

STATUTORY INSTRUMENTS

SUPPLEMENT No. 1

21st January, 2001

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to The Uganda Gazette No.2 Volume XCVI dated 21st November, 2001.

Printed by UPPC, Entebbe, by Order of the Government.

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2001 No. 1.

THE TRAFFIC AND ROAD SAFETY (PARKING OF MOTOR VEHICLES) REGULATIONS, 2001.

ARRANGEMENT OF REGULATIONS.

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2001 No. 1.

The Traffic and Road Safety (Parking of Motor Vehicles) Regulations, 2001.

(Under sections 142 (d) and 179 of the Traffic and Road Safety Act, 1998, Act No. 15 of 1998).

IN EXERCISE of the powers conferred upon the Minister by sections 142 (d) and 179 of the Traffic and Road Safety Act 1998, these Regulations are made this 24th day of November, 2000.

1. Citation.

These Regulations may be cited as the Traffic and Road Safety (Parking of Motor Vehicles) Regulations, 2001.

2. Application.

These Regulations apply to Kampala District.

3. Interpretation.

In these Regulations, unless the context otherwise requires—

“agent” means a person duly appointed by the Council under regulation 4;

“chargeable parking place” means a space provided for the parking of a motor vehicle for a fee;

“Council” means Kampala City Council;

“default-parking sticker” means a document issued to the driver or owner of a motor vehicle, notifying the illegal acts of the driver or owner;

“no parking area” means a place not authorised for parking of motor vehicles;

“parking place” means an area marked and designated as a parking place under these Regulations;

“parking invoice” means a document issued to the driver or owner of a parked motor vehicle, claiming payment for parking fees;

“parking ticket” means a document acknowledging payment made, or to be made, as parking fees;

“special parking place” means a parking space reserved for buses, taxis and motor vehicles or persons requiring special parking arrangements;

“motor vehicle” has the meaning given to it in the Traffic and Road Safety Act, 1998;

4. Appointment of agent.

The Council may appoint an agent to carry out, on its behalf, the functions conferred upon the Council by these Regulations.

5. Parking places.

(1) The Council shall, in consultation with the Minister, identify roads and streets on which the Council shall designate parking places.

(2) The Council shall, by notice in the Gazette, publish the names of the roads and streets identified under subregulation (1).

(3) An agent shall, on information provided by the Council and on conditions agreed upon between the Council and the agent, make road markings indicating parking places on the streets and roads identified under subregulation (1).

(4) Road markings made by the agent under subregulation (3) shall include the demarcation of free parking places, chargeable parking places and special parking places.

6. Control and management of parking places.

The Council or its agent is responsible for the control and management of parking places designated under these Regulations.

7. Parking fees.

(1) The Council or its agent may charge a fee, determined by the Council in consultation with the Minister, for the parking of a motor vehicle in a chargeable parking place.

(2) The Council or its agent may make arrangements with a person or organisation owning a fleet of motor vehicles for the payment of a monthly or quarterly parking fee, to be determined by the Council in consultation with the Minister, for the parking of those motor vehicles.

(3) The Council may, from time to time, in consultation with the Minister, revise the parking fees prescribed under subregulation (1) and (2).

8. Payment for parking place.

(1) A person who parks a motor vehicle in a chargeable parking place between the hours of 7.00 a.m. and 6.00 p.m. on any day, excluding Sunday and public holidays, shall pay the parking fee prescribed under regulation 7.

(2) For the avoidance of doubt, no payment for parking shall be charged on Sundays and public holidays.

(3) An agent shall issue a parking invoice to a person who parks a motor vehicle in a chargeable parking place and that person shall pay the prescribed parking fee—

(a) promptly to the agent by parking ticket; or

(b) at the nearest office of the agent within 48 hours after he or she is issued with a parking invoice.

(4) A person who does not pay parking fees due within 48 hours after he or she is issued with a parking invoice shall, in addition to the fees due, pay within 7 days, a surcharge prescribed by the Council in consultation with the Minister.

(5) A person who parks a motor vehicle in more than one chargeable parking place shall pay the full fee for each parking place or part of a parking place occupied by the motor vehicle.

9. Parking tickets.

An agent, or other person duly appointed by the agent, shall issue and sell parking tickets to the public.

10. Parking stickers.

(1) Where a person or organisation pays a monthly or quarterly parking fee for a motor vehicle under regulation 7(2), the Council or agent shall issue that person with a parking sticker which shall be displayed on the motor vehicle.

(2) A valid parking sticker displayed on a motor vehicle is evidence of payment of parking fees for the period indicated on the sticker.

11. Powers of Council.

The Council or its agent may, where a person parks a motor vehicle in contravention of regulation 14, or fails or refuses to pay the prescribed parking fee or surcharge within the prescribed time—

- (a) issue the driver or owner of the motor vehicle with a default-parking sticker;
- (b) advertise the registration number of the motor vehicle which is the subject of default in at least one newspaper with wide circulation in Uganda or other media;
- (c) clamp the motor vehicle which is the subject of default; and
- (d) tow the motor vehicle to the City Engineer's Yard or to any other place designated by the Council for safe custody.

12. Towing of motor vehicles.

(1) Where the driver or owner of a motor vehicle who has been issued a default parking sticker under regulation 11 fails or refuses to pay the parking fee and surcharge, if any, the motor vehicle shall be towed to the City Engineer's Yard or to any other place designated by the Council, for storage.

(2) Towing of motor vehicles shall be done only after 6.00 p.m.

(3) The Council shall retain possession of a motor vehicle under subregulation (1) until the driver or owner has paid the parking fee, surcharge and other costs incurred by the Council or the agent as a result of the default.

(4) The costs for towing of a motor vehicle and other related costs shall conform to current market rates at the time of disbursement by the Council or its agent.

(5) Where, after a motor vehicle has been towed to the City Engineer's Yard or other place for safe custody, the driver or owner of the motor vehicle fails to pay the parking fee, surcharge, towing charge and any other costs incurred by the Council or its agent in respect of that motor vehicle, the motor vehicle shall be sold.

(6) The procedure for sale under section 154 (2) of the Traffic and Road Safety Act, 1998 shall apply to the sale of a motor vehicle under subregulation (5), except that the sale shall be initiated by the City Advocate.

13. Non liability of Council.

The Council or its agent is not liable for loss, injury or damage to any person, motor vehicle or other property in the course of the execution of its duties under these Regulations.

14. Offences and penalties.

A person who—

- (a) parks in a place which is not a designated parking place;
- (b) parks a motor vehicle in a no-parking area;
- (c) parks a motor vehicle in a no-stopping area;
- (d) parks a motor vehicle in any other area in which parking is prohibited under the Traffic and Road Safety Act 1998;
- (e) parks a motor vehicle on a pavement; or
- (f) parks a motor vehicle in a parking place in a manner which obstructs, or is inconsiderate to other road users;
- (g) fails or refuses to pay the parking fee upon demand within 48 hours after he or she is issued with a parking invoice;
- (h) refuses or fails to pay a surcharge imposed under these Regulations; or
- (i) obstructs an officer of the Council or an agent or any other officer authorised by law in the course of his or her duty;

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

15. Revocation of S.I. No. 11 of 1996.

The Traffic and Road Safety (Control of Parking of Vehicles) Regulations 1996 are revoked.

JOHN M. NASASIRA,