on the _____ day of _____, 20 __, serve the accused with a copy of this charge and summons by delivering the copy personally to him/her.

(2) That I advised him/her that a written plea of guilty may/would not be accepted instead of his/her attendance.

Sworn before me this _____ day of _____, 20

Magistrate

History: Act 15/1998; S.I. 69/1998; Act 1/1999; s. 26; S.I. 12/1999; Cap. 361 (Revised Edition, 2000); Act 32/2006; S.I. 54/2008; Act 14/2009; Act 22/2010; Act 6/2012; Act 18/2013; Act 8/2015; Act 14/2016; Act 5/2018; Act 16/2019; Act 6/2020; Act 2/2023; Act 13/2023

Cross References

Insurance Act, Cap. 191
Magistrates Courts Act, Cap. 19
Medical and Dental Practitioners Act, Cap. 300
Narcotic Drugs and Psychotropic Substances (Control) Act, Cap. 37
National Drug Policy and Authority Act, Cap. 198
Public Private Partnerships Act, Cap. 111
Roads Act, Cap. 346
Security Interest in Movable Property Act, Cap. 293
Uganda Tourism Act, Cap. 82