

**STATUTORY INSTRUMENTS SUPPLEMENT**

*to The Uganda Gazette No. 58 Volume XCV dated 18th October, 2002.*

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**STATUTORY INSTRUMENTS.**

**2002 No. 68.**

**The Traffic and Road Safety (Express Penalty Scheme for Road Traffic Offenders) Regulations, 2002.**

*(Under sections 165 and 179 of the Traffic and Road Safety Act, 1998, Act No. 15 of 1998).*

IN EXERCISE of the powers conferred upon the Minister responsible for works, housing and communications by sections 165 and 179 of the Traffic and Road Safety Act, 1998, these Regulations are made this 22nd day of August, 2002.

**1. Citation.**

These Regulations may be cited as the Traffic and Road Safety (Express Penalty Scheme for Road Traffic Offenders) Regulations, 2002.

**2. Form of Notice.**

The form specified in the first Schedule to these Regulations are the prescribed notice for purposes of offering the opportunity of the discharge of any liability for conviction of a minor offence by payment of a fixed penalty under the Traffic and Road Safety Act.

**3. Payment of a Fixed penalty.**

Payment of a fixed penalty shall be made at the nearest revenue bank collection on presentation of a Bank Payment Advice issued on behalf of Uganda Revenue Authority by a Police Officer or Traffic Warden.]

**4. Application of these Regulations.**

The Fixed penalty scheme shall operate in the following areas—

- (a) Kampala Municipal Council;
- (b) Entebbe Municipal Council;
- (c) Jinja Municipal Council;
- (d) Kampala-Jinja Highway;
- (e) Kampala-Entebbe Highway;
- (f) Kampala-Masaka Highway;

**5. Schedule of Minor traffic offences..**

(1) The offences specified in the first column Second Schedule are minor offences for purposes of the fixed penalty scheme.

(2) The penalty for contravention of those minor offences are specified in the currency point corresponding to them in the second column of the Second Schedule.

(3) "Currency point" means the value of currency point specified in the Third Schedule.

SCHEDULES

FIRST SCHEDULE

UGANDA POLICE

(National emblem) (Serial No.)

COMPLAINT AND CHARGE

.....  
 Driver's Full Name Other Names

.....  
 Driver's Driving Permit and Class(es)

.....  
 Municipality/Town County S/County Village

.....  
 Sex Age Box Telephone Number

.....  
 Vehicle Registration Number Make Colour(s)

.....  
 Place of Offence Date of Offence Time of Offence

.....  
 Name of Owner Address

S/No.	Tick	SEC.	OFFENCES
1		32(1) & 177(1)	Failing to notify change of ownership and address
2		34(1) (d)	Using Motor vehicle on road which is not registered
3		36 (1) & 177 (1)	Prohibition of driving without a valid driving permit
4		38 (7) (b)	Instructing without valid Instructor's Licence
5		38 (7) (c)	Instructing any person to drive other than enrolled student

6		58 (d)	Learner driving without displaying “L” plates
7		58 (e)	Displaying “L” plates while not being licensed Instructor
8		58 (h)	Permitting learner to drive without displaying “L” plates
9		58 (i)	Making false statement while applying for Driving Permit/Licence
10		100 (1) & (2)	Prohibition of Touting
11		105 (1) & (3)	Overloading
12		105 (2) & (3)	Dangerous loading
13		106 (1) (a)	Carriage of passengers/goods without licence to do so
14		106 (1) (b)	Bleaching operators Licence
15		120	Careless/inconsiderable use of motor vehicle
16		121 (1) (a)	Overspeeding
17		122 (4)	Driving with Driving Permit not renewed
18		127 (1) & (2)	Riding in a dangerous position
19		128 (1) & (2)	Restriction on Pillion riding
20		129 (1)	Obstructing driver of a motor vehicle
21		129 (2) & (3)	Interfering with safe driving
22		133 (3)	Confusing Traffic signs/Device with boards notices
23		135 (2)	Failure to keep record of driver
24		149 & 177 (1)	Employer to keep record of driver
25		166 (1) (a)	Obstructing a road
26		166 (1) (b)	Non payment of street parking charges

AMOUNT OF FINE (Payable within 28 days)

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Amount in words .....

You have a right to stand trial in case you do not want to pay fine or to pay the fine.

.....  
 Officer’s Name and Signature      Force Number & Rank      Station

WARNING:- FAILURE TO SIGN MAY LEAD TO YOUR ARREST

I sign my name as an evidence of receipt of a copy of this charge and not as an admission of guilt. I will comply with the requirements.

.....  
Driver's Name and Signature                      Date

- Original—to the Driver
- Duplicate—File copy
- Triplicate—to Uganda Revenue Authority
- Quadruplicate—to remain in the book

SECOND SCHEDULE  
COLUMN 2  
FIXED  
PENALTY

COLUMN 1  
MINOR  
OFFENCES

Being an offence in respect of a motor vehicle, trailer or engineering plant.

**166. Punishable without prosecution**

(1) (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 charge made at a street parking place.

**32. Notice of change of ownership**

(1) Within fourteen days after the sale or other disposition of any kind whatsoever of any registered motor vehicle, trailer or engineering plant, the person selling or otherwise disposing of it shall—

Two currency points

(a) notify, in the prescribed form accompanied by the prescribed fee, a licensing officer of the sale or disposition, the name and address of the new owner, the mileage, recorder (if any) of the motor vehicle, trailer or engineering plant and such other particulars as may be prescribed; and

Two currency points

- (b) deliver the registration book and registration plate of the motor vehicle, trailer or engineering plant to the licensing officer.

Any person who contravenes these provisions commits an offence and is liable on conviction to a fine not less than ten currency points and not exceeding forty currency points or imprisonment not less than one year and not exceeding two years or both.

### **34. Offences and penalties**

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

- (c) without any insurance prescribed by law for that use;

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

### **36. Prohibition of driving without a valid driving permit**

- (1) No person shall drive any class of motor vehicle, trailer or engineering plant on a road unless he or she holds a valid learner-driving permit endorsed in respect of that group of motor vehicle, trailer or engineering plant.

### **38. Licensing of driving schools and instructors**

- (7) Any person who—

- (b) instructs any other person to drive any group of 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 motor cycle, a motor car, 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 less than ten currency points and not exceeding fifty currency points.

## **58. Offences**

Any person who—

Two currency points

- (d) while in possession of learner driving permit, drives a motor vehicle, trailer or engineering plant which is not at the time displaying 'L' plate affixed in the prescribed manner; or
- (e) not being a licensed instructor drives a motor vehicle, trailer or engineering plant which is displaying 'L' plate; or
- (h) being the holder of a valid instructor's license, 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' plate affixed in the prescribed manner; or
- (i) fails without reasonable excuse to produce his or her driving permit or learner driving permit under subsection (2) of section 36 of this Act; or

commits an offence and is liable on conviction to a fine of not less than ten currency points or imprisonment not less than six months and not exceeding three years or both.

## **100. Prohibition of touting**

- (1) No 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 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, holding 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 convenience to any person.

- (2) Any person who contravenes subsection (1) of this section commits an offence and is liable on conviction to a fine not less than two currency points and not exceeding fifteen currency points or imprisonment not exceeding six months or both.

### **105. Limitation of funds**

- (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 shall be a 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 the provisions of sub-sections (1) and (2) of this section commits an offence and on conviction shall be liable to a fine not less than five currency points and not exceeding fifty currency points.
- (4) For the purposes of this section, a person travelling on a goods vehicle shall be taken to be part of the load.

### **106. 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 on conviction is liable to a fine of not less than fifteen currency points and not exceeding sixty currency points or a term of imprisonment not less than six months and not exceeding three years 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;
- (d) cancellation of his or her licence,

under this part of this Act commits an offence and is liable on conviction to a fine not less than five currency points and not exceeding thirty currency points or to imprisonment not less than twelve months or both.

#### **120. Careless or inconsiderate use of motor vehicle.**

Every 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 less than five currency points and not exceeding thirty currency points or imprisonment not less than one month and not exceeding one year or both.

#### **121. Speeding**

Every person who—

(a) drives a motor vehicle, trailer or engineering plant of any class or description on a road at a greater speed than the prescribed maximum speed limit in respect of that road under this Act,  
or

(b) aids, abets, counsels or procures any person to drive a motor vehicle, trailer or engineering plant at a speed in excess of a speed limit lawfully imposed,

commits an offence and is liable on conviction to a fine not less than fifteen currency points or imprisonment not less than six months and not exceeding two years or both.



- (3) A person charged under this section with the offence of driving a motor vehicle, trailer or engineering plant of any description on the road at a speed greater than the maximum speed allowed, shall not be convicted solely on the evidence of one witness to the effect that in the opinion of the witness the person charged was driving the motor vehicle, trailer or engineering plant at that greater speed.

#### **122. Driving while disqualified or without driving permit**

- (4) A person who drives a motor vehicle, trailer, or engineering plant on a road while in possession of a valid driving permit 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.

#### **127. 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 foot board, 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 persons to stand or sit or by reason of the position in which he is carried or the height or arrangement of the load.

#### **128. Restrictions 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 proper seat securely fixed to the cycle.
- (2) Any person who contravenes any provision of this section commits an offence and is liable to a fine not less than five currency points and not exceeding thirty currency points or imprisonment of not less than two years or both.

#### **129. Obstructing driver of a motor vehicle, etc.**

- (1) No person in motor vehicle, trailer or engineering plant shall molest or obstruct the driver of the vehicle, trailer or engineering plant while it is in motion.
- (2) No person shall carry any passenger in a motor vehicle, trailer or engineering plant in such number or in such a position as to be likely to interfere with the safe driving of the motor vehicle, trailer or engineering plant.
- (3) Any persons who contravenes any provision of this section commits an offence and is liable on conviction to a fine not less than five currency points and not exceeding thirty currency points or imprisonment of not less than two years or both.

### **133. Traffic signs**

- (3) No board or notice which might be confused with a traffic sign or other traffic device which might render them less visible or effective or might dazzle road users or distract their attention in a way prejudicial to traffic safety shall be erected on or near a road.

### **135. Permits for herds, funeral procession or parade**

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

### **149. Employer to keep records of driver**

Any 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 permit number of that other person, and shall on demand by a police officer in uniform, produce the record for inspection.

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## THIRD SCHEDULE

### CURRENCY POINT

Currency point is equivalent to twenty thousand shillings.

JOHN NASASIRA,  
*Minister of Works, Housing and Communications.*