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PLATEAU STATE ROAD TRAFFIC
ADMINISTRATION AND
VEHICLE INSPECTION LAW 2018

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**PLATEAU STATE ROAD TRAFFIC ADMINISTRATION AND
VEHICLE INSPECTION LAW, 2018**

ENACTED by the Plateau State House of Assembly as follows:

**PART I
PRELIMINARY**

**Citation and
Commencement**

1. This Law may be cited as the Plateau State Road Traffic Administration and Vehicle Inspection Law 2018 and shall come into force on the 18th day of July, 2018.

Interpretation

2. In this Law:
“authority” means the Plateau State Traffic Administration Authority established under Section 1 of this Law;
“axle weight” means in relation to an Axle of a heavy Motor Vehicle or of a Trailer the aggregate weight transmitted to the surface of the wheels attached to that Axle, when the heavy Motor Vehicle or the Trailer is loaded;
“articulated vehicle” means a Motor Vehicle with a Trailer which is so constructed and by partial super-imposition attached to the Motor Vehicle that a substantial part of the weight of the Trailer is borne by the Motor Vehicle;
“appropriate charges” in relation to a removed Vehicle of any Class means such sum as the Commissioner may by Order specify as regards Vehicles of that Class;
“commercial vehicle” means a Hackney

Carriage, a Stage Carriage, a Tractor and any Motor Vehicle primarily designed for the carriage of Goods or Passengers, excluding any such Vehicle used exclusively for carrying the personal effects of the owner;

"commissioner" means Commissioner responsible for Transportation;

"COREN" means Council for the Regulation of Engineers in Nigeria;

"court" means Magistrate Court;

"enforcement committee" means the Committee of persons appointed by the State Governor on the recommendation of Commissioner responsible for Transportation to remove abandoned Vehicles from the Highways or near private premises and enforce Regulation and other duties as may be spelt out;

"gross weight" means the Net Weight of the Vehicle with the weight of freight or load (including the Driver and Crew) which such Vehicle is designed to carry and registered as such by the licensing authority;

"hackney carriage" means any Motor Vehicle designed or constructed to carry not more than Seven persons, used or intended to be used for carrying passengers for hire or reward under a Contract expressed or implied for the use of the Vehicle as a whole or for a fixed or agreed rate or sum;

"highway" includes any Road or Way to which the Public have access to and is controlled by the State and Local

Governments;

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

“local government” means the Local Government Councils in the State;

“ministry” means Ministry responsible for Transport;

“motorcycle” means a Motor Vehicle designed to travel on not more than Two Wheel and includes a combination of a Motorcycle and side Car;

“motor vehicle” means a mechanically propelled Vehicle intended or adapted for use on Roads;

“owner” means the person by whom the Vehicle is kept and used, and in relation to a Vehicle which is subject to a Hiring Agreement or Hire Purchase Agreement, means the person keeping or using the Vehicle under that Agreement and the expression;

“ownership” shall be construed accordingly;

“parking place” means a place where Vehicles may be left or allowed to remain stationary;

“prescribed” means to specify by Regulations made by the Commissioner;

“prescribed particulars” means in relation to any Vehicle, the Driver's License of the Driver thereof, the Rider's Card, the Vehicle registration, the vehicle licence, roadworthiness certificate, certificate of insurance of the vehicle, hackney carriage

licence and stage carriage License or any other document required by Law to be obtained in relation to the Vehicle;

“right of way” shall have meaning as assigned to it in the Regulation;

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

“state” means Plateau State of Nigeria;

“trailer” means a Vehicle drawn by any Motor Vehicle but does not include a side-car attached to a Motor-cycle;

“traffic sign” includes all Signals, Warning Sign Posts, Direction Posts, Signs or other devices for the guidance or direction of persons using the Highways; and

“vehicle” means Carriages, Wagons, Carts, Motor Vehicles, Motorcycles, Tricycles, Vans, Lorries, Trailers, Hand Carts, Sledges, Trucks, Barrows and all other machines for the carriage of Goods or Persons.

PART II

ESTABLISHMENT

- Establishment of the Authority** 3. (1) There is established an Authority for Road Traffic Administration and Vehicle Inspection in the State

(herein referred to as " the Authority").

(2) The Authority shall:

- (a) be a body corporate with perpetual succession and a Common Seal;
- (b) have a power to sue and be sued in its corporate name; and
- (c) be capable of holding, purchasing acquiring and disposing of movable or immovable properties for the purpose of carrying out its functions under this Law.

Board of the Authority.

4. There is established for the Authority a Governing Board referred to in this Law as "the Board" which shall be responsible for the policy direction of the Authority.

Membership of the Board

5. (1) The Board shall comprise of the following:

- (a) the State Commissioner responsible for Transportation;
- (b) the General Manager and Chief Executive, not below the rank of a Director;
- (c) a representative of the Ministry of Transport not below the rank of Director, Vehicle Inspection;
- (d) a representative of Ministry of Justice not below the

- (e) rank of a Director;
 - (e) a representative of the Ministry of Finance not below the rank of a Director;
 - (f) a representative of the Ministry of Health not below the rank of a Director; and
 - (g) the Chairman, Plateau State Internal Revenue Service.
- (2) The Governor of the State shall constitute the Board.
- (3) Other members of the Authority include the:
- (a) Secretary/ Legal Adviser;
 - (b) Assistant Manager Finance;
- 6. Functions of the Board.**
- (1) The Board shall appoint a Secretary/Legal Adviser for the Authority, who shall be a Legal Practitioner within the meaning of the Legal Practitioner's Act.
- (2) The Secretary/ Legal Adviser shall:
- (a) attend all meetings of the Authority and the Board, rendering all necessary secretarial services in respect of meeting and advising the Authority on compliance with applicable

rank of a Director
 a representative of the
 Ministry of Finance not
 below the rank of a
 Director,
 a representative of the
 Ministry of Health not
 below the rank of a
 Director and
 the Chairman, Finance Sector
 Internal Revenue Service,
 The Governor of the State shall
 constitute the Board.
 Other members of the Authority
 include the:
 (a) Secretary, Legal Advisor
 (b) Assistant Manager Finance;
 The Board shall appoint a Secretary
 and a Legal Advisor for the Authority,
 who shall be a Legal Practitioner
 with the standing of the Legal
 Practitioner's Act;
 The Secretary, Legal Advisor shall
 attend all meetings of the
 Authority and the Board,
 rendering all necessary
 administrative services in
 respect of meeting and
 observing the Authority in
 compliance with applicable

- (b) Laws and Regulations; maintain all Registers and Records of the Authority;
 - (c) give all notification as may be required by this Law or any other Law;
 - (d) carry out such other duties as may be directed by the Board or the General Manager from time to time; and
 - (e) draft all contractual Agreements and other Legal Instruments subject to vetting by the State's Ministry of Justice.
- (3) The Board shall appoint an Assistant Manager Finance for the Authority who shall be a Member of a recognized professional Accounting body;
- (4) The Assistant Manager Finance shall:
- (a) maintain and keep records of all the Accounts and financial transactions of the Authority;
 - (b) ensure that accounting and audit provisions of this Law and Financial Regulations are complied with by the Authority; and

appointed by the Governor

The General Manager shall be the Chief Accounting Officer

of the Authority. A Member of the Board shall have responsibility for implementation of the decision of the Board and responsible for general Administration and Implementation of the Policies of the Authority.

Tenure of the Board of the Authority

7.

(1)

- (c) carry out such other duties as may be directed by the Board or the General Manager;

(5) The Board may from time to time engage or employ such other Officers and Servants as may be deemed necessary for the due and proper execution of its functions under the provisions of this Law.

(1) All Members of the Board except the General Manager shall be appointed to serve as part-time Members.

(2)

The Chairman and other Members of the Board shall:

- (a) hold Office for Three (3) years and may be re-appointed for another term; and
- (b) be paid such Sitting Allowance as the Governor may determine from time to time.

Management of the Authority.

8.

(1)

(1) There shall be an Officer of the Authority to be known as the General Manager who shall be a Mechanical Engineer, registered with Council for the Regulation of Engineers in Nigeria (COREN) and has vast knowledge in Traffic Management and Control to be

(c) carry out such other duties as may be directed by the Board or the General Manager

(2) The Board may from time to time engage or employ such other Officers and servants as may be deemed necessary for the due and proper execution of its functions under the provisions of this Law.

All Members of the Board except the General Manager shall be appointed by the Governor.

9. (1) The Chairman and other Members of the Board shall:

(a) hold Office for Three (3) years and may be re-appointed for another term and

(b) be paid such Salary Allowance as the Governor may determine from time to time.

There shall be an Officer of the Authority to be known as the General Manager who shall be a Mechanical Engineer registered with Council for the Regulation of Engineers in Nigeria (COREN) and has vast knowledge in Traffic Management and Control to be

appointed by the Governor.

- The General Manager shall be:
- (a) the Chief Accounting Officer of the Authority;
 - (b) a Member of the Board and shall have responsibility for implementation of the decision of the Board; and
 - (c) responsible for general Administration and Implementation of the Policies of the Authority.

It shall be the duty of the State to:

- (a) provide suitable Parks and facilities (including Equipment and Operators) for the removal of Vehicles in pursuance of the provisions of Section 28 of this Law;
- (b) provide and maintain places to which Vehicles may be removed to in pursuance of the provisions of Section 28 of this Law and to ensure that an Officer in charge of each Park is at all times present in the Park;
- (c) make reasonable arrangement for the safe custody of removed Vehicles while they are in Vehicle Parks;
- (d) provide and maintain at the

10. Establishment of the Vehicle Inspection Service.

11. Functions of the Service.

- (1) There is established the Vehicle Inspection Service (referred to in this Law as "the Service").
- (2) The Service shall be a Department in the Authority.
- (1) Subject to sub-section (2) of this Section, the Service shall have responsibility for:
 - (a) inspecting, controlling,
- (2) The Authority shall not be under any duty to protect removed Vehicles otherwise than as mentioned in paragraph (c) of sub-section (1) of this Section and in particular shall not be under a duty to protect removed Vehicles from damage attributable to Sun, Rain, Wind or other physical conditions.
- (e) keep the record open during normal Office hours for inspection free of charge by members of the Public.

- (a) regulating and enforcing the Road Worthiness of Motor Vehicles in the State;
- (b) pre-registration inspection of Vehicles;
- (c) co-operating with other Agencies to enforce Traffic Rules and Regulations;
- (d) providing accessible emergency services;
- (e) co-operating with relevant Agencies engaged in Road Safety activities or in the prevention of accidents on the Highways;
- (f) inspection and issuance of Certificate of Road Worthiness Certificate (RWC) in respect of all Vehicles;
- (g) ensuring that all Vehicles plying roads are Roadworthy at all times;
- (h) training and testing of Applicants for Driver's License;
- (i) consulting with Vehicle Inspection Officer's and the Ministry;
- (j) carrying out inspection and issuing Report on accident Vehicles in the State;
- (k) preparing and keeping Statutory Registers and a Database of all Certificates

This Section, all payments of fines and penalties contained in the Law shall be paid into the Consolidated Revenue Fund of the State.

There shall be for the Service a Head of Department, who shall be a Vehicle Inspection Officer not below Grade Level 12 in the State Civil Service.

(b) responsible for the general Administration and Inspection of the Police of the Service; and (c) assigned in the discharge of his duties by such Officers (who shall be designated Vehicle Inspection Officers) as he may require from time to time.

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

- (l) issued and revoked;
- (l) registration and regulation of Mechanic Garages;
- (m) registration and regulation of Spare Part Dealers;
- (n) registration and regulation of Transport Operators; and
- (o) registration and regulation of Motor Vehicle Dealers in the State.

(2) Pursuant to sub-section (1) of this Section, the Enforcement Agencies in this Law shall have the power to enforce the provisions contained in paragraphs (a), (c), (d), (e), (g), (h), (k), (l), (m), (n) and (o) respectively as they relate to State controlled Roads.

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

- (a) impound Vehicles which fail to meet the prescribed Standards;
- (b) direct that such Vehicles be kept off the Roads;
- (c) arrest where appropriate; and
- (d) allow the Offender to pay the Fine stipulated for the Offence under this Law.

(4) Pursuant to sub-section (3) (d) of

Head of Department 12. (1) and Staff of the Service

this Section, all payments of Fines and Penalties contained in the 1st Schedule to this Law, shall be paid into the Consolidated Revenue Fund of the State.

There shall be for the Service a Head of Department, who shall be:

- (a) a Vehicle Inspection Officer not below Grade Level 15 in the State Civil Service;
- (b) responsible for the general Administration and Implementation of the Policies of the Service; and
- (c) assisted in the discharge of his duties by such Officers (who shall be designated Vehicle Inspection Officers) as he may require from time to time.

Savings and Transitional 13. Provisions relating to Staff of the Service

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

PART III

FINANCIAL PROVISIONS

Accounts and application of the funds of the Authority

14. (1)

The Authority shall keep proper accounts in a Form which conforms to accepted commercial standard of its Receipts, Payments, Assets and Liabilities and shall submit the accounts annually for auditing by a qualified Auditor from the List of Auditors supplied by the Auditor-General of the State.

(2)

The Authority may from time to time apply its funds to:

- (a) the general administration of the Authority;
- (b) payment of Salaries, Emolument and Benefits of the Authority; and
- (c) any other expenses necessary for Staff Welfare or for carrying into effect of the provisions of this Law.

Funds of the Authority

15. (1)

The funds of the Authority shall consist of:

- (a) such funds as Budgetary Allocations;
- (b) Trust funds;
- (c) Subventions;
- (d) Grants-in-aid; and
- (e) Loans as may be approved by the State Governor.

(2) Such Sums or Property which may by way of Loans, Grants and Gifts accrued to the Authority from any other Government or Non-Governmental bodies or Individuals.

(3) Other monies received by the Authority which may in any way become payable to or vested in the Authority by way of Gifts, Grants-in-aid and Testamentary Dispositions.

(4) All Fines received by or on behalf of the Authority shall be receipted and paid to the State Internal Revenue Service within Seventy Two (72) Hours or where there is Public Holiday, the next working day.

(5) The Authority shall in relation to proceeds payable to it from the Designated Account, operate an Account with a Bank or Banks in the State and the signatories to the Account shall be:

- (a) General Manager; and
- (b) Assistant General Manager in charge of Finance.

(6) The Authority shall within Six(6) Months after the end of each

Financial Year, furnish the Governor with a copy of the:

- (a) audited Account of the Authority;
- (b) Annual General Report and full Report of the External Auditor; and
- (c) detailed Report of the state of affairs of the Authority for that Financial Year.

(7) The Authority shall cause the audited Account and the Annual Report of the Authority to be published in the State Official Gazette after complying with subsection (1) of this Section and such shall be made available on demand.

16. Declaration of interest by members of the Authority

(1) A person shall before he is appointed as a Member of the Board or Staff of the Authority, be required to declare his interest if any, in Transport or other Business Organization undertaking transportation of passengers or goods or engaged in the manufacturing or sale of any equipment used by the Authority.

(2) A Member of the Board or Staff of the Authority who acquired any financial interest in any organization undertaking transportation of

passenger, or goods or in the production or sale of any equipment used by the Authority shall within One Month of such acquisition give notice in writing to the Authority specifying the interest so acquired and the Authority may, after taking into consideration all the circumstances of the case, decide whether to:

- (a) retain him as a Member of the Board or Staff of the Authority;
- (b) remove him from such membership; or
- (c) attach any condition to his membership.

Audit Unit

17. The functions of the Internal Audit Unit are:

- (a) conducting pre-payment checks on all Payment Vouchers prepared by the Finance Unit of the Ministry for control purposes;
- (b) carry out physical verification on all supplies through Contract and Cash Advances to ascertain the quality and quantity as specified by the Management ;
- (c) inspection of Project carried out through Contract or by Direct Labour in order to certify that the job to be paid for is actually being carried out;

- (d) checking of Revenue collection records of all the Departments under the Ministry to make sure all Revenues collected are promptly remitted to the Bank;
- (e) carry out checks on Movable Assets of the Authority for control purposes;
- (f) pre-payment checking of Monthly Salary Pay-rolls of Staff of the Authority and carry out checks on all personal records of Staff in order to ensure that only confirmed Staff are in the pay-roll system;
- (g) periodic stocking of all stocks in the store with the purpose of confirming the existence of the stocked items, that means the quantity and the value as at period in time;
- (h) reconciliation of Books of Accounts and other financial transactions of the Authority and also Bank balances periodically;
- (i) controlling expenditure by ensuring that all payments for jobs done are made for the purpose provided for and all process are followed;
- (j) check Vote Books to confirm Head and sub-heads classification of Accounts is followed by the Finance

Unit;

(k) issue Audit queries to ensure all necessary corrections, amendments and accuracy of accounting procedures are strictly adhered to;

(l) conduct investigation when the need arises on matters that need more detailed information;

(m) serving as an Advisory Body to Management on Financial matters and other related issues for internal control purpose; and

(n) serving as a Watch-dog of the entire Authority.

PART IV ENFORCEMENT

Operational Areas 18. The area of operation of the Authority shall cover all Roads within the State.

Creation of Vehicle Inspection Unit 19. The Vehicle Inspection Office shall be a Unit under the Authority and shall perform such function as may be given to it by the Authority.

Relationship between the Authority and effect of enforcement action of Authorities of 20. (1) The Authority shall as a matter of Policy Objective maintain and seek technical collaboration and coordination in the enforcement of Reg-

other States

- ulations made under this Law with other Extant Laws on Road Safety matters.
- (2) The Authority may adopt an engagement policy with any Organization in the development of quality Road Safety Regulation Standard and Policy development at the National level.
 - (3) An action of an Administrative or Enforcement nature, carried out by a Vehicle Inspection Officer or a corresponding Authority of the State shall have the same effect.
 - (4) An Administrative or Enforcement action taken under or in connection with a corresponding Road Law shall have the same effect in this State as in other States.
 - (5) The Administrative or Enforcement action shall not be applicable if the action:
 - (a) is incapable of having effect in relation to the State; or
 - (b) expressly provides that the action does not extend or apply to or in relation to the State.
- Control of Traffic** 21. (1) The Authority's control and management of vehicular traffic in

- the State shall include:
- (a) prohibition or restriction of the use of any specified Highway by Vehicles of specified class or description;
 - (b) prohibition of driving or propelling of Vehicles on any specified Highway otherwise than in a specified direction;
 - (c) prohibition of Vehicles parking or waiting on any specified Highway;
 - (d) prohibition or restriction of the use of Sirens and the sounding of Horns or other similar appliances either in general or during specified hours or in respect of specified areas;
 - (e) regulation of the conduct of persons driving, propelling, being in charge of or riding any Vehicle or Animal on a Highway;
 - (f) application of Breath testing, Blood and Urine Specimen testing devices on any Driver to detect whether he is driving under the influence of Alcohol or Drugs ;
 - (g) demand of a Psychiatric

Law
Subject to the provisions of Section 211 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) the Authority may through the Office of the Attorney General of the State prosecute persons reasonably suspected of having committed any Offence under the provisions of this Law or any other Law.

The Authority shall cause or permit Traffic Signs and Road Markings to be placed on or near any Highway.

Traffic Signs and Road Markings shall conform to such Standards, Sizes, Colours or types as may be prescribed by the Authority.

From the commencement of this Law, no Traffic Sign and Road Markings shall be placed on or near any Highway except in accordance with the provisions of this Law.

(2) Nothing in this Law shall be taken to prevent any person or workers of any Railway or Light Rail Transit System from exercising their powers conferred by any other Enactment in force in Nigeria. The Authority may by notice in

- evaluation of any person who drives against the normal flow of traffic or who fails to comply with any of the provisions of this Law, if in the opinion of any Officer of the Authority such an evaluation is necessary for the purpose of determining the person's ability to operate a Motor Vehicle provided that such shall be at the Driver's cost;
- (h) prohibition of illegal loading and offloading of Passengers or Goods on the Highway other than designated Lay-byes and Parks;
 - (i) prohibition of movement, parking, loading and offloading of Trailers and Articulated Vehicles on the Highway between the Hours of 6:00am - 6:00pm; and
 - (j) general regulation of traffic on Public Highways.
- (2) In the exercise of the functions conferred on the Authority, Officers of the Authority shall have power to arrest where appropriate and allow the alleged Offender to pay the Fine stipulated for the Offence under this

evaluation of any person who drives against the normal flow of traffic or who fails to comply with any of the provisions of this Law in the opinion of any Officer of the Authority such an evaluation is necessary for the purpose of determining the person's ability to operate a motor vehicle provided that such shall be at the Driver's cost.

(b) **Traffic Signs and Road Markings** 22. (1) (2) (3) (4)

prohibition of movement parking, loading and unloading of Tractors and Articulated Vehicles on the Highway between the hours of 6:00am - 6:00pm and general regulation of traffic on Public Highways.

Law.

(3) Subject to the provisions of Section 211 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) the Authority may through the Office of the Attorney-General of the State prosecute persons reasonably suspected of having committed any Offence under the provisions of this Law or any other Law.

(1) The Authority shall cause or permit Traffic Signs and Road Markings to be placed on or near any Highway.

(2) Traffic Signs and Road Markings shall conform to such Standards, Sizes, Colours or types as may be prescribed by the Authority.

(3) From the commencement of this Law, no Traffic Sign and Road Markings shall be placed on or near any Highway except in accordance with the provisions of this Law:

Provided that nothing in this Law shall apply to any Traffic Sign placed by the owners or workers of any Railway or Light Railway in pursuance of powers conferred by any other Enactment in force in Nigeria.

(4) The Authority may by notice in

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

Closure of Highways 23. (1)

When it appears to the Authority that any Highway should be closed temporarily to vehicular traffic, the Authority shall cause to be fixed at each end of such Highway a notice to the effect that such Highway is closed until the notices are removed by the order of the Authority:

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

(2) The Commissioner may by notice published in the State Official Gazette and a National Newspaper, close any Highway, either permanently or for such length of

Control of Vehicular Traffic on Bridges

time as may be specified in the notice, to any or every kind of vehicular traffic subject to such exceptions as he may think fit.

(1) The Authority shall cause to be placed in a conspicuous place at both ends or near the Bridge a notice to the effect that:

- (a) the Bridge is not designed to carry more than a certain weight;
- (b) a Vehicle exceeding a certain breadth or height cannot with safety be driven on or over such Bridge; and
- (c) Vehicles may not exceed a specified speed limit when crossing the Bridge;

(2) Any person who contravenes or fails to comply with the terms of such notice shall be guilty of an Offence.

(3) When any Bridge is damaged by reason of any Vehicle:

- (a) passing over it in contravention of the provisions of this Section; or
- (b) when passing over the Bridge coming into contact with any portion thereof other than the surface of the

roadway, the owner of the Vehicle and the person driving or propelling same shall, without prejudice to any other penalty stipulated by this Law for that Offence, be jointly and severally liable to the Government for any damage done thereto.

Vehicle was impounded, tender to the Officer-in-charge of the Vehicle Park where the Vehicle is the following:
(a) evidence that the Officer may reasonably regard of his entitlement to the custody of the Removed Vehicle which is in the Park; and

(b) the Particulars in relation to that Vehicle issued prior to the impounding of the Vehicle;
shall be entitled on demand at the Park and without payment of any fee, save cost of removal and Park Fee if any, to have the Vehicle released to him at the Park.

(4) A Certificate under the hand of an Officer of the Authority for the cost of repairing such damage shall be prima facie evidence of such cost.

(5) For the purposes of this Section, the weight of a Vehicle which is towing any other Vehicle shall be deemed to be the Gross Weight of that Vehicle and of the Vehicle or Vehicles being towed by it.

Vehicle without necessary Particulars may be impounded

25. Where any Vehicle is found plying or being driven or used on any Highway within the State without the prescribed Particulars, any Police Officer or Vehicle Inspection Officer or other Statutory Road Authority may impound the Vehicle and cause it to be removed to a Vehicle Park.

Release of Impounded Vehicle to Person entitled

26. (1) Any person entitled to the custody of a Removed Vehicle who within Twenty-four (24) Hours after the

Vehicle was impounded, tenders to the Officer-in-charge of the Vehicle Park where the Vehicle is the following :

- (a) evidence that the Officer may reasonably require, of his entitlement to the custody of the Removed Vehicle which is in the Park; and
- (b) the Particulars in relation to that Vehicle issued prior to the impounding of the Vehicle;

shall be entitled on demand at the Park and without payment of any Fees, save cost of removal and Park Fees if any, to have the Vehicle released to him at the Park.

(2) Any person entitled to the custody of a Removed Vehicle who at any time after Twenty four (24) Hours but within a period of Two weeks from the date on which the Vehicle was impounded, tenders to the Officer-in-charge of the Vehicle Park where the Vehicle is, the following:

- (a) evidence as mentioned in sub-section (1) of this Section;

such evidence as may be prescribed of his entitlement to the custody of a Removed Vehicle which is in the Park, and
payment of appropriate charges in respect of the Vehicle and an official Receipt thereon shall be entitled on demand at the Park at any time between the hours of Eight o'clock in the morning and Six o'clock in the evening on any week day other than a Public Holiday and with consent given on behalf of the Authority at any other time to have the Vehicle released up to him at the Park.

Where any Removed Vehicle is not claimed in accordance with Section 27 of this Law within a period of One (1) month, the Removed Vehicle shall be vested in the State Government.

(3) Where under sub-section (1) of this Section any Removed Vehicle is vested in the State Government, the Authority shall publish a notice of its intention to auction the abandoned or Removed Vehicle at the end of One (1) Month from the date of such vestition in the State

Reclaiming Removed 27. A person who tenders to the official in

- (b) the necessary Particulars in relation to the Removed Vehicle; and
- (c) a Revenue Receipt for the cost of obtaining Particulars in respect of the Vehicle shall upon payment to that Officer of a Fee prescribed in Schedule II to this Law for every day during which the Vehicle remains impounded (as charges for keeping the Vehicle at the Park) be entitled on demand at the Park to have his Vehicle released to him;

Provided however that if the necessary Particulars in relation to that Vehicle tendered by that person under the foregoing provisions of this sub-section were issued prior to the impounding of the Vehicle then paragraph (c) of this sub-section shall not apply.

Any demand under this Section by any person entitled to the custody of a Removed Vehicle shall be made within the hours of Eight (8) o'clock in the morning and Six (6) o'clock in the evening on any week day other than a Public Holiday.

Vehicles.

charge of a Vehicle Park:

- (a) such evidence as may be prescribed of his entitlement to the custody of a Removed Vehicle which is in the Park; and
- (b) payment of appropriate charges in respect of the Vehicle and an official Receipt thereof, shall be entitled on demand at the Park at any time between the hours of Eight o'clock in the morning and Six o'clock in the evening on any week day other than a Public Holiday and with consent given on behalf of the Authority at any other time, to have the Vehicle released up to him at the Park.

Disposal of Removed Vehicle, etc

- (1) Where any Removed Vehicle is not claimed in accordance with Section 27 of this Law within a period of One (1) month, the Removed Vehicle shall be vested in the State Government.
- (2) Where under sub-section (1) of this Section any Removed Vehicle is vested in the State Government, the Authority shall publish a notice of its intention to auction the abandoned or Removed Vehicle at the end of One (1) Month from the date of such publication in the State Official Gazette and One National

Newspaper unless within the said
One (1) Month, any :

- (a) Motor Vehicle Licensing fees is due in relation to that Vehicle under any Enactment;
- (b) Fees for Driving Licenses is due from the person who drove the Vehicle when it was impounded; and
- (c) appropriate charge is payable to the licensing authorities in the State or as the case may be, to the State by that person.

(3) If within the Two (2) Months specified in sub-section (2) of this Section the Removed Vehicle is not claimed by the owner of the Vehicle or by the person entitled to the custody of the Vehicle, the Authority or such other person as the Governor may authorize in that behalf, shall dispose the Vehicle by Public Auction and the money realized shall be paid into the Treasury Account of the State.

(4) The State Government shall not be under any duty to protect any Removed Vehicle and, in particular, shall not be under a duty to protect a Removed Vehicle from damage

attributable to Sun, Rain, Wind or Force Majeure.

PART V RESPONSIBILITIES

- General Manager** 29. The General Manager shall be responsible to:
- (a) the Permanent Secretary in-charge of Transportation;
 - (b) the Management of the Authority;
 - (c) initiate, develop, monitor and appraise Policy implementation designed to make Roads safe; and
 - (d) manage and coordinate effectively the entire operation of the Authority towards achieving the set goal.
- Assistant General Manager Operation** 30. The Assistant General Manager Operation shall:
- (a) be answerable to the General Manager;
 - (b) be answerable to the Management of the Operation Departments;
 - (c) enforce Traffic Laws and Regulations;
 - (d) develop safety measures;
 - (e) be responsible for Public Education and Enlightenment ;and
 - (f) ensure prompt attention to Victims of Road crash.
- Assistant General Manager Administration** 31. The Assistant General Manager Administration shall:

- (a) report to the General Manager;
- (b) manage the Administration Departments;
- (c) handle Personnel Records;
- (d) coordinate Recruitment, Discipline and Promotion of Staff;
- (e) be responsible for Training and Manpower Development for the Authority; and
- (f) be responsible for Welfare of Staff.

Assistant General Manager Finance 32. The Assistant General Manager Finance shall be responsible for:

- (a) maintenance of the Authority's Accounts and Budgeting; and
- (b) reimbursement of funds for running of the Authority.

Assistant General Manager Planning, Research and Statistics 33. The Assistant General Manager Planning, Research and Statistics shall:

- (a) report to the General Manager;
- (b) manage the Departments of Planning, Research and Statistics of the Authority;
- (c) maintain the Authority's Traffic Data Bank;
- (d) carry out Research in relevant areas;
- (e) analyze all Data available statistically;
- (f) provide Annual or Periodic Plans or forecast of events; and
- (g) set Strategic Targets.

Assistant General Manager 34. The Assistant General Manager

Manager Engineering Engineering shall:

- (a) report to the General Manager;
- (b) maintain Drivers Testing Grounds;
- (c) maintain Vehicle Inspection Data;
- (d) work with the Motor Licensing Authority;
- (e) supervise Vehicle Inspection Centres under any PPP Project;
- (f) maintain the Authority's Pool of Vehicles;
- (g) maintain the Authority's Estate;
- (h) be responsible for Drivers' Training;
- (i) be responsible for Traffic Engineering; and
- (j) investigate causes of traffic.

Secretary/ Legal Adviser 35. The Secretary / Legal Adviser shall:

- (a) report to the General Manager;
- (b) interpret Laws and Regulations;
- (c) guide and advise the Authority on all Legal matters;
- (d) prosecute Offenders; and
- (e) handle all Litigations against the Authority.

PART VI

PENAL PROVISIONS

Penalties for Neglect 36. Where an Officer of the Authority is for the

of Traffic Directions time being engaged in the regulation of traffic on a Highway or where any Traffic Sign being a sign for the regulating the movement of traffic or indicating the route to be followed by Vehicle has been lawfully place on or near a High way in accordance with the provisions of this Law, any person driving or propelling any Vehicle who:

- (a) neglects or refuses to stop the Vehicle or to make it proceed or to keep to a particular lane or direction of traffic when directed to do so by the Officer in the execution of his duty; or
- (b) drives his Vehicle against oncoming traffic or fails to conform to the direction or indication given by the Traffic Sign, shall be guilty of an Offence, and shall be liable on conviction for:
 - (i) 1st Offender, Three (3) Months' Imprisonment or a Fine of Thirty Thousand Naira only (N30,000. 00);
 - (ii) 2nd and subsequent Offender One (1) Year Imprisonment or a Fine of Sixty Thousand Naira only (N60,000. 00); and
- (c) all offenders shall have their Data and Biometrics captured.

Removal of Abandoned 37. (1) Where a Motor Vehicle is stationary

Vehicles from the Highway and Sides of Private Premises

or abandoned on a Highway or Street or near Private Premises, any Police Officer, Member of the Enforcement Committee or Officer of the Authority may cause the Vehicle to be removed to a Vehicle Park if:

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

(2) Where the Vehicle was found not to have been abandoned but left on the Highway for an unreasonably long time, the owner shall bear the cost of towing the Vehicle to a Vehicle Park as prescribed in Schedule I to

convicted to a Fine of Sixty
Thousand Naira (N60,000) or to
imprisonment for Three (3) Months
or both.

Where a person is charged with an
Offence under sub-section (1) of
this Section and the Court is of the
opinion that the Offence is not
proved, then at any time during the
hearing or immediately after the
Court may, without prejudice to any
other power exercisable by the
Court, direct or allow a Charge for
an Offence under this Section to be
preferred against a person and may proceed with that
Charge as if the person charged
with the Offence had been charged
with that Offence.

(3) Where the owner of an Abandoned
or Removed Vehicle fails to claim
the Vehicle for a period of One (1)
Month, the Authority shall publish a
notice of its intention to dispose the
abandoned or Removed Vehicle at
the end of One (1) Calendar Month
from the date of such publication in
the State Official Gazette and One
National Newspaper.

The Authority shall, at the end of
Two (2) Months notice, dispose
such Vehicle by Public Auction and
the money realized shall be paid
into the Treasury Account of the
State.

Any person who drives a Motor
Vehicle on a Highway without due
care and attention, or without
reasonable consideration for other
persons using the Highway, shall be
guilty of an Offence and be Liable
on Conviction to a Fine of Thirty
Thousand Naira (N30,000.00) or in
the case of a Second or subsequent

convicted to a Fine of Sixty
Thousand Naira (N60,000) or to
imprisonment for Three (3) Months
or both.

Where a person is charged with an
Offence under sub-section (1) of
this Section and the Court is of the
opinion that the Offence is not
proved, then at any time during the
hearing or immediately after the
Court may, without prejudice to any
other power exercisable by the
Court, direct or allow a Charge for
an Offence under this Section to be
preferred against a person and may proceed with that
Charge as if the person charged
with the Offence had been charged
with that Offence.

(4) Where the owner of an Abandoned
or Removed Vehicle fails to claim
the Vehicle for a period of One (1)
Month, the Authority shall publish a
notice of its intention to dispose the
abandoned or Removed Vehicle at
the end of One (1) Calendar Month
from the date of such publication in
the State Official Gazette and One
National Newspaper.

The Authority shall, at the end of
Two (2) Months notice, dispose
such Vehicle by Public Auction and
the money realized shall be paid
into the Treasury Account of the
State.

Any person who drives a Motor
Vehicle on a Highway without due
care and attention, or without
reasonable consideration for other
persons using the Highway, shall be
guilty of an Offence and be Liable
on Conviction to a Fine of Thirty
Thousand Naira (N30,000.00) or in
the case of a Second or subsequent

Careless and Inconsiderate Driving 38. (1)

Any person who drives a Motor
Vehicle on a Highway without due
care and attention, or without
reasonable consideration for other
persons using the Highway, shall be
guilty of an Offence and be Liable
on Conviction to a Fine of Thirty
Thousand Naira (N30,000.00) or in
the case of a Second or subsequent

this Law and shall be guilty and on
conviction be liable to a Fine of
Twenty Thousand naira (N20,
000.00) or to a term of
Imprisonment for Three (3) Months
or both.

Where the owner of an Abandoned
or Removed Vehicle fails to claim
the Vehicle for a period of One (1)
Month, the Authority shall publish a
notice of its intention to dispose the
abandoned or Removed Vehicle at
the end of One (1) Calendar Month
from the date of such publication in
the State Official Gazette and One
National Newspaper.

The Authority shall, at the end of
Two (2) Months notice, dispose
such Vehicle by Public Auction and
the money realized shall be paid
into the Treasury Account of the
State.

Any person who drives a Motor
Vehicle on a Highway without due
care and attention, or without
reasonable consideration for other
persons using the Highway, shall be
guilty of an Offence and be Liable
on Conviction to a Fine of Thirty
Thousand Naira (N30,000.00) or in
the case of a Second or subsequent

conviction, to a Fine of Sixty Thousand Naira (N60,000.00) or to imprisonment for Three (3) Months or both.

(2)

Where a person is charged with an Offence under sub-section (1) of this Section and the Court is of the opinion that the Offence is not proved, then at any time during the hearing or immediately after, the Court may, without prejudice to any other power exercisable by the Court, direct or allow a Charge for an Offence under this Section to be preferred forthwith against that person and may proceed with that Charge, so that the person charged or his Counsel shall be informed of the new Charge and be given an opportunity, whether by way of cross-examining any Witness whose evidence has already been given against him or otherwise, of answering the new Charge and the Court shall, if it considers that he is prejudiced in his defence by reason of the new Charge being so preferred, adjourn the hearing.

Reckless or Dangerous 39. Driving Any person who drives a Motor Vehicle on a Highway recklessly or negligently or at a speed above the stipulated limit or in a manner, which is dangerous to the Public,

having regard to all the circumstances of the case including the nature, condition, use of the Highway and to the amount of traffic which actually is at the time or which might reasonably be expected to be on the Highway, shall be liable on conviction to a Fine of Sixty Thousand Naira (N60,000.00) or to Imprisonment for One (1) Year or both.

Causing Death by Reckless or Dangerous Driving 40.

(1) Any person who causes the Death of another person by driving a Motor Vehicle recklessly or at a speed above the stipulated limit which is dangerous to the Public, having regard to all the circumstances of the case, including the nature, condition and use of the Highway, Street or other place and the amount of traffic in the vicinity at the time or which might reasonably be expected to be in the vicinity, shall be guilty of an Offence and liable on conviction to Imprisonment for a term of Seven (7) Years.

(2) If upon the trial of a person for an Offence under sub-section (1) of this Section, the Court is not satisfied that the person's driving was the cause of Death but is satisfied that he is guilty of driving as mentioned in sub-section (1) of

this Section, the Court may convict that person of an Offence under this Section.

Driving Motor Vehicles 41. (1) when under the Influence of Alcohol or drug

Any person who when driving or attempting to drive or when in charge of a Motor Vehicle on a Highway is under the influence of alcoholic drink or drug to such an extent as to be incapable of having proper control of such Vehicle, shall be liable on conviction to a Fine of Fifty Thousand Naira (N50,000.00) or to Imprisonment for One (1) Year or both.

(2) A person convicted of an Offence under Sections 38, 39, 41 and 43 of this Law shall, unless the Court for special reasons thinks fit to Order otherwise, and without prejudice to the power of the Court to Order a longer period of disqualification, be disqualified for a period of Twelve (12) Months from the date of the conviction from holding or obtaining a Driver's License.

Arrest without Warrant

42. (1) A Police Officer or an Officer of the Authority may arrest without Warrant a Driver of a Motor Vehicle on a Highway, who within

his view commits an Offence under Sections 38, 39, 40, 41 and 43 of the Law.

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

(3) Where a Driver's License is retained, whether or not pursuant to this Section, the Police Officer or an Officer of the Authority retaining the License shall give a written Receipt for it and inform the person surrendering the License of the name of the Police Station or Office of the Authority at which it may be reclaimed.

(4) If a Summons in respect of an Offence under this Law is served on the person whose Driver's License is retained by the Police or that person appears personally at the nominated Police Station or office of the Authority not later than Three

(3) Days after the retention of the Driving License, he may have it returned to him on giving to the Officer a Receipt duly signed and dated.

Misuse of Identification Mark or License 43. Any person who:

- (a) forges or fraudulently defaces, alters, mutilates, or adds anything to any License or Identification Mark;
 - (b) exhibits or uses any License which has been forged, defaced, altered, mutilated or added to as aforesaid;
 - (c) lends or allows to be used by any other person any License or Identification Mark;
 - (d) uses a Driving License belonging to another person; or
 - (e) exhibits or uses any colourable imitation, of any License:
- Shall be guilty of an Offence.

Offences Relating to Bus Rapid Transit, Sirens etc. 44. Any person who:

- (a) parks or causes a Vehicle to be parked within Fifteen (15) Meters of any Road Intersection within the State;
 - (b) drives his Vehicle on unauthorised routes; or
 - (b) herds or allows Cattle, Sheep, Goat, Mule, Pig or other Beast of Drought or burden to be on the Highway:
- Shall be guilty of an Offence.

Use of Unregistered or Unmarked Vehicle Prohibition 45. Any person who drives or, being the owner, permits any other person to drive on a Highway a Motor Vehicle which:

- (a) is not Registered or Licensed; or
- (b) does not have affixed to it an Identification Mark in the prescribed manner:

Shall be guilty of an offence.

Refusal to Give Name to an Officer 46. (1) Any person who under the provisions of this Law or the Regulations made thereunder :

- (a) commits or is alleged to have committed an Offence;
- (b) refuses to give his name, address or such other information as may be demanded; or
- (c) gives false name, address or other false information:

Shall be guilty of an Offence.

- (2) The owner of any Motor Vehicle shall, on demand by any Police Officer or an Officer of the Authority, give all information which is within his power to give as to the name, address, description, antecedents and where-about of any person who commits or is alleged to have committed any Offence in respect of or with any such Motor Vehicle or Trailer and shall also give similar information regarding any occupants of the Motor Vehicle or trailer at the time of the Offence or Alleged Offence and if such owner fails to do so, he shall be guilty of an Offence.

47. Apprehension of Offender refusing to give name, etc

Any Police Officer or an Officer of the Authority may apprehend without Warrant any person who commits within his view, or whom he reasonably suspects of having committed an Offence under this Law or the Regulations made hereunder where:

- (a) such person refuses or fails to produce his Driver's License on demand;
- (b) such person refuses to give his name and address or gives false name and address; or
- (c) any Vehicle driven by such person does not bear the prescribed Number Plate or Identification Mark.

Power to retain Driver's License in certain circumstances 48. (1)

Subject to the provisions of this Law, any Police Officer or an Officer of the Authority may retain the Driver's License of any person who commits an Offence in his presence or whom he reasonably suspects of having committed an Offence under this Law or the Regulations made thereunder, if he reasonably considers that any difficulty is likely to arise in the service of Summons on such person.

(2)

A Police Officer or an Officer of the Authority who retains the Driver's License of any person under this Section shall give to him a written statement signed and dated by the Officer to the effect that the License has been so retained and indicating the Police Station or Office of the Authority at which the License may be claimed.

(3)

A Driver's License retained under this Section shall be returned to the holder upon his giving a written acknowledgment signed and dated by him to the effect that it has been so returned if:

- (a) he reports in person not less than Three (3) Days after the date of its retention, at the

Police Station mentioned in the written statement given in accordance with subsection (2) of this Section; or

(b) a Summons relating to the Offence committed or suspected to have been committed by him is served on him.

Owner of Commercial Vehicle Liable in Certain Cases of Overloading and Exceeding Speed Limit

49. Where a person is convicted of an Offence in respect of the overloading of a Commercial Vehicle or Trailer or of driving a commercial vehicle at a speed exceeding that provided by Law, then in addition to the person driving the Vehicle at the time of the commission of the Offence, if such person not being the owner of the Vehicle, the owner of such Vehicle shall also be liable, and may be charged accordingly: Provided that such owner shall not be convicted of the Offence if he can prove to the satisfaction of the Court that no act or omission on his part was contributory to the commission of the Offence.

Owner of Commercial Vehicle Liable in Certain Cases if Vehicle is Not Safe

50. Where a person is convicted of an Offence relating to the condition of a Commercial Motor Vehicle then in addition to the person convicted, the owner, if such person is not the owner, shall also be guilty of the Offence unless he can prove to the satisfaction of the Court that he was not aware and could not by reasonable inquiry

Contravention of Terms of Licence

51.

have been aware that the Vehicle did not comply with the requirements of the Law relating to the condition of the Vehicle.

Other Liabilities

52.

Any person who uses a Motor Vehicle or trailer for a purpose other than that for which it is licensed shall be guilty of an Offence.

Liability of a Third Party

53.

Nothing in this Law shall affect any liability of the Driver or owner of a Motor Vehicle under any other Enactment.

Owners Responsible for Condition of Vehicle

54.

Where a Commercial Vehicle or Trailer is in the custody or under the control of any person other than the owner or some person employed by the owner then, that person in addition to the owner shall be liable under Section 50 of this Law unless such person can prove to the satisfaction of the Court that he was not aware and could not by reasonable inquiry have been aware that the Vehicle did not comply with the requirements of this Law relating to the condition of the Vehicle.

The owner or Driver of a Motor Vehicle or of an Articulated Vehicle shall not by reason of the vehicle having been registered or licensed by a licensing Authority be relieved of any responsibility for its Roadworthiness and fitness for the purpose for which it is being used.

General Penalty

55. (1)

Any person who fails to comply with any of the provisions of this Law for which no specific Penalty is provided commits an Offence and shall be liable on conviction as follows as a:

- (a) First Offender to a Fine of Twenty Thousand Naira (N20,000.00); and
- (b) subsequent Offender, to a Fine of Thirty Thousand Naira (N30,000.00) or to imprisonment for a term of Three (3) Months or both.

(2)

In addition to any Penalty that may be provided for failure to comply with any provision of this Law, where such failure occurs, the Vehicle may, upon conviction, be forfeited to the State.

(3)

In sentencing a person convicted of committing an Offence under this Law, the Court may, in addition to or in lieu of the prescribed Sentence, direct the suspension or revocation of the Driver's License, and Order the person convicted to:

- (a) render community Service; and
- (b) to both Community Service and Enrolment in the State

56. (1) Corrupt Officers

(5) Vehicle Inspection Officers driving School.

From the commencement of this Law, no Officer shall demand, willfully condone, connive, abet or receive gratification in cash or kind from any person to circumvent the provisions of this Law.

Any Officer who contravenes the provision of sub-section (1) of this Section shall be liable to summary Dismissal and Prosecution.

PART VII REGULATIONS

57. The Commissioner may make Regulations to:

- (a) determine and regulate the size, shape and character of the Identification Marks and the manner in which they shall be fixed to Motor Vehicles and Trailers and rendered easily distinguishable;
- (b) register Motor Vehicles, the particulars to be entered in the register and the Fees to be paid;
- (c) notify a change in the ownership of a Motor Vehicle or Trailer and as to its registration thereafter;

(d) prescribe the different types of Licenses which may be issued for Motor Vehicles and the purpose for which Vehicles so licensed may be used;

(e) prescribe the Fees to be paid for licensing Motor Vehicles or for any class or description of Vehicles;

(f) prescribe conditions relating to the purposes for which Stage Carriages may be used and the hours during which they may ply for hire and other matters which shall be deemed to be attached to Licenses issued in respect of such Vehicles and empowering Licensing Authorities to issue any such License subject to such further conditions as they may think fit to impose and endorse on the License;

(g) the number of persons and the goods which may be carried in Hackney and Stage Carriages; require Stage Carriages designed for the sole purpose of carrying persons and their Hand Luggage to carry a Conductor;

(h) prescribe areas within which Hackney and Carriages are not to operate unless they conform to the special requirements applicable to such areas;

(i) prescribe the constructional and mechanical requirements for

Hackney Carriages, Stage Carriages and Commercial Vehicles;

(k) empower Licensing Authorities, singly or in combination, to fix the maximum and minimum fares which may be charged in the case of Hackney and Stage Carriages;

(l) empower any Authority to:

- (i) fix time table for Stage Carriages on any route;
- (ii) determine stopping times at stands and stopping places;
- (iii) determine the days and hours during which Stage Carriages may ply for hire on any specified route;
- (iv) require the fitting to Hackney Carriages of meters or other similar devices to indicate authorized fares;
- (v) provide for the additional examination of Hackney and Stage Carriage Drivers before the issue of a Badge.

(m) prohibit or restrict the driving of Motor Vehicles or any class or description of Motor Vehicle on any specified Highway or part of a Highway or empowering any specified Officer or other authority to impose such prohibitions or restrictions;

- (n) prescribe the speed at which Motor Vehicles or any class or description of Motor Vehicle may be driven either generally or on any specified Highway or within any defined area or place;
- (o) prescribe precautions to be taken in the interest of the safety and convenience of the Public travelling in Motor Vehicles or otherwise using Highways and providing for the periodical inspection of Motor Vehicles;
- (p) exempt or authorize any specified officer or other authority to exempt from all or any of the provisions of this Law or of any Regulations made hereunder:
 - (i) any specified class or description of Motor Vehicle or Trailer;
 - (ii) Motor Vehicles or Trailers belonging to any particular class of persons;
 - (iii) any specified areas; or
 - (iv) any specified class or description of person in the service of the State and prescribing any conditions of such exemptions;
- (q) the compulsory examination of any type of Motor Vehicle or Trailer or any class or description thereof and

- the places and manner of such examination;
- (r) the appointment of Examiners of Motor Vehicles and Trailers or any class or description thereof on:
- (i) the payment of Fees for such Examination by the owners of such Vehicles; and
- (ii) the duties and powers of such Examiners in regard to such Examination;
- (s) the cancellation or suspension of any License issued in respect of any motor vehicle or trailer which since the issue of the License is in such a condition as to be a source of danger to persons travelling in the Vehicle or Trailer or to other users of the Roads or to cause damage to the Roads themselves;
- (t) prescribe Fees and Charges;
- (u) specify the routes to be followed by Vehicles, Animals and Pedestrians;
- (v) determine the line to be kept by persons driving or in charge of or riding any Vehicle or Animal on any Highway;
- (w) prohibit or restrict the use of any Specified Highway by Vehicles of any specified class or description;
- (x) prohibit the driving or propelling of Vehicles on any specified Highway other than in a specified direction;

- (y) specify Parking Places, and the days and hours during which and the maximum periods for which they may be used and Fees, if any, to be imposed;
- (z) prohibit Vehicles waiting on any specified Highway;
- (aa) specify routes to be followed and the stopping places to be used by Stage Carriages;
- (bb) appoint stands for Hackney and Stage Carriages and the days and hours during which they may be used;
- (cc) prohibit the sounding of Horns, Sirens or other similar appliances either in general or during specified hours or in respect of specified areas;
- (dd) regulate the conduct of persons driving, propelling or in charge of, or riding any Vehicle or Animal on a Highway; and
- (cc) generally for the purpose of carrying into effect the purposes of this Law and for Traffic Control transport operation and Vehicle inspection.
- (ff) relating to the operations of Tricycle, their Driving Permit, and Routes;
- (gg) relating to the operations and standardization of Driving Schools in the State;

- (hh) to give effect to fulfillment of the International Requirements;
- (ii) relating to the issue of International Certificate for Motor Vehicle and International Driving Permit;
- (jj) fixing the fee to be paid for Certificate, Permits and other documents issued in connection with International Requirements and;
- (kk) for the compulsory examination at any time of Motor Vehicle or Trailer or any class or description thereof and the places and manner of such examination.

**PART VIII
MISCELLANEOUS**

Duty in Case of Accident

58.

Where in any accident due to the use of any Motor Vehicle or Trailer on a Highway any injury is caused to any Person, Property or Livestock in charge of any person, the Driver of the Motor Vehicle shall:

- (a) immediately stop the Vehicle;
- (b) furnish to a Police Officer or Officer of the Authority his name and address, the name and address of the owner of the Vehicle, the Identification Mark of the Vehicle, and other Particulars relating to it if requested;
- (c) where the person to whom injury has been caused so request or if he

is unconscious or if the injury caused to that person appears to endanger life:

- (i) take reasonable and practicable steps to attend to the injured person;
- (ii) procure medical attention;
- (iii) take him to a Hospital where necessary;
- (iv) report the accident immediately to the nearest Police Station; and
- (v) the nearest Office of the Authority.
- (d) in every other case, report the accident as soon as possible within Twenty-Four (24) Hours of the occurrence to the nearest Police Station, or to the nearest Office of the Authority.

Ad-hoc Staff

59. The Commissioner may upon application and approval from the State Executive Council, hire such number of Ad-Hoc Staff reflecting a fair representation across the State to ensure compliance with the Regulations contained in this Law. The conditions of Engagement and Termination of the Ad-Hoc Staff shall be specified by the Head of Civil Service of the State.

Application of

60. The provisions of this Law shall also apply

**the Law to Public
Officers**

to Vehicles and persons in the Public Service of the State and for the purpose of proceedings for an Offence in connection with any such Vehicle against any person other than the Driver of the Vehicle, the person nominated in that behalf by the Department in whose service the Vehicle is used shall be deemed to be the person actually responsible unless it is shown to the satisfaction of the Court that the Driver only was responsible.

Illegal Use of Walk-ways and Undesignated Bus Stop

61. From the commencement of this Law, it shall be an Offence:

(a) to display wares on any Highway or Walkway; and

(b) for Commercial Buses to pick or drop Passengers on the Fast Lane or in any undesignated Lay-byes and Bus-stops in the State.

SCHEDULE I

Traffic Offences and Penalties

<i>Offence</i>	<i>Point</i>	<i>Fine</i>	<i>Additional</i>
1 Violation of routes by Commercial Vehicles	2	1st Offender-N20, 000.00 subsequent Offender- N30, 000.00	
2 Disobeying traffic control personnel	2	1st Offender-N20, 000.00 subsequent Offender- N30, 000.00	Impound vehicle
3 Parking on Yellow Line on any Public Highway /illegal parking	4	1st Offender-N10, 000.00 subsequent Offender- N20, 000.00	
4 Parking on Yellow Line on any Public Highway/ illegal parking (Trailer)	4	1st Offender-N20,000.00 subsequent Offender- N30,000.00	
5 Failure to yield to right of way of Pedestrians at a Zebra Crossing	3	1st Offender-N20,000.00 subsequent Offender- N30,000.00	
6 Failure to give way to traffic on the left at a roundabout	2	1st Offender-N20,000.00 subsequent Offender N30, 000.00	
7 Smoking while driving	2	1st Offender-N20, 000.00 subsequent Offender- N30,000.00	

<i>Offence</i>	<i>Point</i>	<i>Fine</i>	<i>Additional</i>
8 Riding a Tricycle: i. Against traffic On the Kerb, Median or Road set backs	3	1st Offender-N20,000.00 subsequent Offender- N30,000.00	Impound Tricycle
9 Tricyclist resisting arrest		1st Offender-N20,000.00 subsequent Offender- N30,000.00	
10 Operating Tricycle without Side Mirrors, Trafficators, Break Light or Rear Lights	2	1st Offender-N10, 000.00 subsequent Offender- N30,000.00	
11 Under aged person (under 18yrs old) riding a Tricycle	2	1st Offender-N20,000.00 subsequent Offender- N30,000.00	Dislodge Rider
12 Overloading of a Commercial Vehicle on the Highway	4	N50, 000.00	Dislodge excess
13 Driving on the Walkway or Kerbs	4	N50, 000.00	
14 Parking on the Walkway or Kerbs	3	N20, 000.00	
15 Parking or stopping to pick passengers by a Commercial Vehicle on the Highway	3	N20, 000.00	Driver Training

16	Bullion van driving in a direction prohibited by the Road Traffic Law	5	Forfeiture of Vehicle	Imprisonment for a term of Three (3) years
17	Abandoned Vehicle on Highway	2	N20, 000.00; cost of towing	Imprisonment for a term of Six (6) Months, or both Fine and
18	Vehicle causing obstruction on Highway if broken down	2	N10, 000.00; cost of Towing	
19	Commuter or Conductor hanging on Tailboard of moving Vehicle	2	1st Offender-N20,000.00 subsequent Offender-N30,000.00	Dislodge and sanction Driver
20	Driving Vehicles with doors left open	2	1st Offender-N20,000.00 subsequent Offender- N30,000.00	
21	Making or receiving phone calls when driving without hands free	2	1st Offender-N10, 000.00 subsequent Offender-N20,000.00	
22	29 Driving without a strapped Seat Belt.	2	1st Offender-N5, 000.00 subsequent Offender- N10,000.00	Strap on Seat Belt
23	30 Failure to display reflective warning sign at point of break down	2	1st Offender-N10,000.00 subsequent Offender- N15,000.00	
24	31 Motorist resisting arrest	2	1st Offender-N20,000.00 subsequent Offender- N30,000.00	

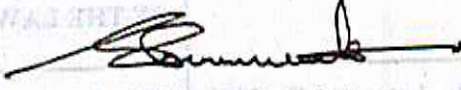
25	Willful obstruction on Highway	2	N50, 000.00; cost of Towing	Imprisonment for a term of One (1) year, or both Fine and Imprisonment
25	Storage charge for impounded Cars, Jeep and Mini-Buses per day		N500.00	
27	Storage charge for impounded Motorcycles and 3 Wheelers per day		N300.00	
28	Storage charge for all other impounded Vehicles (6 Wheelers and above per day)		N1, 000.00	
29	Towing an impounded Car, Jeep and Mini Buses		N5, 000.00	
30	Towing other Commercial Vehicles excluding Trailers (Mini-Buses)		N10, 000.00	
31	Towing a Trailer or Tanker(empty)		N20, 000.00	
32	Towing a Trailer or Tanker (loaded)		N50, 000.00	
33	Towing Tippers and Lorries (loaded)		N50, 000.00	

34	Towing Luxurious Buses	N50, 000.00	
35	Towing an overnight breakdown (Trailer)	N50, 000.00	
36	Towing Tricycles	N5, 000.00	
37	Hire of Heavy duty recovery equipment (Towing /Recovery fees)		At hirer 's cost
38	Failure to pay Penalty within prescribed time		N-10, 000.00

This printed impression has been carefully compared by me with the Bill which has been passed by the Plateau State House of Assembly and found by me to be true and correctly printed copy of the Bill.

Ayuba Gongu
Clerk,

Plateau State House of Assembly

I assent this <u>FFth</u> day of <u>July</u> 2018	
	
Rt. Hon. Simon Bako Lalong Governor, Plateau State of Nigeria.	
Repassed by two-thirds majority	
This _____ day of _____ 2018	

Rt. Hon. Peter Ajang Azi
Speaker,
Plateau State House of Assembly.

Governor of
Plateau State,

**FORWARDING OF PLATEAU STATE ROAD TRAFFIC ADMINISTRATION
AND VEHICLE INSPECTION LAW 2016 FOR ASSENT**

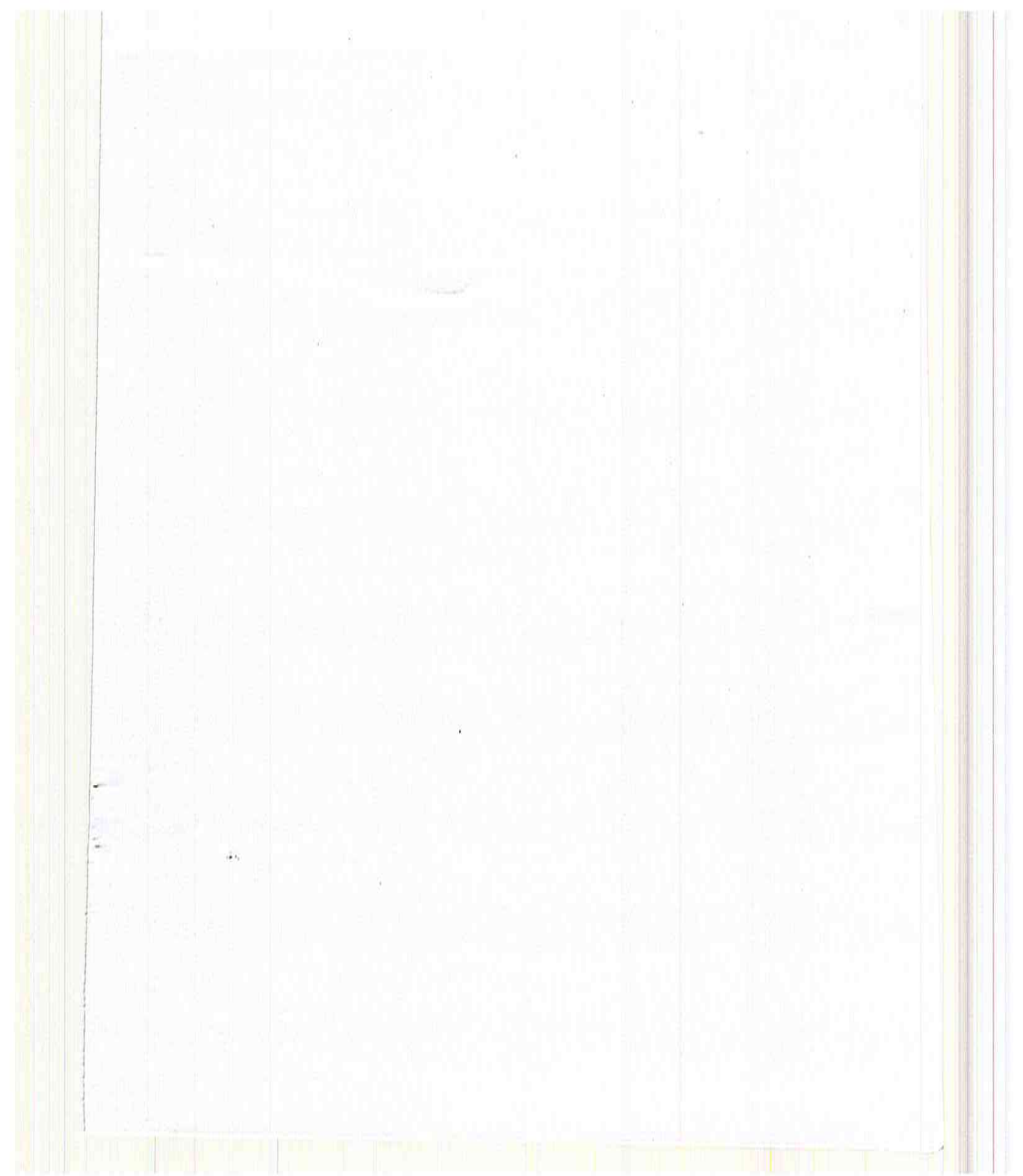
Following the presentation by you of the Plateau State Road Traffic Administration and Vehicle Inspection Law 2016, the House, after a careful consideration of same passed the Law as follows:

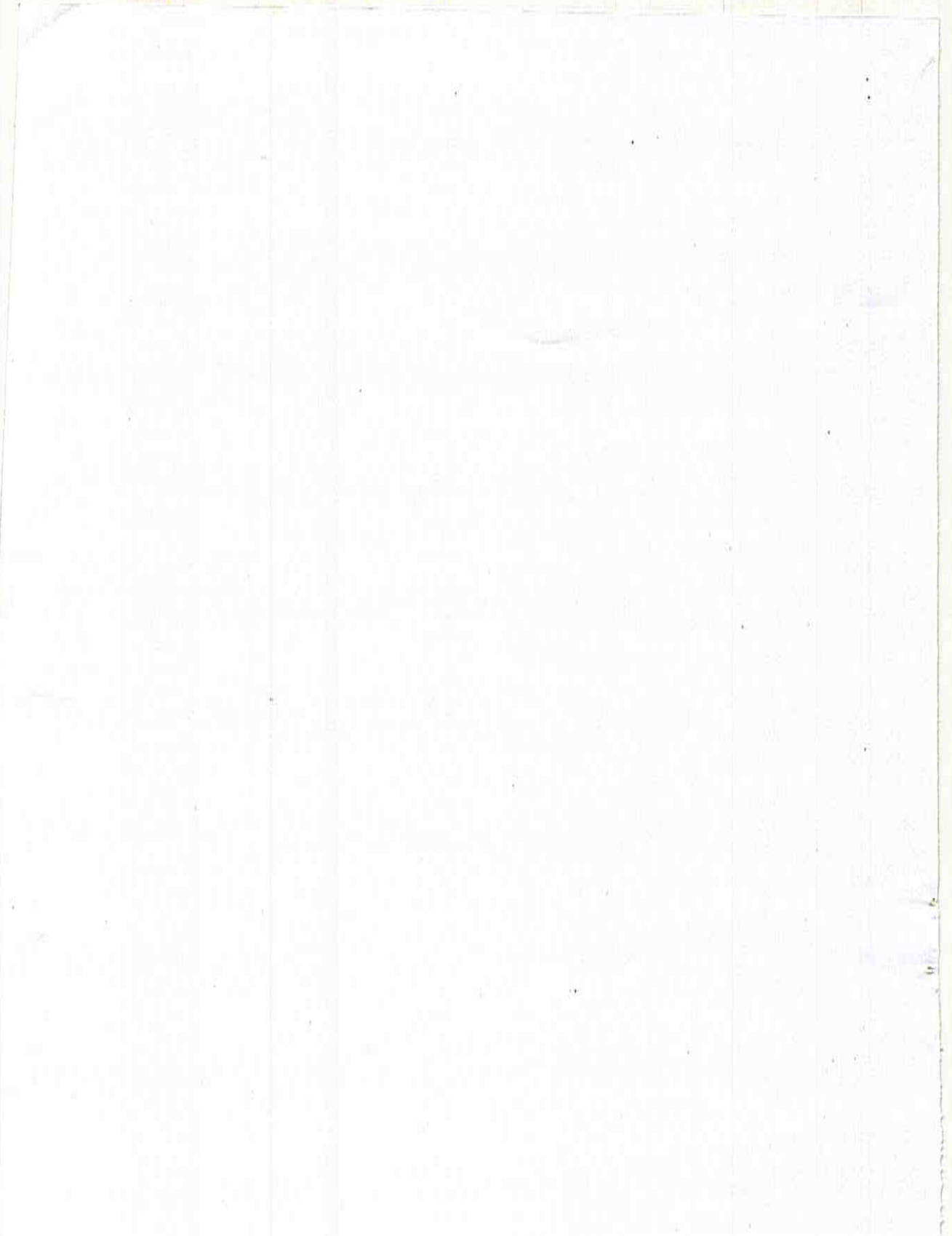
SCHEDULE TO THE LAW

SHORT TITLE OF THE LAW	LONG TITLE OF THE LAW	SUMMARY OF THE CONTENTS OF THE LAW	DATE PASSED
Plateau State Road Traffic Administration and Vehicle Inspection Law.	A Law to Establish Road Traffic Administration and Make Provisions for Road Traffic and Vehicle Inspection in Plateau State and Other Connected Purposes.	The Law seeks to establish Road Traffic Administration and Make Provisions for Road Traffic and Vehicle Inspection in Plateau State.	7/09/2017

2. In accordance with Section 100 (3) of the 1999 Constitution (As Amended), I forward to you the Law as passed for your assent.

Rt. Hon. Peter Ajang Azi
Speaker





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