REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

CHAPTER 464 OF THE LAWS OF ZAMBIA

CHAPTER 464 THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC ACT

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CHAPTER 464

ROADS AND ROAD TRAFFIC

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An Act to make provision for the care, maintenance and construction of roads in Zambia, for the control of motor traffic, for the licensing of drivers and motor vehicles, for the compulsory third party insurance of motor vehicles, for the licensing and control of public service vehicles and public services, and for other miscellaneous provisions relating to roads and motor traffic.

[Parts I, II, III (sections 31-47), V (section 64), VIII, XII (sections 178-181 and 183-191), XIII (sections 192-206, 208, 210-217, 219-222, 224-229 and 231-241) and XIV (sections 242, 243, 251-255, 257, 258, 260 and 261-6*th March*, 1959]

[Part IX (sections 133-142 and 144-146)-1*st July*, 1959]

[Parts V and VI-1*st January*, 1960]

[Part XIII (section 223)-26*th August*, 1960]

[Part XII (section 182)-15*th September*, 1961]

[Part XIV (section 250)-1*st November*, 1961]

[Part XIV (sections 246-249)-1*st December*, 1961]

[Parts VII and X (sections 147-149 and 153-165)-1*st February*, 1962]

[Parts XI and XIV (sections 245 and 259)-1*st December*, 1962]

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[Part XIII (sections 198A and 198B)-24*th December*, 1971]

PART I

PRELIMINARY

Short title and commencement

1. This Act may be cited as the Roads and Road Traffic Act.

Interpretation

2. In this Act, unless the context otherwise requires-

"advertisement" includes any structure or apparatus erected, or intended, for the display of advertisements, but shall not include a traffic sign prescribed or authorised under the provisions of section *twenty-five*;

"Agricultural Officer" means an Agricultural Officer or a Land Settlement Officer of the Government, and any other person declared by the Minister by Gazette notice to be an Agricultural Officer;

"animal" means any horse, cattle, ass, mule, sheep, pig, goat or dog;

"auto cycle" means a bicycle which has pedals and a motor attached and can be propelled by means of such pedals and by mechanical or electrical power from such motor;

"axle weight" means, in relation to an axle of a vehicle, the aggregate weight transmitted to the surface of the road or other base whereon the vehicle moves or rests by the several wheels attached to that axle;

"bicycle" shall include a tricycle;

"carriageway" means that part of a road designed and constructed to be used for vehicular traffic or used or reasonably usable for the time being for that purpose, but shall not include a cycle track;

"code" means the Highway Code authorised under section *two hundred and fifty-seven*;

"the Commissioner" means the Road Traffic Commissioner appointed under this Act, and shall include the Deputy Road Traffic Commissioner and an Assistant Road Traffic Commissioner when exercising such functions of the Road Traffic Commissioner as may be delegated to him by the Road Traffic Commissioner under the provisions of section *sixty-four*;

"concession" means an exclusive concession granted under the provisions of section *one hundred and seventy-eight*;

"concession area" or "concession road" means any area or road, as the case may be, in or on which a concession holder is authorised by his concession to provide a motor omnibus service;

"concession holder" means a person to whom a concession has been granted;

"construction vehicle" means-

(*a*) a motor vehicle incorporating water-boring machinery, or construction machinery of the nature of a crane, grader, shovel, scraper, pipelayer, cablelayer, or of such other nature as may be prescribed;

(*b*) any motor vehicle or class of motor vehicle which may be regulation be declared to be a construction vehicle;

"contract car" means a motor vehicle primarily constructed or adapted for the carriage of passengers and having seating accommodation for not more than seven persons other than the driver which is let out on hire to a hirer who is himself to drive or provide the driver for such motor vehicle;

"cycle track" means a portion of a road exclusive of the carriageway set aside for use solely by persons riding bicycles;

"driver", in relation to a vehicle, means the person or persons having control of the steering apparatus thereof, and in respect of a trailer, means the person or persons driving the vehicle by which the trailer is being drawn, and in respect of an animal-drawn vehicle, means the person or persons driving the animals; and "drive" has a corresponding meaning;

"driving examiner" means any person appointed under the provisions of this Act to examine persons for driving licences;

"existing operator" means any person who, at the date of the grant of a concession, is providing a motor omnibus service along any road or in any area in respect of which such concession is granted;

"fare" means the amount paid or payable for a passenger's conveyance in a public service vehicle or for the hire of a whole passenger-carrying public service vehicle, and includes any sum paid or payable for the conveyance of luggage in excess of any free allowance and any other sums lawfully charged or chargeable by the owner of a public service vehicle or by his representative in connection with the conveyance of a passenger in such vehicle;

"footpath" means a portion of a road exclusive of the carriageway set aside for use solely by pedestrians;

"free area" or "free road" means an area or road, as the case may be, to which no concession applies;

"gate" means a swing gate of sufficient width to allow the reasonable free use of the road, having regard to the traffic thereon, and of not less width than fourteen feet, having a balance or catch or other free fastener so fixed as to enable the gate to swing clear of the road free from drag;

"goods" includes goods or burden of any description;

"goods vehicle" means a motor vehicle constructed or adapted for use primarily for the carriage or haulage of goods, or a trailer so constructed or adapted;

"gridiron track" means a track constructed through an opening in a fence intersecting a road, with the object of allowing the passage of vehicles and preventing the passage of livestock;

"gross weight" means the net weight of a motor vehicle or trailer together with such weight of goods or passengers or both as the vehicle or trailer may be authorised in terms of this Act to carry;

"heavy trailer" means a trailer exceeding eight thousand pounds gross weight;

"heavy vehicle" means a motor vehicle exceeding eight thousand pounds gross weight;

"heavy goods vehicle" means a heavy vehicle, constructed or adapted for use for the carriage or haulage of goods, or a heavy trailer so constructed or adapted;

"highway authority" means the authority responsible for the construction, care and maintenance of any road or class of road in accordance with the provisions of this Act;

"hire car" means a public service vehicle having seating accommodation for not more than seven persons other than the driver which is let with a driver under contract over a period which is not less than twenty-four hours for the carriage of passengers otherwise than at separate fares;

"identity card" means, in the case of a police officer, a certificate of appointment or other document issued by or on behalf of the Commissioner of Police and, in the case of a road traffic inspector, a certificate of appointment or other document issued by or on behalf of the Commissioner, to enable the holder to be identified as a police officer or road traffic inspector, as the case may be;

"intersection" means the crossing of two or more roads;

"intoxicating liquor" includes both intoxicating liquor as defined in the Liquor Licensing Act and traditional beer as defined in the Traditional Beer Act; Cap. 167 Cap. 168

"invalid carriage" means a mechanically propelled vehicle the weight of which unladen does not exceed five hundredweight and which is specially designed and constructed, and not merely adapted, for the use of persons suffering from some physical defect or disability and is used solely by such persons;

"laden weight" means the net weight of a motor vehicle or trailer, together with the actual weight of goods or passengers or both carried by such vehicle or trailer;

"licensing officer" means a person appointed as such under the provisions of section *sixty-four*;

"light trailer" means a trailer fitted with pneumatic tyres, the gross weight of which does not exceed two thousand pounds;

"lighting-up time" means from sunset to sunrise;

"local authority" means a municipal council, township council or mine township board, but does not include a rural council; and "local authority area" means the area over which a local authority exercises jurisdiction;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"motor cycle" means any motor vehicle-

(*a*) which is carried on two wheels only and includes any such motor vehicle with a sidecar or similar attachment, and an auto cycle; or

(*b*) which is carried on three wheels only, is not capable of being driven backwards under its own power, and does not exceed seven hundred pounds net weight;

"motor omnibus" means a public service vehicle, other than a hire car and a taxicab, hired for conveying passengers or otherwise used for conveying passengers for reward, whether at separate fares or otherwise;

"motor omnibus service" means a road service for the carriage of passengers in motor omnibuses but, save as provided by section *one hundred and eighty-seven*, does not include the carriage of goods in, on or about any motor omnibus or any trailer attached thereto;

"motor vehicle" means any mechanically propelled vehicle intended for use, or capable of being used, on roads unless such vehicle shall have been specifically excluded by regulation from this definition;

"net weight" means the actual weight of a motor vehicle when unladen, but inclusive of the weight of the body, the full amount of water, fuel and accumulators which are normally carried or used for purposes of propulsion and the normal full equipment of loose tools and accessories, and, in the case of a trailer, means the actual weight of the trailer when unladen but inclusive of the normal full equipment of loose tools and accessories;

"owner" means, in relation to a vehicle other than a registered motor vehicle or trailer, the person having habitual possession and control thereof and, in relation to a registered motor vehicle or trailer, the person in whose name the motor vehicle or trailer is registered:

Provided that in the case of a vehicle or trailer which is the subject of a hire-purchase agreement, the term means the person in possession of the vehicle under that agreement;

"Panel" means the Road Transport Panel established under section *one hundred and forty-seven*;

"parcel" means any package not exceeding eleven pounds in weight, and not exceeding three feet six inches in length or six feet in length and girth combined;

"park" means to keep a vehicle, whether occupied or not, stationary for a period of time greater than is reasonably necessary for the actual loading or unloading of persons or goods;

"pneumatic tyre" means a tyre composed of flexible material and when in use kept inflated at an air pressure greater than atmospheric pressure;

"prescribed" means prescribed by rules or regulations made under this Act;

"private motor car" means a motor vehicle (other than a public service vehicle, motor cycle or contract car) constructed or adapted for use primarily for the carriage of passengers and includes vehicles commonly known as "coupe imps" and "station-wagons";

"private motor omnibus" means a motor vehicle, other than a public service vehicle, having seating accommodation for more than seven persons other than the driver;

"public place" includes any public way or place, other than a building, to which for the time being the public are entitled or permitted to have access either with or without condition;

"public road" means any road of a class described in section *three*;

"public service vehicle" means a motor vehicle or trailer, other than a contract car, hired for conveying passengers or goods or both or otherwise used for conveying passengers or goods or both for reward:

Provided that for the purposes of this definition a hire-purchase agreement shall not be deemed to be a hiring.

Goods shall be deemed to be carried for hire or reward if the person who has purchased or otherwise acquired such goods from some other person transports them to any other place, and thereupon resells or otherwise disposes of them to the person from whom he purchased or otherwise acquired them;

"road" means any highway, and any other road to which the public have access and any public place to which vehicles have access and any road in any residential area, whether access to it is restricted or not, which is part of a municipality, township or mine township, and includes any bridge, ford, culvert or other work in the line of such road;

"road reserve" means any part of a road other than the carriageway, footpath and cycle track;

"road traffic inspector" means any person appointed as such by Gazette notice;

"structure" includes-

(*a*) any building, pole, power line, petrol pump, machinery, wall, plantation or hedge and any other object which could in like manner cause an obstruction; and

(*b*) any external alteration or addition to a structure;

"taxicab" means a public service vehicle having seating accommodation for not more than seven persons other than the driver which is let with a driver over a period of less than twenty-four hours for the carriage of passengers otherwise than at separate fares;

"ton" means one thousand kilogrammes;

"tractor" means a motor vehicle which is used for the purpose of drawing one or more trailers, but which is not itself designed to carry any load;

"traffic" includes vehicles, pedestrians, processions and bodies of troops, and all animals being ridden, driven or led;

"traffic sign" means any object or device, whether fixed or portable, for conveying warning, information, requirements, restrictions, prohibitions of any description prescribed or authorised under this Act to traffic or any specified description of traffic on any road, and includes any line or mark on a road for conveying such warnings, information, requirements, restrictions or prohibitions;

"trailer" means any vehicle which has no independent motive power of its own and which is drawn, or which is designed to be drawn, by a motor vehicle. It does not include a sidecar attached to a motor cycle, nor a farm implement that is not constructed or adapted for the conveyance of goods or burden of any description;

"Tribunal" means the Road Service Appeal Tribunal established under section *one hundred and fifty-eight*;

"undertaker" means the authority, body or person by whom a statutory power to execute undertakers' works is exercisable in the capacity in which that power is vested in them;

"undertakers' works" means works (including works executed or to be executed on behalf of the Government) for any purposes other than road purposes, being works of any of the following kinds, that is to say:

(*a*) placing apparatus, inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, or changing the position of apparatus or removing it;

(*b*) breaking up or opening a road for the purposes of works mentioned in paragraph (*a*) of this definition, and tunnelling or boring under a road for those purposes, breaking up or opening a sewer, drain or tunnel for those purposes, and other works requisite for or incidental to those purposes, and shall include laying any pipeline, wire or cable on or over any such road;

"vehicle" includes any engine, wagon, dray, cart, carriage, bicycle, or other means of carrying goods or persons by land, having two or more wheels, whether drawn or propelled by human, animal, steam, electric or other power;

"vehicle examiner" means any person appointed under the provisions of this Act to examine motor vehicles;

"works" includes any pipe, tube, tunnel, permanent excavation, quarry, irrigation works, borehole or well, and any addition or alteration to such works.

(*As amended by Nos.* 19 *and* 26 *of* 1959, *No.* 38 *of* 1960, *No.* 17 *of* 1961, *No.* 25 *of* 1963, *S.I. No.* 36 *of* 1964, *S.I. No.* 122 *of* 1965, *No.* 19 *of* 1966, *No.* 25 *of* 1969, *No.* 50 *of* 1970 *and No.* 3 *of* 1971)

PART II

ROADS: GENERAL

3. The public roads of Zambia shall be classified as follows: Classification of roads

(*a*) inter-territorial main roads, being the public roads specified in the Appendix;

(*b*) territorial main roads, as defined in section *four*;

(*c*) district roads, as defined in section *five*;

(*d*) branch roads, as defined in section *six*;

(*e*) rural roads, as defined in section *seven*;

(*f*) estate roads, as defined in section *eight*:

Provided that no road or portion of a road situated within the limits of a mine township shall be classified or designated as a public road without prior consultation with the board of management of such mine township.

(*As amended by No.* 17 *of* 1961, *G.N. No.* 293 *of* 1964 *and No.* 25 *of* 1969)

PART IIA

Repealed by Act No. 35 *of* 1995 (now Cap. 471).

PART IIB

Repealed by Act No. 35 *of* 1995 (now Cap. 471).

4. (1) Territorial main roads shall be those roads, other than inter-territorial main roads, so designated by the Minister by statutory notice. Territorial main roads

(2) In respect of all main roads in any area other than in a local authority area the Director of Roads shall be the highway authority responsible for the construction, care and maintenance of such roads, and all expenses incurred in such construction, care and maintenance shall be borne by the Government.

(3) In respect of main roads or portions thereof in a local authority area, the highway authority shall be the local authority concerned:

Provided that such proportion of the expenses incurred by a local authority in the construction, care and maintenance of main roads as may be directed by the Minister in any case shall be borne by the Government.

(*As amended by No.* 17 *of* 1961, *No.* 25 *of* 1963 *and G.N. No.* 293 *of* 1964)

District roads

5. (1) District roads shall be those so designated by the Minister by statutory notice.

(2) The Minister shall have power to appoint, by statutory notice, a highway authority in respect of all or any district roads in any area other than a local authority area, and such highway authority shall be liable for the construction, care and maintenance of such roads:

Provided that all expenses incurred in such construction, care and maintenance shall be borne by the Government except as may be otherwise provided in this Act.

Branch roads

6. (1) Branch roads shall be those so designated by the Minister by statutory notice.

(2) The Minister shall have power to designate branch roads either on his own motion or after application under section *fifteen*.

(3) The Minister shall have power to appoint a highway authority in respect of all or any branch roads in any area other than a local authority area and such highway authority shall be liable for the construction, care and maintenance of such branch roads.

(4) It shall be competent for the Minister in designating any branch road to order whether and in what proportion the cost of such construction, care and maintenance of the said road shall be borne by the owners of the property served by the said road or otherwise. Where such costs are ordered to be borne by any person other than the highway authority concerned, the said costs shall be paid by such person to the highway authority concerned in accordance with such regulations as may be made in that behalf, and may be recovered from him by the highway authority as a civil debt.

(5) Any order made under subsection (4) may be varied by the Minister by a subsequent order.

Rural roads

7. (1) Rural roads shall be those roads outside a local authority area which may be so designated by the Minister by statutory notice on the application of the Resident Secretary of the Province in which they are situated.

(2) The highway authority in respect of any rural road shall be the rural council administering the area in which such road is situated and such rural council shall be liable for the construction, care and maintenance of the rural roads within its own area.

(3) A rural council shall be eligible to receive such grant from the Government towards the cost of construction, care and maintenance of rural roads in its area as the Minister may from time to time determine.

(*As amended by No.* 25 *of* 1969)

Estate roads

8. (1) Estate roads are roads outside a local authority area provided for purposes of internal access in any area being developed whether by Government or otherwise for residential plots or farms.

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(2) The Minister shall have power to make rules for the designation, provision, construction, care and maintenance of estate roads in any area being developed as aforesaid other than an area which is subject to a development scheme approved under the Town and Country Planning Act.

(3) The cost of construction, care and maintenance of estate roads shall be borne in such proportion as the Minister may order by the owners or occupiers of the land which is served by such roads, unless the Minister shall otherwise order in any particular case, and any such costs or proportion thereof shall be recoverable by the highway authority from the person or persons liable as a civil debt.

(*As amended by No.* 26 *of* 1959 *and G.N. No.* 275 *of* 1964)

Exemption of roads from certain provisions of this Act

9. The Minister shall have power to declare, by statutory notice, that the provisions of sections *twenty-seven, twenty-eight, twenty-nine, thirty, forty-three* and *forty-eight* to *fifty-four* shall not apply to branch roads, rural roads or estate roads in any area or areas which may be designated in such notice.

(*As amended by No.* 25 *of* 1969)

Public roads dedicated to public use

10. (1) All public roads shall, upon designation as such in accordance with the provisions of this Act, be deemed to be dedicated to public use, subject to such restriction of user as may be prescribed.

(2) The highway authority concerned shall at all times have the right to enter and, subject to the provisions of this Act, to carry out any works and exercise any powers in relation to any public road or proposed public road.

(3) In relation to any public road or proposed public road which is constructed after the commencement of this Act, no work in relation to the construction of such road shall be carried out on any land without prior notice in writing to the owner or occupier of the land concerned, or, in any case where such owner or occupier cannot be traced within a reasonable time, without prior notice sent by registered post to the last known address within Zambia of such owner or occupier.

(4) In the case of any public road or proposed public road which is constructed after the commencement of this Act, compensation may be paid to the owner or occupier of any land over which such road is constructed in accordance with the following provisions:

(*a*) any claim for compensation shall be submitted in writing and shall set out the nature of the interest of those claiming compensation and give details of any expense or loss which may reasonably be incurred directly as a result of the taking or dedication to public use of such land;

(*b*) in the event of failure to agree upon the amount of compensation the matter shall be decided by arbitration;

(*c*) in the case of any arbitration the arbitrator, in making his award, shall, unless in any case the Minister shall otherwise direct-

(i) assess compensation in respect of improvements existing before the date of the notice given in terms of subsection (3) and damaged or destroyed or lost to the use of the owner or occupier by virtue of the construction and designation of the road concerned;

(ii) assess compensation for land taken on the basis of its market value at the date of the notice given in terms of subsection (3) having regard to the nature of the land taken and the period for which it will be lost to the owner or occupier:

Provided that-

A. where part only of a holding is taken, compensation for such part shall be calculated on the basis of its value as an integral part of the whole;

B. no enhancement in the market value of the land due to the proposed construction or extension of the road shall be taken into account:

(iii) not take into account the special suitability or adaptability of the land for road purposes;

(iv) not take into account any loss incurred or suffered as a result of a reduction in the traffic over a public road due to realignment, closure or change in status of such road;

(v) take into consideration any compensation already agreed or otherwise determined in accordance with the provisions of section *thirty-nine*.

(*As amended by No.* 17 *of* 1961)

Service of notice in Reserves, etc.

11. Whenever under any of the provisions of this Act any notice is required to be served upon the owner or occupier of land, then, in respect of Reserves and Trust Land, such requirement shall be deemed to have been satisified by the service of a notice upon the District Secretary in whose District the land concerned is situated.

Highway authorities in local authority areas

12. (1) In respect of any public road or portion thereof in any local authority area, the highway authority shall be the local authority concerned and shall be responsible for the construction, care and maintenance of the said roads subject to the following provisions:

(*a*) in respect of main roads, the costs of construction, care and maintenance shall be borne in accordance with the provisions of subsection (3) of section *four*;

(*b*) in respect of district roads, such proportion of the costs of construction, care and maintenance as may be directed by the Minister in any case shall be borne by the Government and paid to the local authority concerned.

(2) Nothing in the foregoing sections of this Act shall be construed as taking away any powers conferred by any other written law on a local authority in respect of the construction, care and maintenance of roads within its area of jurisdiction.

(*As amended by S.I. No.* 122 *of* 1965)

Width of roads

13. (1) The Minister shall have power to declare, by statutory notice, the width of any road or class or classes of road. Except as otherwise provided the width shall be-

(*a*) for a main road, two hundred feet;

(*b*) for a district road, one hundred and twenty feet;

(*c*) for a branch road, one hundred and twenty feet;

(*d*) for any other class of road, sixty feet.

(2) The width prescribed in subsection (1) shall not apply to any main, district or branch road within any local authority area.

(3) The centre line of a road shall in every case lie down the centre line of the carriageway thereof, unless the Minister shall in any case otherwise provide by statutory notice.

Control points of access, structures, etc.

14. (1) The Minister shall have power to make rules to control the number, location and design of points of access of public or private roads to all main and district roads.

(2) The highway authority shall also have power to require the owners of buildings and property to provide service roads to give access to buildings or property and to prohibit the erection of any buildings with a direct frontage on to a main or district road:

Provided that nothing in this section shall apply to roads within a local authority area.

(3) The Minister shall have power to make rules providing for the removal, or controlling the erection or modification, of any structure, or controlling the carrying out of any works, on or under land within three hundred feet of the centre line of any main or district road outside a local authority area, and any such rules may provide for the payment of compensation in respect of any such matter and the manner in which such compensation shall be assessed.

(*As amended by No.* 26 *of* 1959, *No.* 17 *of* 1961 *and G.N. No.* 275 *of* 1964)

Opening of branch roads

15. (1) Occupiers of land adjoining any road may apply to the Minister through a highway authority to have such road designated a branch road. In such cases the following provisions shall be observed and shall be applicable:

(*a*) every application must be made in writing and shall state-

(i) the point on the main or district road from which the branch road is required;

(ii) the farms or land through or over which it is proposed that a road shall be designated and the names of the owners or occupiers thereof;

(iii) the terminal point to which it is proposed that the road should be designated;

(*b*) notice shall be given by the applicants in one newspaper published or circulating in the district through which it is proposed to make such road that such application has been or will be made.

(2) The notice prescribed in subsection (1) (*b*) shall call upon any person objecting thereto to lodge at the office of the highway authority within three months after the date of the publication of such notice his objections thereto in writing.

(*As amended by No.* 17 *of* 1961)

Report and recommendations to be submitted to Minister

16. (1) The highway authority, on receiving any such application, may require the applicants to deposit such sum of money as may appear to be necessary for the purpose of defraying the expense of causing the proposed route to be inspected by a competent person or persons and a report thereon made for submission to the Minister.

(2) After considering any such application and any objection thereto made under section *fifteen* (2) and after making such further inquiries as it may deem fit, the highway authority shall made a report and recommendations on the matter to the Minister.

(3) If upon the consideration of any such report and recommendations it shall appear to the Minister that the road is one necessary or proper to be allowed, he may, by statutory notice, designate such a road to be a branch road and he may determine whether the whole or any part of the expense incurred in obtaining a report upon and causing the road to be designated should be paid and borne by the parties for whose use or at whose instance the same was so designated.

Branch roads may be designated district roads

17. (1) The occupiers of any land which abuts upon a branch road may apply in writing to the Minister through the highway authority concerned to have such branch road designated a district road.

(2) Notice shall be given by the applicants in one newspaper published or circulating in the district through which such road runs that such application has been or will be made.

(3) Such notice shall call upon any person objecting thereto to lodge at the office of the highway authority concerned within three months after the date of the publication of such notice his objections thereto in writing.

Consideration and determination of application

18. (1) The highway authority on receiving any such application may require the applicants to deposit such sum of money as may appear to be necessary for the purpose of defraying the expense of causing the proposed road to be inspected by a competent person or persons and a report thereon made for submission to the Minister.

(2) After considering any such application and any objection thereto made under section *seventeen* and after making such further inquiries as it may deem fit, the highway authority shall make a report and recommendations on the matter to the Minister.

(3) If upon consideration of any such report and recommendations it shall appear to the Minister that the application is one which should be approved, he may, by statutory notice, designate such road a district road and may determine whether the whole or any part of the expenses incurred in obtaining the report upon or in causing the road to be designated should be borne by the parties for whose use or at whose instance the same was so designated.

Reclassification, closure or diversion of road

19. The Minister upon sufficient cause shown to his satisfaction may, by statutory notice and advertisement in one newspaper published or commonly circulating in the district concerned, declare that any road or part thereof designated or classified as an inter-territorial or a territorial main road, district road, branch road or rural road shall, as from the date to be stated in the said notice, cease to be so designated or shall be reclassified or shall be diverted:

Provided that in the case of any such road or portion thereof situated in a local authority area, the powers conferred upon the Minister by this section in respect of diversions shall be exercised by the local authority, subject to the provisions of any law in force in such local authority area and subject to the right of appeal by any persons to the Minister.

(*As amended by No.* 25 *of* 1969)

Notice to be given

20. (1) Before any statutory notice under section *nineteen* shall be published relating to the closing, reclassification or diversion of any road, the Minister shall require or direct that notice of the intention to close, reclassify or divert such road shall be-

(*a*) posted for general information at some conspicuous place outside the office of the District Secretary of the District within which such road is situated and if he deems requisite at such other offices or places as he shall direct;

(*b*) advertised in the *Gazette* and in one newspaper published or commonly circulating in such District.

Such notice shall clearly describe the road sought to be affected and the situation thereof and shall call upon any person objecting to lodge at the office of the highway authority concerned within one month after the date of the publication of such notice in the *Gazette* his objections in writing.

(2) The highway authority shall consider any such objection and shall make a recommendation to the Minister.

(*As amended by No.* 17 *of* 1961)

Disposal of storm water

21. (1) A highway authority in consultation with the owners or occupiers concerned may construct in or on any road for which it is responsible, culverts, ditches or other works for the diversion of storm water from or under any such road into adjoining land.

(2) In respect of any loss or damage caused by water diverted under the provisions of subsection (1), the highway authority shall pay to the owner or occupier of the land concerned such amount of compensation as may be agreed at the time of the construction of the culvert, ditch or other work, and in default of such agreement such amount shall be determined by arbitration in accordance with such procedure as may be prescribed.

(3) In assessing the amount of any loss or damage for the purposes of this section, regard shall be had to any increased benefit of the road to the owner or occupier of the land concerned and to any diminution in the value of the land occasioned by the diversion of storm water.

Storm water from land adjoining

22. (1) If any owner or occupier of land adjoining any public road has constructed drains or contour ridges for the purpose of improving or protecting his property, he shall not cause or permit storm water to discharge from such drains or contour ridges on to such road or into any existing road drain on such road without the permission of the highway authority concerned.

(2) In the event of any application for permission in terms of subsection (1), the highway authority concerned shall grant permission if the applicant agrees to pay the expenses of any enlargement or alteration of such road drains which is considered necessary by such highway authority.

(3) In the event of permission being refused or any dispute as to the necessity for such enlargement or alteration of drains arising, the matter shall be referred for decision to the Minister in consultation with the Natural Resources Board.

(4) Any person failing to comply with the provisions of this section shall be guilty of an offence.

Control of roads and traffic

23. (1) The Minister may from time to time by statutory notice-

(*a*) prohibit any specified description of traffic from using any public road or portion thereof;

(*b*) restrict the volume or speed of any specified description of traffic on any public road or portion thereof;

(*c*) prohibit any specified description of traffic from travelling on any public road or portion thereof otherwise than in a specified direction;

(*d*) prohibit or restrict the waiting of any description of traffic or the loading or unloading of vehicles on any public road or portion thereof;

(*e*) prohibit the use of any public road or portion thereof by through traffic;

(*f*) prohibit or restrict the overtaking of traffic by vehicles or any class of vehicles on any public road or portion thereof;

(*g*) restrict the use of any public road or portion thereof to traffic of a specified description or to vehicles being used for a specified purpose or by or under the directions of any specified person;

(*h*) prohibit the use of any public road by animals or by vehicular traffic of a kind which, or the use thereof by such traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.

(2) Before the publication of any notice under subsection (1), the Minister shall require or direct that notice of the intention of any such prohibition or restriction shall be posted for general information at some conspicuous place outside the office of the District Secretary of the District within which the notice is intended to operate, and, if he deems requisite, at such other offices or places as he shall indicate and shall be published once in the *Gazette* and in some newspaper circulating within such District. The notice shall clearly describe the road or portion thereof sought to be affected and shall contain full particulars of the proposed prohibition or restriction and shall call upon any person objecting thereto to lodge at the office of the Minister within one month after the date of the publication of such notice in the *Gazette* his objection thereto in writing:

Provided that whenever he considers it expedient in the circumstances of any particular case, the Minister may issue a notice under subsection (1) without the preliminary notice otherwise required under this subsection.

(3) The Minister may from time to time revoke, vary or amend any notice published under subsection (1).

(4) Any person who fails to comply with the terms of any notice issued under subsection (1) shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(*As amended by No.* 17 *of* 1961
and Act No. 13 *of* 1994)

Powers of highway authority to control traffic

24. (1) Subject to the provisions of this section, if a highway authority is satisfied that traffic on any road for the maintenance of which it is responsible should, by reason of works of repair or construction being required or being in progress on or near such road, be diverted wholly or in part on to any other existing road or roads, it may by order prohibit or restrict the use of that road or any part thereof in such manner as may be specified, and direct that such traffic as may be affected by such prohibition or restriction shall use such other existing road or roads.

(2) A highway authority shall, not less than fourteen days before making an order under subsection (1), cause notice of its intention to make such order to be published in the *Gazette* and shall also, at least fourteen days before the date upon which such order comes into force, cause it to be published in like manner. Every such notice shall contain a statement of the effects of the order and a description of the alternative route or routes available for traffic:

Provided that in any case where the highway authority concerned is satisfied that owing to the likelihood of danger to the public or serious damage to the road it is necessary to prohibit or restrict the use of such road forthwith, it may make any order under subsection (1) without publication of any notice under this subsection.

(3) So long as any order made under this section is in force, a notice stating the effect of the order and describing the alternative route or routes available for traffic shall be kept posted in a conspicuous manner at each end of the part of the road to which the order relates and at the points at which it is necessary for vehicles to diverge from such road, and the diversion route shall at all times be clearly indicated to traffic using it by means of suitable signs.

(4) In addition to the powers conferred upon it by subsections (1) and (2), a highway authority may at any time by means of suitable barriers close or restrict the use of all or any part of any road within its jurisdiction for the purposes of repair or reconstruction:

Provided that-

(i) subject to the provisions of section *thirty-four*, wherever possible a deviation for the passage of traffic shall be provided within or adjacent to the road reserve concerned;

(ii) all reasonable steps shall be taken to display adequate traffic signs in accordance with subsection (2) of section *twenty-six* giving reasonable warning to traffic using the road of any such closure or restriction.

(5) Any person who uses or permits the use of any animal or vehicle in contravention of any order issued by a highway authority under this section shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding six hundred penalty units.

(*As amended by No.* 17 *of* 1961
and Act No. 13 *of* 1994)

Traffic signs

25. (1) Subject to and in conformity with such general or other directions as may be given by the Minister, a highway authority may cause or permit traffic signs to be placed on or near any road in its area:

Provided that a railway administration may, subject to the provisions of this Act and any regulations made thereunder, place traffic signs at any level crossing without obtaining the permission of a highway authority.

(2) Traffic signs shall be of the prescribed size, colour and design except where the Minister authorises the erection or retention of a sign of another character.

(3) After the commencement of this Act no traffic signs shall be placed or retained on or near any road except under and in accordance with the preceding provisions of this section.

(4) The highway authority may, by notice in writing, require the owner or occupier of any land on which there is any object or device (whether fixed or portable) for the guidance or direction of persons using roads to modify or remove it, and if any person fails to comply with such a notice the highway authority may itself effect the removal and may recover summarily as a civil debt from the person so in default the expenses incurred by it in so doing.

(5) A highway authority shall, if so directed by the Minister, remove or cause to be removed any traffic sign or any such object as is mentioned in subsection (4).

(6) The Minister shall have power to give directions to a highway authority for the placing on any road of a traffic sign of any prescribed type or authorised character specified in the directions or for replacing such sign as may be so specified, or for converting a sign into a sign of another prescribed type.

(7) If a highway authority fails to comply with any direction given under subsection (5) or (6), the Minister may order the work to be carried out by the Director of Roads and the expenses incurred in so doing may be recovered summarily as a civil debt from the highway authority concerned.

(8) Notwithstanding any other provision of this Act, any traffic sign which was, before the commencement of this Act, lawfully erected under any written law, and which is a traffic sign or of a class of traffic sign which may be specified by the Minister by statutory notice, shall continue to be lawful for such period as may be specified in such notice, and shall during such period be deemed to be a traffic sign lawfully erected under this Act.

(9) In any prosecution for a contravention of an instruction conveyed by a traffic sign, such sign shall be deemed to have been lawfully placed and displayed and to comply with the requirements prescribed for such traffic sign unless and until the contrary is proved.

(10) Any person who removes, mutilates, obscures or in any way damages or interferes with, or, without the permission of the highway authority concerned, attaches any notice or other thing to any traffic sign shall be guilty of an offence and shall be liable to a fine not exceeding one thousand penalty units or to imprisonment for a period not exceeding three months, or to both.

(*As amended by No.* 38 *of* 1960, *No.* 25 *of* 1963
S.I. No. 122 *of* 1965 *and Act No.* 13 *of* 1994)

Temporary traffic signs

26. (1) A police officer or any person acting under the instructions (whether general or specific) of the Commissioner of Police may place on any road, or on any structure on any road, traffic signs of any size, colour or type prescribed or authorised under subsection (2) of section *twenty-five*, being signs indicating such prohibitions, restrictions or requirements relating to vehicular traffic as may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic or danger to or from traffic in consequence of an accident or other unforeseen or extraordinary circumstances.

(2) The powers conferred by subsection (1) may also be exercised by a highway authority when engaged upon works of maintenance or reconstruction in respect of the length of road being so maintained or reconstructed.

(3) Any traffic sign placed in accordance with the provisions of this section shall be removed as soon as the circumstances or works on account of which it was placed have ceased to exist or have been completed, as the case may be.

Control of advertisements

27. (1) Subject to the provisions of section *twenty-nine*, no person shall erect or display an advertisement which is visible from any road without the written permission of the highway authority.

(2) The highway authority may grant or refuse such permission and if it grants such permission it shall prescribe therein-

(*a*) the specifications to which the advertisement shall conform;

(*b*) the period during which the advertisement may be displayed; and

(*c*) the manner, place and circumstances in which and the conditions on which the advertisement may be displayed.

(3) The highway authority may at any time alter or revoke any such written permission.

Removal or alteration of advertisements

28. (1) If an advertisement, which is visible from a road-

(*a*) is being displayed without the written permission of the highway authority or after the expiration or revocation of such permission; or

(*b*) does not conform to the specification prescribed in the written permission to display the advertisement or is being displayed in a manner or place or in circumstances or under conditions other than those prescribed in such permission;

the highway authority may cause the person displaying such advertisement to be directed, by notice in writing, to remove it or to effect such alterations in the nature of the advertisement or in the manner, place or circumstances in which it is being displayed as may be prescribed in such notice within the period prescribed in such notice.

(2) If the person displaying such advertisement fails within the period prescribed to comply with the directions given in such notice, he shall be guilty of an offence.

(3) If the person displaying an advertisement fails to comply with any directions given to him under the provisions of subsection (1), the highway authority may cause the advertisement to which the direction relates to be removed.

(4) The cost of removing any advertisement under the provisions of subsection (3) may be recovered by the highway authority as a civil debt from the person who failed to comply with the direction.

(5) Notwithstanding any other provision contained in this section, a person to whom a direction is given under this section may, before the expiration of the period prescribed in the notice containing such direction, appeal to the Minister against such direction.

(6) Where the Minister dismisses an appeal made under subsection (5), the person appealing against a direction shall comply with the direction within such period as the Minister shall specify when dismissing the said appeal.

(7) Where a person who has appealed against a direction fails to comply with the direction within the time specified under subsection (6), the provisions of subsections (3) and (4) shall apply.

(*As amended by No.* 17 *of* 1961)

29. (1) The provisions of sections *twenty-seven* and *twenty-eight* shall not apply to- Exceptions

(*a*) the display of an advertisement on a vehicle which is being used on a road if it is proved that the main purpose for which the vehicle is being so used is not to display such advertisement;

(*b*) the display of advertisements in any local authority area;

(*c*) the display on a building, or site, or within one hundred yards of a building or site, of an advertisement which otherwise than on a road-

(i) merely discloses the name or nature of any business or undertaking carried on in such building or on such site or the name of the proprietor or manager of such business or undertaking; or

(ii) relates solely to any article or service supplied in connection with any business or undertaking carried on in such building or on such site;

(*d*) the display otherwise than on a road of an advertisement which relates solely to-

(i) a form of recreation which is or will be available upon the land;

(ii) an entertainment, meeting or sale which is being or is to be held upon the land; or

(iii) the sale or lease of the land upon which the advertisement is displayed if the advertisement is displayed at an entrance to such land and not more than one advertisement is so displayed in respect of any one of such matters;

(*e*) the display otherwise than on a road of an advertisement which merely indicates-

(i) the name of a farm; or

(ii) that a particular road or path is a private road or path or leads to a particular place; or

(iii) that a particular act is prohibited or permitted;

(*f*) the display, otherwise than on a road and on or at a gate, of an advertisement which merely conveys-

(i) the name of a property or locality to which the gate gives access; or

(ii) a request or direction to close the gate;

(*g*) the display of any advertisement of a prescribed class if such advertisement conforms to such specifications and is displayed in accordance with such conditions as may be prescribed.

(2) If in the opinion of the Minister any advertisement displayed in accordance with the provisions of subsection (1) is likely to prove a danger to the travelling public, the Minister may call upon the person displaying such advertisement, or, in the case of signs within a local authority area, upon the local authority concerned, either to alter the advertisement or have it removed, and in such case the provisions of subsections (2), (3) and (4) of section *twenty-eight* shall apply.

(*As amended by No.* 17 *of* 1961)

Experimental schemes of traffic control

30. Where it appears to the Commissioner of Police expedient so to do for the purpose of carrying out within any specified area an experimental scheme of traffic control, he may, with the consent of the Minister and after giving such notice as the Minister may direct, make regulations for regulating vehicular traffic in any manner specified by regulation:

Provided that in no case shall the Minister give consent to any such scheme without prior consultation with any local authority concerned.

PART III

CARE, MAINTENANCE AND CONSTRUCTION OF ROADS

Care, maintenance and construction of roads

31. (1) Every highway authority shall, subject to the directions of the Minister, undertake the construction, care and maintenance of such roads or classes of roads within such area or areas as may be included in the jurisdiction conferred upon it in accordance with the provisions of this Act:

Provided that if any local authority, being the highway authority concerned, fails to maintain any part of a main or district road lying within the said local authority area, the Minister may, after giving notice to the said local authority, arrange for such works to be executed in such manner as he shall direct.

(2) Unless otherwise provided in this Act, liability to undertake the construction, care and maintenance of any road shall include liability to pay all the costs incurred in such construction, care and maintenance.

Liability of highway authorities and their staff

32. (1) No matter or thing done or omitted to be done and no contract entered into by a highway authority and no matter or thing done or omitted to be done by any officer or servant or other person acting under the direction of such authority shall, if the matter or thing done was done or omitted to be done or the contract was entered into *bona fide* in pursuance of the duties of the authority, subject any servant or agent of the highway authority to any action, liability, claim or demand whatsoever and any expense incurred by any such servant or agent shall, in connection with any such action, claim or demand, be paid by the authority out of its funds.

(2) Nothing in subsection (1) shall be deemed to debar a suit where any act or omission has been occasioned by such negligence on the part of the authority, its officers, or servants as would create liability under any other law:

Provided that the liability of a highway authority under any other law in respect of any injury, damage or loss which may accrue to any person or property through the failure of any road, ferry or pontoon to sustain any vehicle shall be limited to liability for physical damage to such person or property caused by such failure.

(*As amended by No.* 38 *of* 1960
and No. 17 *of* 1961)

Power of highway authority to enter upon land

33. (1) A highway authority shall, within the area of its jurisdiction, have the power to enter upon any land for the purpose of carrying out investigations in connection with, or surveying or setting out the line of, any proposed road, and compensation shall be payable in respect of any damage or destruction caused by such highway authority in respect of improvements on the land concerned. In the event of failure between the highway authority and the owner or occupier of the land concerned to agree upon such compensation, the matter shall be determined by arbitration in such manner as may be prescribed.

(2) No entry shall be made upon any land in accordance with subsection (1) unless prior notice has been given to the owner or occupier of the land concerned.

(*As amended by No.* 17 *of* 1961
and S.I. No. 122 *of* 1965)

Power to construct and maintain deviations

34. (1) For the purpose of constructing, repairing or maintaining any public road within its jurisdiction, it shall be lawful for any highway authority on giving prior notice to the owner or occupier concerned to construct and maintain temporary deviations over any land adjacent to such road not being land occupied by buildings, orchards, gardens or other improvements, or land under cultivation, or land within a local authority area, and no compensation shall be payable.

(2) The powers conferred upon a highway authority by subsection (1) may be exercised over land under cultivation with the concurrence of the owner or occupier concerned and on payment to such owner or occupier of such compensation as may be agreed, or failing agreement, as may be determined by arbitration in such manner as may be prescribed.

(3) Where any deviation has been constructed by a highway authority within a road reserve or otherwise, it shall be the duty of the highway authority when such deviation has ceased to be required for the purpose for which it was constructed to restore and make good to the satisfaction of an Agricultural Officer the land over which such deviation was constructed, for the purpose of preventing soil erosion.

Power to reserve land for proposed roads

35. (1) If during any investigation which is being made for the purpose of determining the course of any proposed public road, the Minister has reason to believe that the owner of or any person having any rights over or in land over which the proposed road may run is, within a distance of three hundred feet on either side of the centre line of the proposed course of such road, doing any act or intending to do any act which is calculated to interfere with any such proposed road, he may, in writing, request such owner or person to cease doing such act within such period as the Minister shall stipulate or not to do such act.

(2) If any such owner or person fails or refuses to comply with a request made in terms of subsection (1), the Minister may, by Gazette notice, reserve a strip of land to a width of three hundred feet on either side of the aforesaid centre line against all use thereof. Such notice shall specify each property affected by the reservation and shall prescribe the manner in which the area or areas reserved shall be demarcated.

(3) Publication of a notice of reservation in terms of subsection (2) shall have the effect of prohibiting any activity whatsoever upon the land reserved other than work in connection with the determination of the course of the proposed road:

Provided that-

(i) the Minister may permit such limited use of the land concerned as he may determine, subject to such conditions as he may impose;

(ii) if no action is taken in terms of section *thirty-six* within twelve months of the publication of such notice, the reservation shall be deemed to lapse.

(4) No person shall be entitled to claim as a right compensation in respect of any loss or damage suffered by reason of the exercise by the Minister of any of the powers conferred upon him by this section.

(5) As soon as possible after the publication of a notice of reservation in terms of this section the Director of Roads shall lodge with the Registrar of Lands and Deeds two copies of the engineering survey plans showing the approximate centre line of the proposed road and the boundaries of properties affected.

(*As amended by No.* 25 *of* 1963)

Reservation of road reserve

36. (1) As soon as the course of any proposed road has been demarcated, the Minister may, by Gazette notice and by advertisement in a newspaper circulating in the district concerned, reserve a strip of land two hundred feet wide along such course and shall notify such reservation in writing by registered post to the individual landowners concerned. Every such notice shall include a list of the properties affected by the reservation and shall specify the office at which plans showing the reserved strip of land may be inspected.

(2) Publication of a notice in terms of this section shall have the effect of-

(*a*) reserving the strip of land described in such notice for road purposes;

(*b*) prohibiting any activity whatsoever not connected with the construction of the road upon the land so reserved:

Provided that the Minister may permit such limited use of the land as he may determine, subject to such conditions as he may impose in granting that permission;

(*c*) cancelling any reservation made in terms of subsection (2) of section *thirty-five* in respect of land affected by a reservation made in terms of this section, and any other land immediately adjacent thereto.

(3) As soon as possible after any land has been reserved in terms of this section, the Director of Roads shall lodge with the Registrar of Lands and Deeds two copies of the engineering survey plans showing the course of the proposed road.

(4) The Registrar of Lands and Deeds shall thereupon register the details of the reservation in such form and manner as may be prescribed.

(5) The registration of such reservation shall not debar the registered owner of any land affected from transferring or otherwise dealing with such land.

(6) Any land reserved under this section shall be demarcated in such manner as may be prescribed.

(*As amended by No.* 25 *of* 1963)

Withdrawal or modification of reservation

37. The Minister may at any time withdraw or modify any reservation made under the provisions of section *thirty-five* or *thirty-six* by Gazette notice and by notifying the Registrar of Lands and Deeds of such withdrawal or modification.

Unauthorised acts on reserved land

38. Where on any land reserved in terms of section *thirty-five* or *thirty-six* any person does any act calculated to impede the purposes for which the land has been reserved or which he has not been authorised by the Minister to do, the Minister may, by notice in writing, direct such person, at his own expense and within such period as shall be specified in such notice, to restore such land to the condition in which it was immediately before such unauthorised act, and if such person fails to comply with such direction within the period specified, he shall be guilty of an offence and liable to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, or to both, and the Minister may cause to be carried out such work as may be necessary to restore the land and may recover from such person any expense incurred in such work.

(*As amended by Act No.* 13 *of* 1994)

Compensation

39. (1) Any person affected by the exercise of any of the powers conferred upon the Minister by section *thirty-six* or *thirty-seven* who wishes to claim compensation in respect thereof shall submit in writing, within thirty days of the date of the publication of any notice in terms of section *thirty-six* or *thirty-seven*, as the case may be, a statement setting out the nature of his interest, details of the compensation claimed in respect of land to be taken, improvements likely to be removed or damaged and any expense or loss which may reasonably be incurred or suffered directly as a result of the exercise of those powers:

Provided that the Minister shall not reject any claim only on account of the statement not having been submitted within the said period of thirty days if, in his opinion, the statement could not reasonably have been submitted within that period.

(2) The amount of compensation payable under this section shall be such amount as may be mutually agreed upon between the parties or, failing such agreement, as may be settled by arbitration.

Power to take materials for roadworks

40. (1) A highway authority, or any person duly authorised by it, shall at all times have the power to enter upon any land (except within the boundaries of a local authority area) and to take therefrom any material (including water, other than water from an artificial dam, well or borehole save with the consent of the owner) necessary for the construction, maintenance or repair of roads or proposed roads and for providing in connection therewith labour camps, access roads and space for stock-piling and no compensation shall be payable except as provided in this section.

(2) Whenever a highway authority considers it necessary to exercise the powers conferred by subsection (1), it shall be lawful, after prior consultation with the owner, for it to select any place or places which it may deem suitable from which to take material:

Provided that the owner or occupier of the land shall if he so desires be entitled to select another place or other places on his land for the said purpose, and if such other place or places shall be found by the highway authority to be reasonably accessible and suitable as regards quantity and quality of materials, the materials shall be taken from the place or places selected by the owner.

(3) A highway authority shall not be entitled to take possession of materials on which any person other than its servants has expended any labour, or to take the stones or other material from any house, wall or other structure.

(4) If, in exercise of the powers conferred upon it by this section, a highway authority shall deem it desirable for the purposes of obtaining any material to open any quarry or quarries extending in aggregate over more than one-hundredth part of any holding or over an area of more than one acre on any holding, whichever is the less, such compensation for surface disturbances as may be mutually agreed between the highway authority and the owner of the land shall be paid by the highway authority to the owner in respect of such total area of any such quarries as exceeds one-hundredth part of any holding or one acre thereof, whichever is the less, or, failing such agreement, the amount of compensation shall be decided by arbitration in accordance with such procedure as may be prescribed:

Provided that where a quarry is in a road reserve no compensation shall be payable.

(5) In addition to any compensation which may be payable under subsection (4) whenever land is entered for any purpose in accordance with the powers conferred by this section, compensation shall be paid by the highway authority to the owner of the land in respect of improvements physically damaged or destroyed. Failing agreement between the highway authority and the owner, the amount of compensation shall be decided by arbitration in accordance with such procedure as may be prescribed:

Provided that compensation shall only be payable for buildings, fences, trees, crops, constructions or improvements constructed or planted inside a road reserve when such construction or planting has taken place before the road has been designated by statutory notice.

(6) A highway authority shall have the right, when constructing access roads to the sites of quarries or other places from which material is to be obtained, of making openings in fences where necessary:

Provided that such openings shall be effectively closed by the highway authority against the straying of livestock during the operations and the fences properly restored on the completion of the work.

(7) Any quarry or other excavation made in exercise of the powers conferred by this section which may be a source of danger shall on the completion of the work be securely fenced off, filled in or otherwise made safe against danger to life and limb of persons or animals.

(8) It shall be incumbent on any highway authority making quarries or borrow pits in accordance with the powers conferred by this section to ensure that in any case where such quarry or borrow pit if left unfilled is likely to be a source of danger to health by becoming a breeding ground for mosquitoes or other water-borne parasites, such quarry or borrow pit is filled in to the extent necessary to prevent such danger.

(9) Any owner aggrieved by the decision of a highway authority under this section may appeal to the Minister:

Provided that, if the circumstances are such that in the opinion of the highway authority any delay in exercising any right under this section would be unreasonable, the highway authority concerned may take the materials forthwith, and the Minister may make such subsequent order in the matter as he deems fit.

(10) For the purposes of this section, "owner" shall include the actual occupier of any land, but nothing in this section contained shall prejudice the right of any other person having an interest in such land in respect of any compensation payable under this section.

(*As amended by No.* 17 *of* 1961)

Highway authorities' employees may park vehicles, erect huts, etc., on private land

41. Persons employed by any highway authority under this Act in the construction or repair of any road or proposed road shall have the right, provided that before exercising such right under this section they shall give reasonable notice to and in consultation with the owner or occupier of any land which will be affected-

(*a*) to park their vehicles and to erect tents, huts or other temporary buildings on any site convenient to them, subject to the following conditions:

(i) no tents, huts or other temporary buildings shall be erected within five hundred yards of any dwelling-house; and

(ii) if the owner or occupier of such land objects to any site chosen for the erection of tents, huts or other temporary buildings, the matter shall be referred to the District Secretary who may make such order thereon as he may deem just and reasonable;

(*b*) to place and store plant and equipment on private land where there is insufficient room on the road reserve;

(*c*) to take and otherwise make provision for water necessary for the proper execution of the work and for animals and labourers, provided it shall not be taken from any artificial dam, furrow or well or borehole save with the consent of the owner;

(*d*) to cut down and remove trees or bush where necessary in the construction of public roads, provided that such trees when cut down shall belong to the owner of the land upon which the said trees were cut:

Provided that nothing in this section shall apply to any local authority area.

(*As amended by No.* 17 *of* 1961)

Contractors may exercise rights granted to highway authority

42. The rights granted to and the obligations of a highway authority under the provisions of sections *twenty-one, thirty-four, forty* and *forty-one* may be exercised by a contractor under the supervision or direction of the highway authority engaged in the construction or repair of roads and on behalf of any highway authority:

Provided that in the case of any damage done by a contractor, any compensation payable under this Act shall be paid by the highway authority concerned.

Power to undertake ancillary works

43. (1) A highway authority may, for the purpose of protecting traffic along any road from danger or of making the crossing of any road less dangerous to foot passengers, erect, light, maintain, alter and remove places of refuge in such road, and construct, light, maintain, alter, remove and close subways or overbridges for the use of foot passengers.

(2) A highway authority shall have power to construct and maintain works in the carriageway-

(*a*) along any length of road for separating a part of the road which is to be used by traffic moving in one direction from a part of the road which is to be used (whether at all times or at particular times only) by traffic moving in another direction;

(*b*) at cross roads or other road junctions for regulating the movement of traffic;

(*c*) for providing places of refuge for the protection of foot passengers crossing the road.

(3) The powers conferred by subsection (2) shall include power to light any such works as aforesaid, to pave, grass or otherwise cover them or any part of them, to erect pillars, walls, rails or other fences on, around or across them or any part of them and to plant on them trees, shrubs, and other vegetation either for ornament or in the interests of safety.

(4) The power conferred by the foregoing provisions of this section to construct any works shall include power to alter or remove them.

Provision of footpaths, cycle tracks, etc.

44. A highway authority shall have the power to provide, wherever it shall deem it necessary or desirable for the safety or accommodation of foot passengers, proper and sufficient footpaths by the side of roads under its control and to provide, wherever it shall deem necessary for the safety or accommodation of ridden horses, driven livestock, agricultural machinery or pedal cyclists, grass or other margins or tracks by the side of roads under its control.

(*As from* 30*th March* 1973 *by S.I. No.* 86 *of* 1973)

Ferries and pontoons

45. (1) A highway authority shall have power to construct and operate any ferry or pontoon to facilitate the crossing of any river or stream.

(2) Any ferry or pontoon operated under the provisions of subsection (1) shall be operated in accordance with the provisions of any law in force relating to inland water transport.

(3) A highway authority shall have power to construct bridges over rivers and streams and over or under any railway line or inland waterway:

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Provided that nothing in this subsection shall detract from the rights, powers, duties, and responsibilities conferred upon the Railways by the Railways Act.

Power to make rules controlling the construction of cattle grids

46. The Minister may, by statutory instrument, make rules regulating and controlling the construction of cattle grids and providing for the recovery by a highway authority of the cost incurred by it in constructing any cattle grid.

(*No.* 17 *of* 1961 *as amended by G.N. No.* 275 *of* 1964)

Prevention of damage, etc., to roads

47. (1) Except in so far as may be necessary in any emergency in order to enable him to use the road in a lawful manner, no person shall otherwise than in accordance with the provisions of this Act-

(*a*) encroach on any road or road reserve by making or erecting any building, fence, ditch or other obstacle or by planting trees or otherwise:

Provided that nothing in this paragraph shall be construed to apply to a barrier of a pattern and in a position approved by the highway authority and duly erected in accordance with any law in force for the control of traffic for the purposes of examination in connection with immigration or customs or for the control of tsetse fly;

(*b*) leave or place or negligently allow to fall on or over any road any timber, stones or other material so as to obstruct such road or endanger persons using the road, or deposit rubbish, debris or other material on any road;

(*c*) intentionally or negligently damage in any way any part of any road;

(*d*) fill in or obstruct any ditch or drain made to carry water off a road, whether on the road or elsewhere, or, by making dams, ditches, drains or other works, cause the flooding of any road;

(*e*) cause or allow any timber, sledge, plough or other heavy material or thing, not being wholly raised above the ground on wheels, to be moved along or across a road:

Provided that in this paragraph the word "wheels" shall be construed as meaning wheels to which pneumatic or solid rubber tyres have been fitted:

Provided that the highway authority may authorise under such conditions as it may impose the doing of an act otherwise prohibited under this subsection.

(2) Any person contravening any of the provisions of subsection (1) shall be guilty of an offence.

(3) Any cost of repair incurred by a highway authority as a result of any act done in contravention of the provisions of subsection (1) may be recovered by the highway authority as a civil debt from the person who did such act or caused it to be done.

(4) A highway authority may, by notice in writing, direct any person who encroaches on any road or road reserve by making, erecting or planting any building, fence, ditch, tree or other obstacle contrary to the provisions of subsection (1) to remove the same within the time to be stated in such notice.

(5) If any person fails to comply with a direction given under the provisions of subsection (4), the highway authority may cause the obstacle specified in the notice to be removed.

(6) The cost of removing any obstacle under the provisions of subsection (5) may be recovered by the highway authority as a civil debt from the person failing to comply with the notice.

(*As amended by No.* 17 *of* 1961
and No. 25 *of* 1963)

Regulation of undertakers' works

48. (1) In respect of any road specified by the Minister an undertaker shall not execute any undertakers' works except in accordance with such regulations as may be made in terms of subsection (2).

(2) The Minister may, by statutory instrument, make regulations-

(*a*) requiring the prior submission of sufficient details of proposed undertakers' works to the highway authorities concerned for consideration;

(*b*) requiring a highway authority to signify to the undertakers its approval or disapproval of the proposals within a specified time and to give reasons for any such disapproval:

Provided that in any case where the undertakers and the highway authority are unable to agree the details of the proposed works the undertakers may refer the matter to arbitration;

(*c*) requiring undertakers to give notice of the intention to commence works approved or the subject of an arbitration award and prescribing the form and manner in which such notice shall be served and the effect thereof;

(*d*) governing the execution by undertakers of works being emergency works as defined in such regulations.

(3) If any undertaker executes any works in contravention of the provisions of this section, he shall be liable on conviction to a fine not exceeding three thousand penalty units.

(4) If any highway authority concerned objects to any works carried out or alleged or proposed to be carried out in contravention of the provisions of this section or to any emergency works and is unable to reach agreement with the undertakers to meet the objections, the highway authority may refer the matter to arbitration.

(*As amended by No.* 26 *of* 1959, *G.N. No.* 275 *of* 1964
and Act No. 13 *of* 1994)

Execution of undertakers' works

49. (1) An undertaker shall execute works within roads in accordance with such proposals and details thereof as may have been agreed under the provisions of section *forty-eight* or in accordance with any arbitration award made thereunder, and with all such despatch as is reasonably practicable.

(2) An undertaker shall execute any items of works of an incidental nature and restore the road to a proper state of repair with all reasonable despatch after completion of any part of the works to the reasonable satisfaction of the highway authority:

Provided that the highway authority by agreement with the undertaker may itself undertake the reinstatement of the upper levels of the road at the undertaker's expense.

(3) If an undertaker fails to carry out reinstatement in accordance with his obligations under this section, he shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units in respect of each day of such failure.

(4) The undertaker shall be liable to pay the highway authority the cost of remedying any subsidence or deterioration of reinstatement work carried out by the undertaker if such subsidence or deterioration takes places within six months of the completion of such reinstatement and if such deterioration is shown to have been attributable to defective workmanship or the use of defective materials:

Provided that the highway authority concerned shall have given reasonable notice to the undertaker before remedying the subsidence or deterioration.

(*As amended by Act No.* 13 *of* 1994)

Undertakers to provide warning and safety precautions

50. (1) An undertaker or a contractor employed by an undertaker who is executing works shall secure at his expense that the following requirements are observed during and in connection with the execution of the works and of any restoration or other repair to any road occasioned thereby:

(*a*) so long as the road, street, road reserve or street margin is open or broken up (except in a place to which the public have no right of access and are not permitted to have access) such works are adequately fenced and guarded and lighted in such a manner as to give adequate warning to the public during the hours of darkness;

(*b*) that traffic signs (within the meaning of section *twenty-five*) are so placed, and where so directed, operated and lighted in accordance with any directions in that behalf that may be given by the Minister;

(*c*) that no greater width or length of road than is reasonably necessary is open or broken up at any one time;

(*d*) that there is no greater obstruction to traffic on any road or interference with the normal use of such road than is reasonably necessary;

(*e*) that any spoil or other material not required for the execution of the works or of any consequent restoration or repair to the road is carried away as soon as it is reasonably practicable;

(*f*) that any other requirement imposed in accordance with any regulations made by the Minister is complied with.

(2) If any undertaker or any contractor employed by an undertaker fails to satisfy an obligation to which he is subject by virtue of subsection (1), he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding three hundred penalty units for each day of such failure.

(3) If an undertaker fails to satisfy an obligation to which he is subject by virtue of subsection (1) as regards any requirements mentioned in paragraph (*a*), (*b*) or (*e*) thereof, the highway authority may do anything necessary for securing observance of that requirement and the undertaker shall pay to the authority an amount equal to any cost reasonably incurred by them of so doing.

(*As amended by No.* 26 *of* 1959 *G.N. No.* 275 *of* 1964 *and Act No.* 13 *of* 1994)

Works at railway crossings

51. (1) An undertaker executing works on a road at any railway level crossing shall comply with any reasonable requirements as to the arrangements for executing the works, as to hours of work, or as to any other such matters which are imposed upon him by the authority having the management of the railway, for securing the safety of persons employed in connection with the works and for ensuring that interference with traffic on the railway caused by the execution of such works is reduced so far as is practicable.

(2) If any undertaker fails to comply with an obligation to which he is subject by virtue of subsection (1), he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Removal of apparatus

52. Where there is placed in a road apparatus required only in connection with building operations or other work on land adjacent to such road, if the apparatus is not removed on completion of such building or other work, the highway authority may give the undertaker notice requiring him to remove it and if it is not removed within eight days from the giving of such a notice, the authority may remove it and the undertaker shall pay to the authority an amount equal to the cost reasonably incurred in such removal and in any restoration or repair to the road occasioned by the presence or removal of the apparatus concerned.

53. The powers conferred upon authorised undertakings in terms of sections *twenty-three* (5) and *twenty-six* of the Electricity Act shall, in so far as they relate to the doing of work in or over any road, street, road reserve, or street margin, be exercised in accordance with the preceding sections of this Act.

Powers enjoyed by electricity undertakings. Cap. 433

(*As amended by G.N. No.* 293 *of* 1964)

54. (1) Subject to the provisions of this section, a statutory power of undertakers to break up or open a road, being a power conferred for any purposes other than road purposes or purposes of a railway undertaking, shall not be exercisable on or under any road during the twelve months following either-

Limitation of time in which works may be executed

(*a*) the end of any period during which the use by vehicles of the carriageway of such road has been prohibited or the width thereof available for vehicular traffic has been reduced to less than two-thirds of its normal width for the purposes of execution of works for road purposes;

(*b*) the completion of a resurfacing extending to one-third or more of the width of the carriageway of such road.

(2) The provisions of subsection (1) shall not apply unless the following conditions are satisfied:

(*a*) the highway authority has given to the undertaker concerned at least three months before the date on which the works for road purposes or resurfacing, as the case may be, were substantially begun, a notice stating that the works for such purposes were intended to be carried out and specifying the date of their commencement;

(*b*) the works for road purposes or resurfacing, as the case may be, were substantially begun on, or within one month from the date so specified or, if any undertakers' works were in progress in the road on that date, within one month from the completion of such undertakers' works or in either case within such extended period as may have been agreed between the highway authority and the undertaker concerned.

(3) Nothing in this section shall apply to any breaking up or opening of a road in any of the following cases:

(*a*) for the carrying out of any emergency works;

(*b*) in relation to any part of a road other than a carriageway, in the case of works relating only to the installation, maintenance, repair or removal of a service pipe or service line or overhead telegraph line or overhead electric cable;

(*c*) in the case of any works carried out by an undertaker, where the execution of such works is in fulfilment of an obligation imposed upon the undertaker by the provisions of this Act and could not reasonably be effected without breaking up or opening the road, as the case may be;

(*d*) in the case of any breaking up or opening of a road executed with the consent of the highway authority concerned.

(4) If any undertaker or any contractor employed by an undertaker breaks up or opens a road in contravention of this section-

(*a*) he shall pay to the highway authority concerned an amount equal to any cost reasonably incurred by such highway authority in restoring or repairing the road concerned;

(*b*) without prejudice to his liability under paragraph (*a*), he shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

PART IV

ROAD BOARDS

Constitution of road boards

55. (1) The Minister may from time to time by Gazette notice-

(*a*) constitute for any area outside the area of a local authority a board, hereinafter called a road board, consisting of not less than four nor more than seven such persons as may be appointed by the Minister subject to the provisions of section *fifty-six*: Provided that the Minister may in addition to such persons appoint other persons *ex officio* members of a road board, and such members shall have the right to take part in the proceedings of the road board but shall not have the right to vote;

(*b*) increase, alter or diminish the area of jurisdiction of any road board constituted under this section and at any time on due cause being shown abolish or disestablish such board.

(2) The chairman of a road board shall be a member thereof elected by the board.

(3) The Minister may from time to time determine the amount to be paid to a member for travelling and personal expenses whilst on the business of the road board.

(*As amended by No.* 17 *of* 1961)

Disqualifications

56. No person shall be appointed, or continue to be, a member of a road board-

(*a*) who has been convicted at any time of an offence for which imprisonment without the option of a fine has been imposed as a punishment, unless he shall have received a free pardon or his period of imprisonment shall have expired at least three years prior to the date of his appointment; or

(*b*) who is of unsound mind; or

(*c*) who is an undischarged bankrupt or who has made an assignment of his estate for the benefit of his creditors.

Vacation of office

57. A member of a road board shall vacate his office-

(*a*) in any of the circumstances described in section *fifty-six*; or

(*b*) if he has been removed from office by the Minister in terms of section *fifty-eight*; or

(*c*) if he has been convicted for a contravention of section *sixty-three*.

Suspension or removal of member

58. The Minister may suspend and remove any member of a road board from his office on the ground of his incapacity to act as such or misbehaviour or for any other good and sufficient reason.

(*As amended by No.* 17 *of* 1961)

Period of membership

59. Subject to the provisions of section *fifty-seven*, every member of a road board shall hold office for a period of three years from the date of his appointment.

Vacancies

60. (1) If any member of a road board shall, during the currency of his period of office, die, resign, become or be found disqualified under any law or otherwise vacate his seat thereon, a successor to fill the vacancy so caused may be appointed by the Minister.

(2) A member appointed in terms of this section shall hold office only for the unexpired term of office of his predecessor.

Quorum

61. Four members of a road board including the chairman shall form a quorum provided that where the membership of a board is less than five including the chairman the quorum shall be three members of whom one shall be the chairman, and provided further that at any meeting from which the chairman is absent, such other member of the board as may for such meeting be appointed by the members present shall act as chairman.

Functions of road boards

62. A road board shall-

(*a*) have such powers, duties and functions as may be prescribed;

(*b*) assist and advise the Minister on all matters relating to roads within its district;

(*c*) obtain and transmit to the Minister any information that may be required by him in connection with the administration of this Act or the regulations made thereunder; and

(*d*) generally carry out all such functions as may from time to time be assigned to it by the Minister.

Interest of members

63. (1) No member of a road board shall vote upon or in his capacity as a member take part in or be present at the discussion of any matter before the board in which he has any pecuniary interest either directly or indirectly.

(2) Any member knowingly contravening the provisions of this section shall be guilty of an offence and on conviction his seat on the board shall *ipso facto* become vacant.

PART V

REGISTRATION OF MOTOR VEHICLES AND TRAILERS

Appointment of Road Traffic Commissioner and other officers

64. (1) There shall be a Road Traffic Commissioner, hereinafter referred to as the Commissioner, who shall, subject to the general directions of the Minister, exercise such powers and perform such duties as are conferred upon him by or in pursuance of this or any other Act, and there shall be such Deputy and Assistant Road Traffic Commissioners as may be necessary who may, subject to the control of the Commissioner, exercise such powers and perform such duties as may be assigned to them by the Commissioner.

(2) The Commissioner may from time to time delegate to the Deputy Road Traffic Commissioner or to an Assistant Road Traffic Commissioner for such time as may be specified any of the functions conferred upon him under this Act.

(3) There shall be such licensing officers as may be necessary for the due carrying out of the provisions of this Act and of the regulations made thereunder.

(4) Each such licensing officer when appointed shall be under the direction of the Commissioner, and shall perform his duties for such area as may be specified in his appointment.

(5) All licences and registration books issued under this Act shall be issued by such licensing officers on behalf of the Commissioner.

(6) The Commissioner shall appoint such driving examiners, vehicle examiners and road traffic inspectors as may be necessary for the carrying out of the provisions of this Act and of the regulations made thereunder.

(*As amended by Act No.* 35 *of* 1974)

Motor vehicle and trailer registers

65. (1) The Commissioner shall keep registers of motor vehicles and trailers, and may at his discretion, and upon payment of the prescribed fee, supply to any person applying therefor a copy of such entries therefrom as that person shows he has reasonable cause to require:

Provided that no fee shall be payable when the person to whom copies are supplied is an officer of the Government or a local authority, acting in his official capacity.

(2) Separate registers shall be kept by the licensing officer in any locality as directed by the Commissioner.

(3) Every licensing officer shall, within fourteen days, forward to the Commissioner a copy of every entry made in his local register.

(4) Any licensing officer shall, upon application being made to him by any other licensing officer, supply a copy of the entries in his register relating to any motor vehicle or trailer specified in such application.

(5) Every licensing officer shall allow any police officer to inspect his register at any time, and shall permit such officer to take a copy of any entry in the register relating to any specified motor vehicle or trailer.

(6) Every licensing officer may supply to any other person applying for a copy of the entries relating to any specified motor vehicle or trailer a copy of these entries on payment of the prescribed fee, provided that such person shows that he has reasonable cause for requiring such a copy.

(*As amended by S.I. No.* 36 *of* 1964)

Registration of motor vehicles and trailers

66. (1) Save as hereinafter provided, no person shall own a motor vehicle or trailer unless such vehicle or trailer is registered in accordance with the provisions of this Act:

Provided that no person shall be liable to a penalty for a breach of this section if he proves that the motor vehicle or trailer has been in his ownership only for such time as might reasonably be required to get it registered.

(2) Application for the registration of a motor vehicle or trailer shall be made by the owner on the prescribed form.

(3) The licensing officer to whom application is made shall enter particulars of the motor vehicle or trailer in the register, and shall assign to the motor vehicle or trailer a registered letter or letters and number, which shall become the registration mark of such motor vehicle or trailer:

Provided that-

(i) a motor vehicle or trailer shall not be registered unless the applicant produces-

(*a*) in the case of vehicles wholly manufactured or assembled in Zambia, a certificate of local manufacture or assembly;

(*b*) in any other case, a Customs Clearance Certificate;

(ii) a motor vehicle or trailer shall not be registered unless it complies with the provisions of this Act and of any regulations made thereunder with regard to the maximum limits permitted for axle weights, gross weight, height, length and width of motor vehicles or trailers or unless it shall have been exempted by the Director of Roads from compliance with such limits.

(4) For the purposes of subsection (3), a "Customs Clearance Certificate" means a certificate given by or on behalf of the Controller of Customs and Excise, setting out particulars of ownership and of the motor vehicle or trailer and such other particulars as may be prescribed and certifying that all customs formalities have been complied with in respect of the said motor vehicle or trailer; and "certificate of local manufacture or assembly" means a certificate given by or on behalf of the manufacturer or assembler of the motor vehicle or trailer, setting out particulars of the said motor vehicle or trailer, the name of the manufacturer or assembler and such other particulars as may be prescribed and certifying that the said motor vehicle or trailer has been wholly manufactured or assembled in Zambia.

(5) A licensing officer may, in accordance with such procedure or such conditions as may be prescribed, on the request of any person and on payment of the prescribed fee, assign to a motor vehicle or trailer owned by such person a particular registered letter or letters and number which shall become the registration mark of such motor vehicle or trailer.

(6) The owner of every motor vehicle or trailer shall, upon its registration, pay the fee prescribed for registration and shall obtain from the licensing officer a registration book containing such particulars as may be prescribed.

(7) Whenever it appears to the satisfaction of a licensing officer that the registration book issued to any person has been lost or destroyed or the essential particulars accidentally defaced or is in a state of dilapidation or that space is lacking for essential particulars, it shall be competent for such licensing officer, on payment of the prescribed fee, to issue a duplicate of such book with the word "duplicate" written thereon:

Provided that, where there is no space available in a registration book for further essential particulars, no fee shall be charged for the issue of a duplicate.

(8) Before a duplicate registration book is issued on account of defacement, dilapidation or lack of space for essential particulars, the old registration book shall be sent to the licensing officer.

(9) If a motor vehicle or trailer does not bear on it a registration mark as provided by this section, this fact shall be regarded as *prima facie* evidence that the motor vehicle or trailer has not been registered and the police may detain such vehicle or trailer until inquiries have been made.

(10) The onus of proving that a motor vehicle or trailer has been registered rests upon the owner of such vehicle or trailer.

(11) The owner of a motor vehicle or trailer shall notify the licensing officer of the district in which the motor vehicle or trailer is registered of every change of address and of any other circumstance or event which affects the accuracy of the entries in the register, at the same time forwarding the registration book for amendment. The Commissioner and any licensing officer may call upon any owner of a motor vehicle or trailer at any time to furnish all information required for the verification of the entries in the register.

(12) Any person failing to comply with the provisions of subsection (1) or (11) shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence to a fine not exceeding one thousand penalty units, and in the case of a second or subsequent conviction, to a fine not exceeding two thousand penalty units.

(*As amended by No*. 17 *of* 1961, *No*. 25 *of* 1963, *G.N*. *No*. 293 *of* 1964, *No*. 19 *of* 1966, *No*. 35 *of* 1974 *and Act No*. 13 *of* 1994)

Change of ownership

67. (1) On the change of ownership of a motor vehicle or trailer otherwise than by death-

(*a*) the registered owner shall, within fourteen days, inform the licensing officer of the district in which the vehicle or trailer is registered in writing of the name and address of the new owner, and of the date of the change of ownership of the motor vehicle or trailer and shall deliver his motor vehicle or trailer registration book and licence to the new owner;

(*b*) the new owner shall, within fourteen days, deliver the registration book to the licensing officer who shall register the new owner:

Provided that in any case where a person is under the provisions of section *sixty-eight* entered in the register of the licensing officer and in the registration book as the absolute owner of a motor vehicle or trailer, the licensing officer shall consult him before registering a person as the new owner of such motor vehicle or trailer.

(2) Application for registration of a new owner may be made before the actual transfer of the motor vehicle or trailer, but the registration of a new owner shall not be effective until the registration book has been surrendered to, and reissued by, the licensing officer.

(3) On the death of the registered owner of a motor vehicle or trailer, the person into whose custody the motor vehicle or trailer shall come shall, within fourteen days of its coming into his custody, give notice of the fact to the licensing officer of the district in which the vehicle or trailer is registered.

(4) Subsections (1) and (2) shall not apply to any change of ownership of a motor vehicle or trailer which occurs by reason of the motor vehicle or trailer being lawfully seized under a hire-purchase agreement, but in any such circumstances the following provisions shall apply:

(*a*) the registered owner or his representative shall, within seven days of the seizure, deliver the motor vehicle or trailer licence and the registration book to the person who has seized the motor vehicle or trailer, and inform the licensing officer in writing of the change of ownership;

(*b*) such person shall, within seven days of receiving the motor vehicle or trailer licence and the registration book, apply to the licensing officer to be registered as the owner thereof in place of the registered owner and shall be registered accordingly unless the licensing officer thinks fit to order otherwise;

(*c*) the licensing officer shall, if he is satisfied that any such person whose name has been entered in the register and registration book under section *sixty-eight* as the absolute owner of the motor vehicle or trailer is unable, within seven days of the seizure, to procure the motor vehicle or trailer licence and the registration book from the registered owner or his representative, supply such person on request with duplicates of the said licence and book and such person shall thereafter be deemed to be the registered owner and the licensing officer shall accept his signature as such until the next change of ownership is effected.

(5) Subject to the provisions of subsection (4), any change of ownership of any motor vehicle or trailer not notified in writing to the licensing officer of the district in which the vehicle or trailer is registered may render such vehicle or trailer liable to impoundment by any road traffic inspector in uniform or by any police officer.

(6) Where the holder of a motor dealer's vehicle licence acquires the ownership of a motor vehicle or trailer by way of purchase, or otherwise, for the purpose of resale, then notwithstanding any other provision in this section, the procedure to be followed regarding the registration of the change of ownership shall be such as may be prescribed.

(7) On the registration of a new owner, the licensing officer shall charge the prescribed fee, make the necessary alterations to the registration book, and shall deliver the altered book to the new registered owner. If more convenient, a new registration book may be issued.

(*As amended by No*. 17 *of* 1961
and Act No. 35 *of* 1974)

Position of registered owner who is not absolute owner

68. (1) Where the person entitled to the possession of a motor vehicle or trailer is not the absolute owner thereof, but is registered as the owner thereof, any person claiming to be the absolute owner thereof (hereinafter called the "claimant") may apply to the licensing officer of the district in which the motor vehicle or trailer is registered to enter his name in the register, and in the registration book of the motor vehicle or trailer, as the absolute owner in addition to the name of the registered owner.

(2) On receipt of any such application, the licensing officer shall make such inquiries into the matter as he deems necessary and shall then make any such order as he thinks fit:

Provided that any person aggrieved by such an order may within thirty days appeal to the Commissioner, whose decision shall be final.

(3) In any case where an order passed in accordance with subsection (2) requires that the name of the claimant shall be entered in the registration book, the registered owner shall produce the book for the entry to be made upon being required to do so.

(4) When any person whose name has been entered in the register and registration book as the absolute owner of a motor vehicle or trailer ceases to be the absolute owner, he shall inform the licensing officer who shall thereupon delete the entries:

Provided that it shall be lawful for the licensing officer to delete the said entries otherwise than upon the information given by the claimant, if he is satisfied that such person has ceased to be the absolute owner of the motor vehicle or trailer.

Furnishing evidence of weights and dimensions of motor vehicle or trailer

69. (1) Every owner of a motor vehicle or trailer shall, if so required by the Commissioner or a licensing officer, furnish such evidence as may be reasonably available or obtainable by him in regard to the net weight and the maximum weight, including its own weight, that the manufacturers of the motor vehicle or trailer state that such vehicle or trailer has been built to carry, including the recommended distribution of such weight over the several axles of the vehicle or trailer and the height, length and width of the motor vehicle or trailer, and any person who fails to comply with any such requirement shall be guilty of an offence.

(2) The Commissioner or a licensing officer may require any dealer in motor vehicles or trailers to furnish a sworn declaration specifying the net weight, the maximum weight, including its own weight, that the manufacturers of the motor vehicle or trailer state that such vehicle or trailer has been built to carry, including the recommended distribution of such weight over the several axles of the vehicle or trailer, and the height, length and width of any motor vehicle or trailer sold by him, and any builder of motor vehicle or trailer bodies to furnish such a declaration concerning the weight and the dimensions of any such body built by him. Any such dealer or builder who fails to comply with any such requirement shall be guilty of an offence.

(3) Any applicant for a registration book or for a licence or for the duplicate of such book or licence or any other person required in terms of the provisions of this section to give any information, who shall wilfully give false, misleading or inaccurate information shall be guilty of an offence, and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units and, in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(*As amended by Act No.* 13 *of* 1994)

Previous registration deemed to be registration under this Act

70. Notwithstanding anything to the contrary contained in section *sixty-six*, it shall not be necessary to register under this Act any motor vehicle registered under the provisions of the Motor Traffic Act, Chapter 138 of the 1930 Edition of the Laws, or of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, but any such vehicle shall be deemed to be registered under this Act, and the registration mark assigned to such vehicle under the provisions of either of the said Acts shall be deemed to have been assigned under the provisions of this Act.

Temporary registration cards

71. (1) Any person who becomes the owner of a motor vehicle or trailer which is not registered or licensed in terms of this Act, and who wishes to take such motor vehicle or trailer for registration from the district in which he acquired it to the district in which he resides or carries on business, may apply on the prescribed form to the licensing officer of the district in which he acquired such motor vehicle or trailer.

(2) The licensing officer on receipt of such application on the prescribed form and of the prescribed fee, and if he is satisfied that there is in force in respect of the use of such motor vehicle or trailer a policy of insurance which complies with the requirements of section *one hundred and thirty-five*, and that such policy will be valid for the whole period during which such vehicle or trailer may be used with temporary registration cards attached to it, shall issue to such applicant two temporary registration cards on the prescribed form which shall be valid for a period of fourteen days from the issue thereof or for such lesser period as may be specified thereon.

(3) Every person to whom temporary registration cards have been issued in terms of this section shall-

(*a*) cause such temporary registration cards to be affixed to the motor vehicle or trailer in respect of which they were issued, in such position as may be prescribed;

(*b*) on or before the date of expiry of the period of validity of the temporary registration cards or on registration of the motor vehicle or trailer under this Act, whichever is the earlier, surrender the temporary registration cards to the licensing officer of the district in which he resides or carries on his business.

(4) Notwithstanding the provisions of subsection (2), it shall be lawful for a licensing officer to refuse to issue temporary registration cards for any vehicle or trailer that does not comply with the provisions of this Act and of the regulations made thereunder with regard to the maximum limits permitted for axle weights, gross weight, height, length and width of motor vehicles or trailers unless such vehicle or trailer shall have been exempted by the Director of Roads from compliance with such limits.

(*As amended by No.* 26 *of* 1959
and No. 25 *of* 1963)

Details required

72. Temporary registration cards shall specify such particulars as may be prescribed.

Particulars to be endorsed on application form

73. The licensing officer when issuing any such temporary registration cards shall endorse on the application form relating thereto such particulars as may be prescribed.

Motor vehicle or trailer deemed to be registered, etc.

74. A motor vehicle or trailer shall be deemed to be registered and licensed under this Act and a registration book shall be deemed to have been issued under this Act for a motor vehicle or trailer if valid temporary registration cards issued in respect of the motor vehicle or trailer are attached to it in the prescribed position.

Special examination of motor vehicles and trailers

75. (1) Before registering any motor vehicle or trailer, the licensing officer shall verify all the particulars entered in the form of application and may, if he deems it necessary, order that any such vehicle or trailer be taken to a vehicle examiner to be examined for the purpose of ensuring that it is of such construction and in such condition as complies with the requirements of this Act and of the regulations made thereunder.

(2) Every licensing officer shall, in respect of any motor vehicle or trailer which he has reason to believe is not in a fit and proper state of repair, or does not conform with the provisions of this Act or of any regulations made thereunder, have the power to order that the said motor vehicle or trailer be taken to a vehicle examiner for examination.

(3) Where a vehicle examiner on examining a motor vehicle or trailer sent to him under the provisions of subsection (1) or (2), or submitted to him pursuant to a prohibition under paragraph (*f*) of subsection (1) of section *two hundred and twelve*, finds that the said motor vehicle or trailer does not comply with the provisions of any law in regard to construction and equipment applicable to such motor vehicle or trailer, he shall make a full list (hereinafter called a "defects list") of all defects found and shall give the owner of the vehicle or trailer a copy thereof and shall notify him of the date (hereinafter called the "notified date") by which the defects must be remedied and the vehicle or trailer produced for re-examination.

(4) If, upon re-examining a motor vehicle or trailer under the provisions of this section to ascertain whether the defects in a defects list have been remedied, the vehicle examiner finds any further defects he shall require, in the manner set forth in subsection (3), the owner to remedy such defects.

(5) If a motor vehicle or trailer is not produced for re-examination on the notified date or if the defects in a defects list have not been remedied on the notified date, or if, upon examining a motor vehicle or trailer under the provisions of this section, it is considered necessary in the interests of safety, a vehicle examiner may prohibit the use of such motor vehicle or trailer, or issue such other directions as he may think necessary restricting its use; any such order, and any prohibition of the use of a motor vehicle or trailer under paragraph (*f*) of subsection (1) of section *two hundred and twelve* may be cancelled or revoked by the vehicle examiner as soon as the defects of such vehicle or trailer have been remedied to such an extent that in his opinion the said motor vehicle or trailer may safely be used on a road.

(6) When all the defects in a defects list have been remedied to his satisfaction, the vehicle examiner shall cancel the defects list and, if the examination was made under the provisions of subsection (1), he shall inform the licensing officer that he has cancelled the defects list.

(7) On each examination of a motor vehicle or trailer as provided in this section, and on any subsequent examination for the purpose of ensuring that defects in a defects list have been remedied, such fees shall be paid by the owner of a vehicle or trailer as may be prescribed, and such fees shall be allocated in the prescribed manner:

Provided that, except in the case of re-examinations for the purpose of ascertaining whether defects have been remedied, no fee shall be payable for an examination pursuant to a prohibition under paragraph (*f*) of subsection (1) of section *two hundred and twelve*, nor, if no defects are found, for an examination ordered under subsection (2).

(8) If any owner of a motor vehicle or trailer is aggrieved by any decision of a vehicle examiner, he may appeal to the Commissioner who may vary or cancel the requirements of the vehicle examiner or dismiss the appeal.

(9) Any person who fails to comply with or who disobeys any order made by a licensing officer under subsection (1) or (2) shall be guilty of an offence.

(10) Any person who fails to comply with or who disobeys any order made by a vehicle examiner under subsection (5) shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(*As amended by No.* 25 *of* 1963 *and Act No.* 13 *of* 1994)

Tests of satisfactory condition of motor vehicles and trailers

76. (1) The provisions of this and the next following section shall have effect for the purpose of ascertaining whether the requirements of this Act and of any regulations made thereunder relating to the construction and condition of motor vehicles and trailers or their accessories or equipment are complied with.

(2) The Minister may by regulation make provision for the examination of motor vehicles and trailers submitted for examination under this section and for the issue, where it is found on such an examination that the said requirements are complied with, of a certificate (hereinafter referred to as a "test certificate") that at the date of the examination the said requirements were complied with in relation to the motor vehicle or trailer so examined.

(3) Examinations for the purposes of this section shall be carried out by persons appointed as vehicle examiners.

(4) Where a test certificate is refused, the vehicle examiner shall issue a notification of the refusal stating the grounds thereof, and any person aggrieved by the refusal may appeal to the Commissioner within twenty-eight days; and on any such appeal the Commissioner shall cause a further examination to be made and either issue a test certificate or issue such a notification as aforesaid.

(5) The Minister may, by statutory instrument, make regulations for the purpose of giving effect to the foregoing provisions of this section and for prescribing anything authorised by this section to be prescribed and in particular as to-

(*a*) the establishment and maintenance of stations where examinations under this section may be carried out and the provision and maintenance of apparatus for carrying out such examinations;

(*b*) the manner in which and the conditions under which examinations are carried out, and the inspection of premises at which and apparatus with which examinations are being, or are to be, carried out;

(*c*) the manner in which applications for, or notices of, examinations due under this section are to be made, the manner in which appeals may be brought under subsection (4), the information to be supplied and documents to be produced on such an application, examination or appeal, the fees to be paid on such an application, examination or appeal, and the repayment of the whole or part of the fee paid on such an appeal where it appears to the Commissioner that there were substantial grounds for contesting the whole or part of the decision appealed against;

(*d*) the form of, and particulars to be contained in, test certificates, their display and production on demand to police officers or road traffic inspectors, and the form of notification of a refusal to issue a test certificate;

(*e*) the issue of duplicates of test certificates lost or defaced, and the fees to be paid for the issue thereof;

(*f*) the keeping by vehicle examiners of registers of test certificates, and the inspection of such registers by such persons and in such circumstances as may be prescribed;

(*g*) the keeping by vehicle examiners of such other records as may be prescribed and the furnishing by them of returns and information to the Commissioner;

and regulations under this section may make different provision in relation to different motor vehicles and trailers or classes of motor vehicles and trailers.

(*As amended by No.* 26 *of* 1959, *No.* 17 *of* 1961 *and G.N. No.* 275 *of* 1964)

Obligatory test certificates

77. (1) Any person who uses a motor vehicle or trailer on a road at any time or causes or permits to be so used a motor vehicle or trailer to which this section applies and in respect of which no test certificate has been issued within the appropriate period before the said time shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units.

(2) Notwithstanding the provisions of subsection (1), any motor vehicle or trailer on which no test certificate is displayed may be impounded by any road traffic inspector in uniform or by any police officer.

(3) The motor vehicles and trailers to which this section applies at any time shall be such as the Minister may, by statutory notice, determine.

(4) The Minister may by regulation exempt from subsections (1) and (2) the use of motor vehicles or trailers for such purposes as may be prescribed.

(5) The Minister may by regulation exempt from subsections (1) and (2) the use of motor vehicles or trailers in any such area or on any such road as may be prescribed.

(6) The Minister may by regulation provide that where application is made under section *eighty-eight* for a licence for a motor vehicle or trailer to which this section applies, the licence shall not be granted except after either-

(*a*) the production of such evidence as may be prescribed of the granting of an effective test certificate or (if it is so prescribed) the production of such a certificate; or

(*b*) the making of such a declaration as may be prescribed that the motor vehicle or trailer is not intended to be used during the period for which the licence is to be in force except for a purpose prescribed under subsection (3) or in an area or on a road prescribed under subsection (4).

In paragraph (*a*), the expression "effective test certificate" means in relation to an application for a licence for a motor vehicle or trailer, a test certificate relating to the said motor vehicle or trailer and issued within the appropriate period before the date from which the licence is to be in force.

(7) In this section, the expression "appropriate period" means a period of twelve months or such shorter period as may be prescribed.

(8) Where within the appropriate period after the issue of a test certificate, but not earlier than one month before the end of that period, a further test certificate is issued as respects the same motor vehicle or trailer, the further certificate shall be treated for the purposes of this section as if issued at the end of the said appropriate period.

(9) For the purposes of spreading the work of issuing certificates in anticipation of the coming into operation of this section or of a change in the length of the appropriate period-

(*a*) the order appointing a day for the coming into operation of this section may appoint different days as respects different motor vehicles, trailers or classes of motor vehicles or trailers;

(*b*) the regulations changing the length of the appropriate period may be made so as to come into operation on different days as respects different motor vehicles, trailers or different classes of motor vehicles or trailers.

*(1)(10) The provisions of this section and of section *seventy-six* shall not come into force until a date or dates to be notified by the Minister by statutory notice.
*1st January, 1960, notified by G.N. No. 346 of 1959.

(*As amended by No.* 26 *of* 1959 *and G.N. No.* 275 *of* 1964 *and Act No.* 13 *of* 1994)

Provisions not applicable to vehicles to which Part XI applies

78. The provisions of sections *seventy-five* (2), (3), (4), (5) and (6), *seventy-six* and *seventy-seven* shall not apply in relation to any motor vehicle or trailer to which the provisions of Part XI apply.

Destruction or permanent removal of motor vehicles or trailers from Zambia

79. (1) When any motor vehicle or trailer is broken up, destroyed or sent permanently out of Zambia, the person who at the material time is the owner of such motor vehicle or trailer shall, within fourteen days, notify the licensing officer of the district in which the vehicle or trailer is registered and shall deliver up the registration book to the licensing officer.

(2) The licensing officer may on receipt of such information and the registration book assign the registration mark of such motor vehicle or trailer to any other motor vehicle or trailer subsequently registered by him.

(3) In any case where a motor vehicle or trailer has neither been licensed, nor exempted from being licensed, for a consecutive period of five years, its registration shall be cancelled by the licensing officer of the district in which it is registered, and its registration mark may be assigned to any motor vehicle or trailer subsequently registered by such licensing officer. A registration so cancelled shall be of no effect.

*1st January, 1960, notified by G.N. No. 346 of 1959.

Exemptions from need for registration

80. The following classes of motor vehicles or trailers shall be exempted from the need for registration:

(*a*) motor vehicles or trailers in the possession of manufacturers of or dealers in motor vehicles or trailers, but subject to such provisions as to motor dealers' vehicle licences as may appear hereinafter;

(*b*) motor vehicles or trailers brought into Zambia by visitors whether used under the authority of an international certificate or not, and exempted from registration in accordance with any regulations made under this Act;

(*c*) trailers used exclusively for agricultural purposes and not used on any road;

(*d*) any other motor vehicle or trailer as may by regulation be exempted from registration.

Registration marks

81. (1) There shall be fixed and maintained on every motor vehicle and trailer in such manner as may be prescribed the registration mark referred to in subsection (3) of section *sixty-six*.

(2) When a motor vehicle is being used to tow a trailer or trailers, its registration mark shall also be fixed at the rear of such trailer, or, if there is more than one trailer, at the rear of the last trailer, in such manner as may be prescribed.

(3) No other figures, letters or designs may be placed on or within such distance as may be prescribed from a registration mark lawfully fixed on a motor vehicle in terms of this section.

Offences in connection with registration marks

82. (1) If the registration marks to be fixed and maintained in accordance with this Act and regulations made thereunder are not so fixed and maintained, or if being so fixed and maintained are in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the motor vehicle or trailer and the owner thereof shall be guilty of an offence, and upon conviction shall be liable, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units:

Provided that a person shall not be convicted of an offence under this section if in the case of a prosecution for obscuring a mark or rendering or allowing it to become not easily distinguishable, he proves that he has taken all steps reasonably practicable to prevent the mark from being obscured or rendered not easily distinguishable.

(2) Notwithstanding anything contained in subsection (1), any motor vehicle or trailer having no registration marks or on which false registration marks are fixed may be impounded by any road traffic inspector in uniform or by any police officer.

(*As amended by Act* 35 *of* 1974 *and Act No.* 13 *of* 1994)

PART VI

VEHICLE LICENSING

Vehicles to be licensed

83. (1) No person shall use and no person being the owner shall cause or permit to be used upon a road any vehicle or trailer unless there is in force in relation to that vehicle or trailer a licence issued in accordance with the provisions of this Part, and no person shall use or cause or permit to be used a vehicle or trailer for a purpose not authorised by, or in contravention of any condition or other provision contained in, any licence in force in relation to such vehicle or trailer under this Part.

(2) Any person failing to comply with the provisions of subsection (1) shall be guilty of an offence, and upon conviction shall be liable, in addition to any other penalty which may be prescribed, to pay a fine (which shall be disposed of in the same manner as the tax payable on the licence) not exceeding treble the amount of tax payable on an annual licence for the vehicle concerned:

Provided that a person shall not be convicted of an offence under this section by reason only of not holding a valid licence if he proves that he has not had a reasonable opportunity of obtaining such licence and that the vehicle was being used for the purpose of obtaining such licence.

(3) Subject to the provisions of subsection (2), any motor vehicle or trailer on which no valid licence is displayed may be impounded by any road traffic inspector in uniform or by any police officer.

(*As amended by Act No.* 35 *of* 1974)

Form of licence

84. (1) Vehicle licences in respect of vehicles other than motor vehicles and trailers shall be in the prescribed form and shall be issued by a licensing officer.

(2) Every person applying for a licence for a vehicle under this section shall furnish to the licensing officer such particulars as may be prescribed.

(3) On being furnished with the particulars required by subsection (2), the licensing officer shall, subject to the provisions of this Act, issue a licence to the applicant.

(4) A licensing officer who is satisfied that a vehicle licence duly issued under this section has been lost or destroyed, may, upon payment of the prescribed fee, issue a duplicate thereof.

(*As amended by No.* 26 *of* 1959
and No. 19 *of* 1966)

Duration of licence

85. Every vehicle licence, not being a licence for a motor vehicle or trailer, shall be in force from the date of issue thereof until the next ensuing 31st December.

Owner paying tax to receive licence or token

86. The owner of a vehicle, not being a motor vehicle or trailer, to whom a vehicle licence is issued shall be provided with a licence or token which shall be in the form prescribed as suitable for the particular class or type of vehicle, and shall maintain the said licence or token affixed while valid in a conspicuous place on the vehicle in respect of which it is issued. In the event of any such licence or token being lost, a new licence or token may be issued to the owner on payment of the prescribed fee.

Transfer of licence of vehicle other than motor vehicle or trailer

87. (1) Every person who transfers the ownership of a vehicle not being a motor vehicle or trailer shall, within fourteen days, deliver his vehicle licence to the licensing officer and shall inform him in writing of the name and address of the transferee.

(2) On application by the transferee and on payment of the prescribed fee the licence, amended as may be necessary, shall be reissued to him.

(*As amended by No.* 19 *of* 1966)

Application for licence

88. Application for the licensing of a motor vehicle or trailer shall be made on such form as may be prescribed, or, if no such form is prescribed, in person or by letter.

Issue of licences

89. Subject to the provisions of this Part, licences in respect of motor vehicles and trailers shall be issued by the licensing officer to whom application is made, who shall enter on such licence such particulars as may be prescribed, including the purpose for which the vehicle or trailer is being licensed.

(*As amended by No.* 26 *of* 1959)

Conditions to be satisfied before issue of licence

90. A licensing officer shall not issue a motor vehicle or trailer licence unless the motor vehicle or trailer has been duly registered, or renew a motor vehicle or trailer licence unless he is satisfied that the motor vehicle or trailer does not differ in any respect from the particulars in the register.

Alteration in conditions on which licence is issued

91. (1) Where the holder of a motor vehicle or trailer licence desires to use the motor vehicle or trailer for a purpose not authorised by the licence, or where, after the issue of a licence, a motor vehicle or trailer is altered so that a different rate of tax becomes payable, the existing licence shall become void and the holder shall apply for a new licence. In such cases the new licence shall not be issued until the old licence has been surrendered. The licensing officer shall require the holder to pay, or shall refund to him, as the case may be, such difference in tax between the old and new licences, for the unexpired period of the old licence, as may be appropriate:

Provided that, in each case of refund, the sum of seventy five penalty units shall be deducted.

(2) Where a new licence is issued in the circumstances referred to in this section, the licensing officer shall duly amend the register, or notify the licensing officer of the district in which the vehicle is registered, as the case may be, and shall issue a new registration book.

(*As amended by Act No.* 13 *of* 1994)

Suspension or refusal of licences

92. (1) If upon an examination of a motor vehicle or trailer under the provisions of subsection (2) or (3) of section *seventy-five* or under the provisions of section *seventy-six*, the vehicle or trailer is found to be so constructed or in such a condition as to be a source of danger to any persons travelling in the vehicle or trailer, or to any users of the road, or to be injurious to the roads themselves, or if the owner of the vehicle or trailer fails by the notified date to remedy the defects pointed out by the vehicle examiner, a licensing officer may suspend or refuse the renewal of a motor vehicle or trailer licence for that vehicle or trailer:

Provided that any owner of a motor vehicle or trailer in respect of which the licence is so suspended or for which the renewal of the licence is refused may, within thirty days, appeal against the decision of the licensing officer to the Commissioner, and the Commissioner may, if he thinks fit, direct the licensing officer in writing to grant or withhold the issue of the licence applied for.

(2) This section shall not apply in relation to any motor vehicle or trailer to which Part XI applies.

Duplicate motor vehicle and trailer licences

93. If a motor vehicle or trailer licence is lost, defaced, mutilated or rendered illegible, the licensing officer shall issue a duplicate licence on payment of the prescribed fee:

Provided that, if any such licence be subsequently found, the holder of the duplicate shall forthwith deliver up to the licensing officer the duplicate, and any person knowingly retaining or having in his possession both an original and a duplicate licence shall be guilty of an offence under this Act.

Duration of licence

94. Every motor vehicle and trailer licence shall be in force from the date of issue until-

(*a*) if an annual licence, the last day of a twelve-month period beginning on the first day of the quarter in which the licence was issued;

(*b*) if a half-yearly licence, the last day of a six-month period beginning on the first day of the quarter in which the licence was issued; or

(*c*) if a quarterly licence, the last day of the quarter in which the licence was issued.

Taxes

95. (1) The taxes specified in the First Schedule shall be payable in respect of vehicle, motor vehicle and trailer licences.

(2) For every annual licence for a motor vehicle or trailer the tax shall be as specified in the said Schedule: for every half-yearly licence there shall be paid fifty-five per centum of the said tax, and for every quarterly licence thirty per centum of the said tax.

(3) The holder of a motor vehicle or trailer licence other than a quarterly licence shall, on surrendering it for cancellation to the licensing officer who issued the licence, be entitled to a refund of one-twelfth part of the annual tax paid on the licence for each complete calendar month of the licence period still to run:

Provided that-

(i) the sum of seventy five penalty units shall be deducted from the total amount so computed and shall not be refunded;

(ii) the licensing officer may, where it is proved to his satisfaction that it is not possible for the holder of a licence to surrender it for cancellation, dispense with the surrender of such licence.

*(2)(4) Notwithstanding any other provision contained in this section, the tax payable in respect of vehicle, motor vehicle and trailer licences issued on or after the 6th July, shall be computed-

*This subsection shall be deemed to have come into force on 6th July, 1963. (See Act No. 37 of 1963.)

(*a*) for the period from the 6th July, to the 30th September, both dates inclusive, at the rate in force immediately before the 6th July;

(*b*) for any period after the 30th September, at the rate in force on the 6th July;

and the tax so computed shall be payable in respect of any such licence.

(*As amended by No.* 26 *of* 1959, *No.* 17 *of* 1961, *Nos.* 24 *and* 37 *of* 1963, *and Act No.* 13 *of* 1994)

Disposal of taxes

96. All taxes collected under the provisions of section *ninety-five* shall be paid into the general revenues of the Republic.

(*As amended by No*. 38 *of* 1960, *S.I*. *No*. 122 *of* 1965 *and No*. 19 *of* 1966)

*This subsection shall be deemed to have come into force on 6th July, 1963. (See Act No. 37 of 1963.)

Licence to be carried on motor vehicle or trailer

97. (1) Every motor vehicle or trailer licence shall be carried on the vehicle or trailer in the manner prescribed when the vehicle or trailer is in use:

Provided that a motor dealer's vehicle licence need not be carried on a vehicle or trailer used under the authority of the licence, and provided further that a trailer licence may be carried in or on the motor vehicle drawing it at the time.

(2) Every motor vehicle or trailer licence may be inspected on demand by any road traffic inspector in uniform or by police officer or by any other person so authorised in writing by the Commissioner.

(*As amended by Act No.* 35 *of* 1974)

Penalty for affixing false licence or token

98. Any person who shall manufacture or be in possession of or affix any false licence or token to any vehicle, or who shall affix a licence or token to a vehicle other than the vehicle in respect of which it was issued, shall be liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

(*As amended by Act No.* 13 *of* 1994)

Motor dealer's vehicle licence

99. Notwithstanding any other provision contained in this Part, a licensing officer may issue to a dealer in or manufacturer of motor vehicles or trailers, who makes application on the prescribed form, a motor dealer's vehicle licence which, subject to the payment of the tax specified in the First Schedule and to the provisions of sections *one hundred* to *one hundred and six*, and to any other conditions which may from time to time be prescribed, shall authorise the use of such number of motor vehicles or trailers as may be specified therein.

Use of motor dealer's vehicle licence

100. A motor dealer's vehicle licence in the prescribed form shall authorise the use of any motor vehicle or trailer which is being driven to the motor dealer's place of business after delivery to him, or being tested by the motor dealer, or being tested or used for the purpose of effecting a sale, or for such other purposes as may be prescribed. It shall not authorise the carriage of passengers or goods for hire or reward or any passenger not employed by the motor dealer or not engaged in testing the vehicle or trailer or inspecting the same with a view to purchase.

Motor dealer's identification plates

101. The licensing officer shall assign sufficient identification numbers and, if it is so prescribed, sufficient discs or other tokens in the prescribed form to identify all vehicles and trailers used under the authority of a motor dealer's vehicle licence, and shall enter such numbers in the licence. The plates bearing the assigned identification numbers shall be interchangeable between all vehicles or trailers in the motor dealer's possession when used for the purpose set forth in section *one hundred* and shall be fixed or suspended on the vehicle or trailer in the prescribed manner.

Duration of motor dealer's vehicle licence

102. A motor dealer's vehicle licence shall continue in force from the date of the granting thereof until the next following 31st December:

Provided that the licence shall cease to be valid if the motor dealer ceases to carry on business in the district in which it is issued, and provided further that it may be transferred or assigned to any other motor dealer with the sanction of the licensing officer.

Fee for motor dealer's vehicle licence

103. For each separate identification number included in a motor dealer's vehicle licence a fee shall be charged as specified in the First Schedule.

Cancellation of motor dealer's vehicle licence

104. Where the holder of a motor dealer's vehicle licence is convicted before any court of an offence contrary to any of the provisions of this Act or of any regulations made thereunder relating to such licences, the court may in addition to imposing any other penalty order the cancellation of such licence.

Motor dealer's vehicle licence not to be misused

105. (1) No motor dealer's vehicle licence shall be used for any purpose not provided for in this Act.

(2) No motor vehicle or trailer shall be used on any road under the authority of a motor dealer's vehicle licence unless the holder of the licence or a person duly authorised by him accompanies such vehicle, and any person so using a motor vehicle or trailer shall be guilty of an offence.

Farm vehicle licences

106. Notwithstanding any other provision contained in this Part, a licensing officer may issue to any farmer who makes application in the prescribed form and manner a farm vehicle licence which, subject to the payment of the tax specified in the First Schedule and to any other conditions which may from time to time be prescribed, shall authorise the use of such number of motor vehicles and trailers, used exclusively by the farmer concerned for agricultural purposes as may be specified therein, subject to the following provisions:

(*a*) the motor vehicles and trailers used under such licence shall not be used on any road except-

(i) for the purpose of proceeding to or from a workshop for the purposes of maintenance or repair;

(ii) for a journey of not more than eight kilometres for the purpose of going from one portion of land belonging to or in the occupation of the owner of the motor vehicle or trailer to any other such portion; or

(iii) for the purpose of complying with the provisions of this Act or any regulations made thereunder or with any order or direction made or given under the said Act or regulations, relating to the examination of vehicles;

(*b*) every such licence shall be valid for twelve months from the first day of the quarter in which it is issued;

(*c*) every motor vehicle or trailer used on a road under the authority of a farm vehicle licence shall display in such manner as may be prescribed a farm vehicle identification plate or token in the prescribed form.

(*As amended by No.* 25 *of* 1963)

Contract cars

107. (1) No person shall let out on hire any contract car unless the motor vehicle licence in respect of such contract car has been inscribed by the licensing officer as being valid for a contract car.

(2) No motor vehicle licence issued in respect of a contract car shall be used on any motor vehicle other than the motor vehicle in respect of which it was issued.

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

Power to remit fees

108. The *(3)Minister may, if he thinks fit, remit the whole or any portion of any fee prescribed for a licence issued under the provisions of this Act, either unconditionally or on such terms as he may deem fit to enforce, and he may delegate his powers to such officers and on such conditions as he thinks fit.

* Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.

Provisions of Part VI not to apply to certain vehicles

109. (1) The provisions of this Part shall not apply to-

(*a*) any vehicle or trailer held for the purposes of sale only, subject to the provisions of sections *ninety-nine* to *one hundred and five*;

(*b*) any vehicle or trailer for which a licence is required under any other law for the time being in force;

(*c*) any motor vehicle or trailer owned by the Government or the President;

(*d*) any motor vehicle or trailer brought into Zambia by visitors, whether used under the authority of an international certificate or not, and exempted from being licensed under this Act in accordance with any regulations made under this Act;

*Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.

(*e*) bicycles;

(*f*) any other vehicle or trailer or class of vehicle or trailer as may by regulation be prescribed.

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(2) After the commencement of this Act, no licence to use a vehicle or trailer shall be necessary under any rules or by-laws made or deemed to have been made under the Local Government Act.

(*As amended by G.N. No.* 293 *of* 1964
and No. 37 *of* 1965)

PART VII

DRIVING LICENCES: ISSUE, TESTING, ETC.

Necessity to hold driving licence

110. (1) No person shall drive a motor vehicle on a road unless he is the holder of a driving licence authorising him to drive a vehicle of that class or description, and no person shall permit or employ any person to drive a motor vehicle on a road unless that person is the holder of such a driving licence, and if any person acts in contravention of any of these provisions he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units:

Provided that this section shall not apply to any person who is the holder of an international driving permit or of any other driving licence or permit issued outside Zambia, or of a military driving licence, or of the equivalent of such licence or permit, which is deemed by regulation made under this Act to have effect within Zambia as though it were a driving licence issued under section *one hundred and eleven* or *one hundred and thirteen*.

(2) Subject to the provisions of subsection (1), any motor vehicle which is driven on a road by any person who is not the holder of a valid driving licence authorising him to drive a vehicle of that class or description, may be impounded by any road traffic inspector in uniform or by any police officer.

(3) Upon the issue of a driving licence to a person, any driving licence previously issued to that person, whether inside or outside Zambia, shall become void in so far as it may authorise the holder to drive a motor vehicle in Zambia.

(*As amended by Act No.* 35 *of* 1974
and Act No. 13 *of* 1994)

Application for issue of driving licence

111. (1) Application for a driving licence or for a duplicate driving licence or for the renewal of such licences as may be prescribed or for the extension, by endorsement, of a driving licence, shall, subject to the provisions of subsection (2), be made to a licensing officer and shall be in such form as may be prescribed.

(2) Where it is so prescribed an application under the provisions of subsection (1) shall be made to the Commissioner.

(3) Any person making an application under this section shall comply with such conditions and make such declarations as may be prescribed:

Provided that where conditions are so prescribed a licensing officer or the Commissioner, as the case may be, may dispense with compliance with such conditions in such circumstances as may be prescribed.

(4) Subject to the provisions of this Act and to any regulations made thereunder and on payment of the prescribed fee, a licensing officer shall issue, renew or extend, by endorsement, a driving licence or a duplicate driving licence.

(5) Driving licences shall be renewed or extended, by endorsement, in such manner as may be prescribed.

(*No.* 17 *of* 1961)

Driving tests

112. (1) A driving test shall be conducted by a driving examiner, and the form of the test shall be in accordance with the general instructions laid down from time to time by the Commissioner and every person taking a test shall comply with such conditions as may be prescribed.

(2) Upon being satisfied on such test that the applicant is competent to drive a motor vehicle of the class in respect of which the test was held, the driving examiner shall on payment of such fee as may be prescribed issue to the applicant a certificate in such form as may be prescribed stating that the holder is competent to drive such class of motor vehicle as may be specified in such certificate.

(*As amended by No.* 17 *of* 1961)

Provisional driving licences

113. (1) Notwithstanding anything to the contrary contained in section *one hundred and ten*, a licensing officer may issue a provisional driving licence to any person who wishes to learn to drive a motor vehicle and who applies for such licence in such form and manner, if any, as may be prescribed.

(2) A provisional driving licence shall be in such form as may be prescribed and shall entitle the holder thereof, for a period of three months from the date of issue in the case of any motor vehicle other than a motor cycle, or for a period of one month from the date of issue in the case of a motor cycle, to drive upon any road a motor vehicle of the class in respect of which it has been issued:

Provided that-

(i) whilst a person is so driving a motor vehicle he shall at all times be under the supervision of a person who shall sit beside him or, if this is not possible, as near as is practicable, and who shall be in possession of a licence to drive such vehicle, and provided further that such plates as may be prescribed shall be displayed upon such vehicle;

(ii) such plates as may be prescribed for use when a person is under instruction shall be removed when any person holding a valid driving licence issued under section *one hundred and eleven* is driving the vehicle:

Provided that this proviso shall not apply to a vehicle used specifically for driving instruction and owned by a person licensed in accordance with section *two hundred and forty-seven* as a driving instructor nor to a vehicle being driven by a person holding a valid licence during any period when a person holding a provisional licence is under instruction;

(iii) a person riding a motor cycle or auto cycle or other vehicle which is not constructed or adapted to carry more than one person whilst in possession of a provisional driving licence shall not be required to be under supervision as in proviso (i) and no person other than the rider shall be carried on a motor cycle or auto cycle when the rider thereof has a provisional driving licence.

(3) Where a public service vehicle is being driven by the holder of a provisional licence, no person other than the person supervising the driving of such vehicle by such holder in accordance with the provisions of subsection (2) shall be carried as a passenger in such vehicle:

Provided that-

(i) the provisions of this subsection shall not apply where a person is being carried in such vehicle for the sole purpose of receiving instruction in the driving of such vehicle;

(ii) not more than one person being carried for the purpose of receiving instruction shall be in the front seat with the driving instructor.

(4) Any person failing to comply with the provisions of this section shall be guilty of an offence and upon conviction shall be liable, in the case of a first offence, to a fine not exceeding one thousand penalty units, and in the case of a second or subsequent conviction to a fine not exceeding two thousand penalty units.

(5) Notwithstanding anything contained in subsection (4), any motor vehicle in respect of which an offence is committed under this section may be impounded by any road traffic inspector in uniform or by any police officer.

(*As amended by No.* 17 *of* 1961 *and No.* 19 *of* 1966 *and No.* 35 *of* 1974 *and Act No.* 13 *of* 1994)

Physical fitness

114. A licensing officer shall not issue a provisional driving licence to any person who is unable to certify in the prescribed manner that his physique, vision, hearing, and bodily and mental fitness are such as to warrant the issue to him of a licence, and before issuing a provisional driving licence the licensing officer may, if he thinks fit, require the applicant to produce a satisfactory medical certificate in such form as may be prescribed, signed by a registered medical practitioner.

(*As amended by No.* 17 *of* 1961)

Classes of motor vehicle

115. (1) A driving licence and a provisional driving licence, unless expressed to be valid for all classes of motor vehicles, shall be valid only for the class or classes of motor vehicle specified therein, but may by endorsement of the licence in the manner and form prescribed, and on payment of the prescribed fee, be extended to any other class of motor vehicle:

Provided that the passing of a test to drive a particular class of vehicle specified in such regulations as may be made in that behalf shall entitle the applicant to have his licence endorsed for other classes of vehicle as may be specified in such regulations.

(2) For the purposes of this section, motor vehicles shall be classified as may be prescribed.

(*As amended by No.* 17 *of* 1961)

Age of driver

116. (1) Notwithstanding any other provision of this Act, no person shall obtain or attempt to obtain a driving licence or provisional driving licence-

(*a*) to drive an auto cycle or invalid carriage, unless he has attained the age of sixteen years; or

(*b*) to drive a construction vehicle, a heavy goods vehicle or an articulated vehicle, unless he has attained the age of eighteen years; or

(*c*) to drive a public service vehicle carrying passengers for hire or reward, or a private motor omnibus used otherwise than for private or domestic purposes, unless he has attained the age of twenty-one years; or

(*d*) to drive any motor vehicle not mentioned in paragraph (*a*), (*b*) or (*c*), unless he has attained the age of seventeen years.

(2) For the purposes of this section, an "articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle.

(3) Any driving licence or provisional driving licence obtained in contravention of this section shall be void.

(4) Any person contravening the provisions of this section shall be guilty of an offence.

(*As amended by No.* 38 *of* 1960)

Driving test fees

117. (1) Every person applying to undergo a driving test shall pay the prescribed fee. If a person fails to present himself for the test for which he has applied, the fee paid shall be forfeit:

Provided that if he gives forty-eight hours' notice of his inability to appear for any test which has been arranged for him, the fee paid shall be refunded to him. The disposal of fees shall be as may be prescribed.

(2) No fee shall be payable in respect of a test carried out as a result of an order passed under subsection (1)(*c*) of section *one hundred and twenty*.

Form and duration of licences

118. (1) Driving licences shall be in such form and be valid for such periods as may be prescribed:

Provided that different forms and different periods of validity may be prescribed for different types of driving licence.

(2) Duplicate driving licences shall be in such form and may be issued in such circumstances and subject to such conditions as may be prescribed.

(3) The signature, or thumb mark, and, where so required by regulations made under subsection (4), the photograph of the holder shall be affixed to a driving licence in the prescribed manner, and a licensing officer may require that such holder, or any person to whom a driving licence is to be issued, shall appear before him in person for the purpose of affixing such signature, mark or photograph.

(4) The Minister may, by regulation-

(*a*) require a photograph, of such size and type as may be prescribed, of the holder of a driving licence, or of any specified type of driving licence, to be affixed to such licence;

(*b*) prescribe the class or description of vehicle which old licences of a specified type shall authorise the holders thereof to drive;

(*c*) prescribe a date after which old licences, or any specified type or types of old licence, shall cease to be valid;

(*d*) provide for the replacement of old licences by driving licences issued under this Act, the procedure to be adopted upon such replacement, and the fee, if any, to be paid in respect thereof.

(5) In this section-

"old licence" means a driving licence issued under the provisions of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and valid at the commencement of any regulations made under subsection (4) referring to such licence;

"type", in relation to a licence, means such a licence authorising the holder thereof to drive vehicles of a certain class or description, or certain classes or descriptions.

(*No.* 17 *of* 1961 *as amended by G.N. No.* 275 *of* 1964)

Fees for licences

119. (1) There shall be payable in respect of a driving licence the fee prescribed in the Third Schedule.

(2) There shall be payable in respect of a provisional driving licence such fee as the Minister may prescribe.

(3) Any fee payable in respect of a driving licence or a provisional driving licence shall be paid to the licensing officer by whom it is issued at the time it is issued.

(4) Any fee paid to a licensing officer in respect of a driving licence or a provisional driving licence shall be paid into the general revenues of the Republic:

Provided that if a licensing officer is the holder of an office in a local authority, there shall be paid into the general fund of such local authority in each financial year of such local authority-

(*a*) ten per centum of the first thirty thousand fee units of the fees so paid to such licensing officer in that financial year; and

(*b*) five per centum of the balance of the fee units so paid to such licensing officer in that financial year;

and the net amount of such fees shall be paid into the general revenues of the Republic.

(5) In this section- Cap. 281

"financial year", in relation to a local authority, has the meaning assigned thereto in section *forty-two* of the Local Government Act, Cap. 281

"local authority" means a municipal council, a township council or a rural council established, or deemed to be established, under the Local Government Act.

(*No.* 4 *of* 1969 *and Act No.* 13 *of* 1994)

Revocation, etc., of driving licences

120. (1) Notwithstanding anything to the contrary contained in this Act, it shall be lawful for the Commissioner-

(*a*) to revoke a licence or an endorsement authorising the holder thereof to drive a public service vehicle if, in the opinion of the Commissioner, the conduct or character of the holder is such as to render him unfit to drive such vehicle from the point of view of the safety of the public;

(*b*) to revoke a driving licence of any person who appears, in the opinion of the Commissioner, to be suffering from a disease or disability likely to cause the driving by him of a motor vehicle to be a source of danger to the public; or

(*c*) to order a fresh driving test by a driving examiner in the case of any holder of a driving licence who appears to the Commissioner to be so deficient in driving ability as to be a source of danger to the public, and if the licence holder fails to pass such test, the Commissioner shall have power to revoke his licence.

(2) The Commissioner may at any time cancel or amend an order made by him under this section.

(3) No revocation may be made under this section unless the licence holder concerned has first been given an opportunity to make representations on his behalf to the Commissioner.

(4) Any person aggrieved by an order or decision of the Commissioner under this section may appeal to the Minister within fourteen days from the making thereof.

(5) Any order under this section shall be in writing and shall be sent or delivered to the licence holder concerned, and in the case of an order to revoke a driving licence or an endorsement of such licence the licence holder shall, within fourteen days of the receipt of such order or of the failure of an appeal against such order, as the case may be, deliver or send such licence to the person who made such order.

(*As amended by No.* 38 *of* 1960
and S.I. No. 36 *of* 1964)

Appeals

121. (1) Any person aggrieved by the refusal of a licensing officer or of the Commissioner to issue a driving licence under this Part may, within fourteen days of such refusal, appeal to the Commissioner or, where the appeal is from a refusal of the Commissioner, to the Minister in such form and manner as may be prescribed.

(2) In any such appeal the decision of the Commissioner or of the Minister, as the case may be, shall be final.

(3) Regulations may be made providing for an appeal against a refusal to issue a duplicate driving licence.

(*As amended by No.* 17 *of* 1961)

PART VIII

DRIVING LICENCES: SUSPENSION, CANCELLATION, ENDORSEMENT

Powers of court

122. (1) Any court before which a person is convicted of an offence under this Act-

(*a*) may where so permitted by the Second Schedule, and unless the court for special reasons thinks fit to order otherwise shall where so required by the said Schedule, if the person convicted holds a driving licence granted in Zambia, or a driving licence or its equivalent granted in any other country and which is valid in Zambia, suspend such licence or its equivalent, for such time as the court thinks fit, or cancel such licence or its equivalent and declare the person convicted disqualified from obtaining another licence in Zambia for a stated period:

Provided that where the provisions of this section apply, and where the person convicted holds no driving licence or its equivalent, the court may, and unless the court for special reasons thinks fit to order otherwise shall where so required, declare that person disqualified from obtaining a licence in Zambia for a stated period;

(*b*) may where so permitted by the Second Schedule, and shall where so required by the said Schedule, order that particulars of the conviction and of any suspension or cancellation of his driving licence and any disqualification to which such person has become subject shall be endorsed on the licence or its equivalent held by such person;

(*c*) may in all cases where a licence is suspended or cancelled order that the person convicted be disqualified from holding or obtaining a licence in Zambia unless and until he has, since the date of such order, passed a driving test:

Provided that if the court thinks fit, any suspension of a licence or disqualification imposed under this section may be limited to the driving of a motor vehicle of the same class as the vehicle in relation to which the offence was committed.

(2) Any court, hereinafter called the convicting court, making an order under the provisions of subsection (1) shall cause a copy of such order to be sent to the Commissioner.

(3) Where the convicting court or any other court varies an order made under the provisions of subsection (1), the convicting court shall cause the Commissioner to be notified of such variation.

(4) Where the Commissioner receives a copy of an order or is notified of a variation of an order, under the provisions of this section, he shall cause such order or variation to be noted in such manner as may be prescribed.

(*As amended by No.* 17 *of* 1961)

Right of appeal

123. A person whose licence by virtue of an order of a court is suspended or cancelled or who is disqualified from holding or obtaining a driving licence, or whose licence is endorsed, may appeal against the order in the same manner as against a conviction, and the court may, if it thinks fit, pending an appeal, suspend the operation of the order.

Production of driving licence for endorsement

124. Where an order is made requiring any licence or its equivalent held by an offender to be endorsed, then-

(*a*) if the offender is at the time the holder of a licence or its equivalent he shall, if so required by the court, produce the licence or its equivalent within five days or such longer time as the court may determine for the purpose of endorsement;

(*b*) if the offender is not then the holder of a licence but subsequently obtains a licence he shall, within five days after so obtaining the licence, produce it to the court for the purpose of endorsement;

(*c*) if the offender fails to produce the licence or its equivalent to the court for the purpose of endorsement within such time as aforesaid, he shall be guilty of an offence under this Act;

(*d*) if the licence or its equivalent is not produced for the purpose of endorsement within such time as aforesaid, it shall be suspended from the expiration of such time until it is produced for the purpose of endorsement.

Suspended licence to be of no effect

125. A driving licence or its equivalent suspended by a court shall during the period of suspension be of no effect, and a person whose licence or its equivalent is cancelled and who is declared by the court to be disqualified from obtaining a licence shall during the period of such disqualification be disqualified from obtaining a driving licence.

Application for removal of disqualification

126. (1) Any person whose driving licence is by virtue of a conviction or order suspended or who is by virtue of a conviction or order disqualified from holding or obtaining a driving licence may apply to the court before which he was convicted or by which the order was made to cancel the suspension or remove the disqualification:

Provided that no such application shall be made before the expiration of whichever is relevant of the following periods from the date of the conviction or order by virtue of which the suspension or disqualification was imposed, that is to say:

(*a*) six months, if the disqualification or suspension is less than a year;

(*b*) one-half of the period of the disqualification or suspension if it is for less than six years, but not less than a year;

(*c*) three years in any other case.

Notwithstanding paragraphs (*a*), (*b*) and (*c*) of this proviso, if, in the opinion of a magistrate, circumstances are such as to justify the removal of the suspension or disqualification of a driving licence in a lesser period, the magistrate may direct accordingly.

(2) In determining the expiration of the period for which a licence is suspended or a person is disqualified by virtue of a conviction or by an order made in consequence of such a conviction or after which, under the provisions of this section, a person may apply for the cancellation of such suspension or for the removal of such disqualification, any time after the conviction during which the suspension or disqualification was suspended or his licence was not suspended or he was not disqualified shall be disregarded.

(3) Upon any such application a court may if it thinks proper, having regard to the character of the person whose licence is suspended or who is disqualified and his conduct subsequent to the conviction or order, the nature of the offence and any other circumstances of the case, either by order remove the suspension or disqualification as from such date as may be specified in the order, or refuse the application:

Provided that where an application under this section is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

(4) If the court orders a suspension to be cancelled or a disqualification to be removed, the court shall cause particulars of the order to be endorsed on the licence or its equivalent, if any, previously held by the applicant, and the court shall, in any case, have power to order the applicant to pay the whole or any part of the cost of the application.

Removal of disqualification no longer provided for

127. Where as a result of any order passed prior to the commencement of this Act a person is disqualified from holding or obtaining a driving licence, or his licence is suspended, and where such disqualification or suspension is no longer provided for in this Act, the court shall, upon the application of the person concerned, cancel such disqualification or suspension.

Fraudulent application for driving licence

128. If any person who under the provisions of this Act is disqualified from holding or obtaining a driving licence applies for or obtains a licence while he is so disqualified, or if any person while he is so disqualified or while his licence is suspended drives a motor vehicle on a road or, if the disqualification or suspension is limited to the driving of a motor vehicle of a particular class or description, drives a motor vehicle of that class or description, on a road, or if any person who has been refused a licence applies for or obtains a licence without disclosing such refusal, he shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, and in the case of a second or subsequent offence, to a fine not exceeding six thousand penalty units or to imprisonment for a period not exceeding one year.

(*As amended by Act No.* 13 *of* 1994)

Particulars of endorsement to be copied on new licence

129. On the issue of a new driving licence to any person, the particulars endorsed on any previous licence or its equivalent held by him shall be copied on to the new licence, unless he has previously become entitled under the provisions of section *one hundred and thirty-one* to have a licence issued to him free from endorsement.

Applying for licence without disclosing endorsement

130. If any person whose driving licence or its equivalent has been ordered to be endorsed, and who has not previously become entitled under the provisions of section *one hundred and thirty-one* to have a licence issued to him free from endorsement, applies for or obtains a licence without giving particulars of the order of endorsement, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units, and any licence so obtained shall be of no effect.

(*As amended by Act No.* 13 *of* 1994)

Issue of new licence free from endorsement

131. Where a person in respect of whom an order has been made under this Act or under the Motor Traffic Act, Chapter 172 of the 1957 Edition of the Laws, requiring the endorsement of any driving licence or its equivalent held by him has during a continuous period of three years or upwards since the order was made had no further similar order made against him, he shall be entitled, on application and subject to the payment of the fee specified for the issue of a driving licence, and to the surrender of any subsisting licence, or its equivalent, at any time to have issued to him a new licence free from endorsement:

Provided that, in reckoning the said period of three years, any period during which the person was by virtue of the order disqualified from holding or obtaining a licence or for which his licence was suspended shall be excluded.

(*As amended by No.* 38 *of* 1960)

Removal of endorsement

132. Where as a result of any order passed prior to the commencement of this Act a driving licence or its equivalent is endorsed, and where such endorsement is no longer provided for under this Act, the holder of that licence or its equivalent shall be entitled to a new licence free from endorsement as provided for in section *one hundred and thirty-one*, free of cost.

PART IX

COMPULSORY THIRD PARTY INSURANCE

Users of motor vehicles to be insured against third party risks

133. (1) It shall not be lawful for any person to use or cause or permit any other person to use a motor vehicle or trailer on a road unless there is in force in relation to the use of such vehicle or trailer by that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third party risks as complies with the requirements of this Part:

Provided that this section shall not apply to a motor vehicle or trailer owned by the Government.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units or to such imprisonment as aforesaid, or to both such fine and imprisonment.

(*As amended by G.N. No.* 293 *of* 1964,
S.I. No. 122 *of* 1965 *and No.* 13 *of* 1994)

Saving in respect of liability

134. A person charged with using a motor vehicle or trailer in contravention of section *one hundred and thirty-three* shall not be convicted if he proves that the vehicle or trailer did not belong to him and was not in his possession under a contract of hiring or of loan, that he was using the vehicle or trailer in the course of his employment, and that he neither knew, nor had reason to believe, that there was not in force in relation to the vehicle or trailer such a policy of insurance or security as complied with the requirements of this Part.

Requirements in respect of policies of insurance

135. In order to comply with the requirements of this Part, a policy of insurance must be a policy which-

(*a*) is issued by a person who is approved by the Minister as an insurer for the purposes of this Part; and

(*b*) insures such person, persons or classes of person as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of the motor vehicle or trailer on a road to an amount of at least-

A. fifteen thousand fee units in respect of any one person killed or injured; and

B. sixty thousand fee units in respect of any one accident or series of accidents due to or arising out of the occurrence of any one event:

Provided that any policy in terms of this section shall not be required to cover-

(i) any liability in respect of the death of, or bodily injury to, a person in the employ of any person insured by the policy, if such death or bodily
injury arises out of and in the course of his employment; or

(ii) except in the case of a motor vehicle or trailer in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon or entering or getting on to or alighting from the vehicle or trailer at the time of the occurrence of the event out of which the claims arise; or

(iii) any contractual liability.

(*As amended by Act No.* 13 *of* 1994)

Requirements in respect of securities

136. (1) In order to comply with the requirements of this Part, a security must-

(*a*) consist of an undertaking by the giver of the security to make good, subject to any conditions specified therein, and up to an amount approved by the Minister, any failure by the owner of the motor vehicle or trailer or such other persons or classes of persons as may be specified in the security duly to discharge any such liability as is required to be covered by a policy of insurance under the last preceding section, which may be incurred by him or them; and

(*b*) be approved by the Minister and deposited with him.

(2) Whenever such a security is approved by the Minister and deposited with him, the Minister shall give to the owner of the motor vehicle or trailer concerned a certificate (hereinafter called a certificate of security) in the prescribed form and containing such particulars of any conditions subject to which the security is given as may be prescribed.

(3) References in the remainder of this Part to a policy, an insurer or an insured shall be deemed to include references to a security, a giver of a security or a person secured, as the case may be.

Right of injured party to proceed against insurer

137. (1) Any person having a claim against a person insured in respect of any liability in regard to which a policy of insurance has been issued for the purposes of this Part shall be entitled in his own name to recover directly from the insurer any amount, not exceeding the amount covered by the policy, for which the person insured is liable to the said person having the claim:

Provided that-

(i) the rights of any such person claiming directly against the insurer shall, except as provided in subsection (2), be not greater than the rights of the person insured against such insurer;

(ii) the right to recover directly from the insurer shall terminate upon the expiration of a period of two years from the date upon which the claimant's cause of action against the person insured arose;

(iii) the expiration of such period as is mentioned in proviso (ii) shall not affect the validity of any legal proceedings commenced during such period for the purpose of enforcing a right given under this section.

(2) In respect of the claim of any such person claiming directly against the insurer, any condition in a policy purporting to restrict the insurance of the person insured thereby shall be of no effect:

Provided that nothing in this section shall require an insurer to pay any sum in respect of the liability of any person otherwise than in or towards the discharge of that liability, and any sum paid by an insurer in or towards the discharge of any liability of any person which is covered by the policy by virtue only of the operation of this subsection shall be recoverable by the insurer from that person.

Certain conditions in policy to be of no effect

138. (1) Any condition in a policy given under this Part providing that, in the event of some specified thing being done or omitted to be done no liability shall arise under the contract, or that in any such event any liability so arising shall cease, shall be of no effect in connection with any claim in respect of which the policy holder is required to be insured by virtue of the provisions of this Part:

Provided that nothing in this section shall be taken to render void any provision in a policy requiring the person insured to repay to the insurer any sums which the latter may have become liable to pay under the policy or under the provisions of section *one hundred and thirty-seven* and which have been applied to the satisfaction of the claims of third parties.

(2) A person issuing a policy of insurance for the purposes of this Part shall be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of those persons or classes of persons.

(3) In this section, and in section *one hundred and thirty-seven*, "person insured" includes any person whom a person issuing a policy of insurance for the purposes of this Part is liable to indemnify by virtue of subsection (2).

(*As amended by No.* 19 *of* 1966)

Avoidance of contracts so far as restrictive of liability in respect of respect of death of or injury to passengers in public service vehicles

139. Any contract for the conveyance of a passenger in a public service vehicle shall, so far as it purports to negative or to restrict the liability of any person in respect of any claim which may be made against that person in respect of the death of, or bodily injury to, the passenger while being carried in, entering, or alighting from the vehicle, or purports to impose any conditions with respect to the enforcement of any such liability, be void.

Hospital expenses

140. Where an insurer makes any payment under the provisions of this Part in respect of the death of, or bodily injury to, any person who has received treatment in a hospital in respect of the fatal or other bodily injury so arising, the insurer shall also pay to such hospital the expenses reasonably incurred by the hospital in affording such treatment to an amount not exceeding one thousand five hundred penalty units for each person so treated as an in-patient and not exceeding three hundred penalty units for each person so treated as an out-patient:

Provided that these sums may be varied from time to time by the Minister by statutory notice.

(*As amended by Act No.* 13 *of* 1994)

Documentary proof of existence of insurance policy

141. Upon the issue of a policy of insurance in accordance with the requirements of this Part, the insurer shall issue to the insured in respect of each vehicle and trailer insured a certificate (in this Part referred to as a "certificate of insurance") in the prescribed form and containing such particulars of any conditions subject to which the policy is issued and of any other matters as may be prescribed, and different forms and different particulars may be prescribed in relation to different cases or circumstances.

Production of certificate of insurance

142. (1) Any person driving a motor vehicle on a road, or any person whom a police officer has reasonable cause to believe to have been the driver of a motor vehicle at a time when an accident occurred owing to its presence on a road, or any person whom a police officer has reasonable cause to believe to have committed an offence in relation to the use of a motor vehicle on a road, shall, on being so required by a police officer, give his name and address and the name and address of the owner of the vehicle and shall produce his certificate of insurance and if he fails to do so he shall be guilty of an offence:

Provided that if the driver of a motor vehicle within seven days after the date on which the production of his certificate was so required, or within such greater period as the police officer requiring him to produce his certificate may specify, produces or otherwise furnishes the certificate at such police station as may have been specified by him at the time its production was required, he shall not be convicted of an offence under this subsection by reason only of failure to produce his certificate to the police officer.

(2) If in any case where, owing to the presence of a motor vehicle or trailer on a road, an accident occurs involving personal injury to another person, the driver of the vehicle does not at the time produce his certificate to a police officer or to some person who, having reasonable grounds for so doing, has required its production, the driver shall as soon as possible, and in any case within twenty-four hours of the occurrence of the accident, report the accident at a police station or to a police officer and thereupon produce his certificate, and if he fails to do so, he shall be guilty of an offence:

Provided that a person shall not be convicted of an offence under this subsection by reason only of failure to produce his certificate if, within seven days after the occurrence of the accident or within such greater period as the police officer to whom he reported the accident may specify, he produces or otherwise furnishes the certificate at such police station as may have been specified by him at the time the accident was reported.

(3) It shall be the duty of the owner of a motor vehicle to give such information as he may be required by or on behalf of the Commissioner of Police to give for the purpose of determining whether the vehicle was or was not being driven in contravention of section *one hundred and thirty-three* on any occasion when the driver was required under this section to produce his certificate, and if the owner fails to do so he shall be guilty of an offence.

(4) In this section, the expression "produce his certificate" means produce for examination the relevant certificate of insurance or certificate of security or such other evidence that the vehicle was or was not being driven in contravention of section *one hundred and thirty-three* as may be prescribed.

(5) In the case of motor vehicles or trailers that are subject to Part XI, a road traffic inspector may exercise all the powers conferred upon a police officer by this section.

(*As amended by No.* 17 *of* 1961
and No. 25 *of* 1963)

Customs officer may refuse to permit entry of uninsured vehicle

143. Any customs officer may refuse to permit entry into Zambia by road of any motor vehicle or trailer if he is satisfied that there is not in force in relation to the use of such motor vehicle or trailer such a policy of insurance or such a security in respect of third party risks as complies with the requirements of this Part.

(*No.* 19 *of* 1966)

Making false statements

144. If any person, for the purpose of obtaining a policy as required by section *one hundred and thirty-three*, makes any false statement, knowing it to be false, in consequence whereof the policy is liable to be avoided, or wilfully does any act which disentitles him to claim under the policy, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Certificate of insurance or security to be produced before issue of licence

145. No licensing officer shall issue to any person a licence or transfer to any person a licence for a motor vehicle or trailer unless such person produces to him-

(*a*) a certificate issued by an approved insurer in the prescribed form which states that a policy of insurance complying with the requirements of this Part will be in force in respect of the use of such vehicle or trailer on the date upon which the licence or transfer applied for is to come into force and for the period for which the licence is to be issued or remain in force; or

(*b*) a certificate of security in respect of the use of such vehicle or trailer which will be in force on the date upon which the licence or transfer applied for is to come into force and for the period for which the licence is to be issued or remain in force.

Duty of insurer when policy is cancelled, etc.

146. Where to the knowledge of an insurer a policy given for the purposes of this Part ceases to be effective without the consent of the person to whom it was issued otherwise than by the effluxion of time or by reason of his death, the insurer shall forthwith notify the Commissioner of Police of the date on which the policy ceased to be effective.

PART X

PUBLIC SERVICE VEHICLES AND PUBLIC SERVICES

Road Transport Panel

147. (1) There shall be established a Road Transport Panel which shall consist of such persons as may be appointed thereto by the Minister, and any person so appointed shall remain on the Panel for such period as the Minister shall, either generally or in any particular appointment, specify.

(2) If any person who has been appointed to the Panel acquires any financial interest in the motor trade or in any transport undertaking which carries passengers or goods for hire or reward within Zambia he shall, within four weeks after so doing, give notice thereof in writing to the Minister specifying the interest so acquired, and the Minister after taking the matter into consideration may, if he thinks fit, require such person to resign from the Panel.

(*As amended by S.I. No.* 122 *of* 1965)

Public sittings

148. (1) Subject to the provisions of sections *one hundred and fifty-five* and *one hundred and fifty-six*, the Commissioner shall, for the purpose of hearing and determining applications for the grant of road service licences or the variation of terms or conditions of such licences, and may for other purposes, hold public sittings at such places within Zambia and at such times as appear to the Commissioner to be required, having regard to the purposes of this Part and the interests of the parties concerned:

Provided that the Commissioner may, on giving at least fourteen days' notice in the *Gazette* of the intention so to do, vary a road service licence without holding a public sitting if he is of the opinion that, having regard to the trivial character of the variation, it is not necessary to hold a public sitting.

(2) At any public sitting the Commissioner shall sit with two assessors who shall be chosen by the Commissioner from the Panel as advisers.

(*As amended by No.* 50 *of* 1970)

Use of vehicles as public service vehicles for carriage of goods

149. (1) No person shall use or cause or permit to be used on a road any vehicle as a public service vehicle for the carriage of goods unless there is in force in relation to such vehicle a road service licence authorising such use.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(*As amended by No.* 19 *of* 1966,
and Act No. 13 *of* 1994)

Vehicles standing or plying for hire or used for carriage of persons for reward

150. (1) Subject to the provisions of Part XII, no person shall use or cause or permit to be used any vehicle for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons unless there is in force in relation to such vehicle a road service licence authorising such use.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine of not less than thirty thousand penalty units and not exceeding seven thousand five hundred penalty units.

(3) Where a person is charged with using a vehicle in contravention of the provisions of subsection (1) and it is proved that a police officer or road traffic inspector observed such vehicle on two or more occasions in such circumstances as to cause him reasonably to suspect that such vehicle was being used for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons, it shall be presumed, unless the contrary is proved, that such vehicle was used for such purpose or as a public service vehicle for the carriage of persons, as the case may be.

(4) Where any person is convicted of an offence under subsection (2) and the court is satisfied that such person has been previously convicted under that subsection within the twelve months immediately preceding the date on which such offence was committed, the court shall order-

(*a*) the cancellation by a licensing officer of the licence issued under the provisions of Part VI in respect of the vehicle used for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons, as the case may be; and

(*b*) that for such period, being not less than six months and not exceeding twelve months, as the court may direct, such vehicle may not be licensed by any person.

(5) Where a court has made an order under subsection (4) that for a specified period a vehicle may not be licensed, any person who uses such vehicle on a road during such period and while such order is in force shall be guilty of an offence and liable upon conviction to a fine not exceeding seven thousand five hundred penalty units.

(6) Any court which has made an order under subsection (4) that for a specified period a vehicle may not be licensed may, on the application of the owner for the time being of such vehicle, revoke such order at any time after it has been made.

(7) Nothing in this section shall be so construed as to prohibit the sharing of expenses of a journey by a passenger with the owner or driver of a motor vehicle other than a goods vehicle.

(8) (*a*) Taxicabs shall operate only from taxi-ranks prescribed by municipal, township or rural councils.

(*b*) Taxicabs without metres shall operate only along prescribed routes which shall be endorsed on their operating licences at the time of issue by the Commissioner.

(*As amended by Acts No.* 19 of 1966, No. 35 *of* 1974 *and No.* 13 *of* 1994)

Prohibition of the use of station wagons as taxicabs, etc.

150A. (1) Notwithstanding anything in this Part contained, no road service licence shall be granted for authorising the use of any station wagon vehicle as a taxicab or public service vehicle for the carriage of persons, and all such road service licences in force immediately before the 30th June, 1973, shall be deemed to have been cancelled on that date:

Act No. 33 of 1973

Provided that no person shall be deemed to be guilty of an offence under section *one hundred and fifty*, by reason only that on or after the 30th June, 1973, but before the publication of the Roads and Road Traffic (Amendment) (No. 2) Act, 1973, he used or caused or permitted to be used for the purpose of standing or plying for hire as a public service vehicle for the carriage of persons any vehicle in respect of which road licence has been cancelled by this subsection.

(2) The Government or any public officer shall not be held liable for anything done or any action taken on or after the 30th June, 1973, to prohibit or restrict the use of any vehicle which is a station wagon as a taxicab or a public service vehicle for the carriage of persons.

(*As amended by Act* 33 *of* 1973)

Terms, etc., of road service licences to be observed

151. (1) Subject to the provisions of Part XII, no person shall use or cause or permit to be used on a road any public service vehicle save in accordance with the terms and conditions of a road service licence authorising such use of the vehicle concerned:

Provided that any person holding more than one road service licence authorising him to carry goods may, subject to the conditions of any permit granted under section *two hundred and forty-five* in respect of any vehicle authorised under any of those licences, use any such vehicle on any route or in any area specified in any of those licences so long as neither the maximum number of vehicles, which he is by that licence authorised to use, nor the maximum aggregate weight, which he is so authorised to carry, is exceeded.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(*No.* 19 *of* 1966 *and Act No.* 13 *of* 1994)

By whom road service licence to be held, etc.

152. (1) The person required to hold a road service licence in respect of a public service vehicle shall be-

(*a*) if the vehicle is on hire to another person for a purpose other than the conveyance by that other person of passengers or goods for hire or reward, the person in whose name the vehicle is registered;

(*b*) in any other case, the person using the vehicle.

(2) Save as hereinafter provided, a road service licence shall not be capable of being transferred or assigned:

Provided that the Minister may by regulation provide for enabling a person taking over the business of the holder of a road service licence to continue for such time as may be specified to use the vehicles authorised in such licence in the event of the death, incapacity, bankruptcy or liquidation of the holder, or of the appointment of a receiver or manager in relation to the business.

(*No.* 19 *of* 1966)

Notice to be given to Commissioner of alteration to vehicles

153. (1) It shall be the duty of the holder of a road service licence, on any material alteration other than by way of replacement of parts being made in the structure or fixed equipment of any authorised vehicle specified in the licence, forthwith to give notice of such alteration to the Commissioner.

(2) If any person fails to comply with the provisions of this section, he shall be guilty of an offence.

Authorised vehicles not to be changed without permission except in emergency

154. (1) Notwithstanding any other provision contained in this Part, in the event of breakdown or other unforeseeable emergency, the holder of a road service licence may temporarily substitute another vehicle for an authorised vehicle:

Provided that-

(i) he is unable in any other way to provide the service authorised in his road service licence;

(ii) within twenty-four hours of making such substitution, such holder shall notify the Commissioner of such substitution, and no vehicle so substituted shall be used in place of an authorised vehicle for a period greater than seven days without the consent of the Commissioner.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

Road service licences

155. (1) Subject to the provisions of this section, the Commissioner may grant to any citizen of Zambia applying therefor a road service licence which shall be in the prescribed form authorising the holder to provide such road service as may be specified therein, and the Commissioner may vary the provisions of a road service licence either on application of the holder thereof or of any person of a class of objector mentioned in subsection (5), or on his own motion:

Provided that the Commissioner may, subject to the specific or general approval of the Minister, grant a road service licence to, or vary the provisions of a road service licence held by, a person who is not a citizen of Zambia if the Commissioner considers that such a grant or variation is in the interest of the Republic of Zambia.

(2) In this section, "citizen of Zambia" means-

(*a*) in relation to an individual, an individual who is a citizen of Zambia;

(*b*) in relation to a partnership, a partnership which is composed exclusively of persons who are citizens of Zambia;

(*c*) in relation to a body corporate, a body corporate which is incorporated under the laws of Zambia and-

(i) is certified under the hand of the Minister to be controlled by the State; or

(ii) A. not less than seventy-five per centum of whose membership is exclusively composed of persons who are citizens of Zambia; and

B. whose directors are exclusively citizens of Zambia; and

C. which is not controlled by any means, directly or indirectly, outside Zambia or by persons who are not exclusively citizens of Zambia or who are associated in the capital structure thereof with persons who are not exclusively citizens of Zambia.

(3) For the purpose of subsection (2), persons shall be deemed to control a body corporate notwithstanding that other persons are associated with them in the control thereof, if they can override those other persons.

(4) The Commissioner shall not grant or vary a road service licence in respect of any route if it appears to him from any particulars furnished in pursuance of subsection (7) that the provisions of this Act or of the regulations relating to the speed of motor vehicles are likely to be contravened.

(5) In exercising his discretion to grant or refuse or vary a road service licence in respect of any route or area, the Commissioner shall have regard to the following matters:

(*a*) that the applicant is a citizen of Zambia;

(*b*) the suitability of the routes on which a service may be provided under the licence;

(*c*) the extent to which any route or area in respect of which the application is made is already served by rail, road or other form of transport;

(*d*) the extent to which rail or road transport might be adversely affected and any representations which may be made in that behalf;

(*e*) the extent to which the proposed service is necessary or desirable in the public interest, including the provision of adequate, suitable and efficient services and the elimination of unnecessary and uneconomic services;

(*f*) the needs of Zambia as a whole in relation to traffic and the co-ordination of all forms of transport;

(*g*) the payment of reasonable wages and observance of proper conditions of service in respect of the drivers and conductors of the applicant;

(*h*) the reliability and financial stability of the applicant;

(*i*) facilities at the disposal of the applicant for carrying out vehicle maintenance and mechanical repairs;

(*j*) any previous convictions of the applicant for any offence against the provisions of this Act;

(*k*) the number of vehicles possessed by the applicant in relation to the demands of the service for which a licence is sought;

(*l*) whether the applicant's main source of livelihood is or is intended to be derived from the business of operating public service vehicles;

(*m*) in the case of a person who holds or has held a road service licence, the manner in which he has operated the service or services authorised by such licence;

and shall take into consideration any objections or other representations which may be made by persons who are already providing transport facilities, whether by means of road transport or any other kind of transport, along or near to the routes or in the area in respect of which the application is made or any part thereof, or by any local authority in whose area such services or any part thereof are to be provided, or by any member of the public within the area in respect of which the application is made or any part thereof. The onus of proof that there are grounds for any objection shall lie on the objector. To enable such objections or representations to be made, the Commissioner shall, if the particulars required under subsection (7) have been supplied and the application is otherwise in order, cause a notice of the application to be published in the *Gazette* and in such other manner, if any, as may be prescribed by regulations, or in the absence of such regulations as the Commissioner may think fit, at least forty days before the public sitting at which the application is heard. Notice of objections or other representations from persons already providing transport facilities along or near to the routes or in the area in respect of which the application is made or any part thereof or from any local authority stating the grounds on which they desire to object or make representations shall be given in writing in accordance with such procedure as may be prescribed:

Provided that the Commissioner shall not be required to publish or hear an application-

(i) made by a person who is not a citizen of Zambia, unless the Commissioner otherwise considers that the application might fall within the proviso to subsection (1);

(ii) if the application falls within subsection (18).

(6) The Commissioner may grant a road service licence subject to such conditions as he may think fit and may attach to a road service licence such conditions as he may think fit and may from time to time vary such conditions in such manner as he may think fit. Compliance with the provisions of this Act and of any regulations made thereunder and adherence to the rates and fares fixed and laid down in respect of any service shall be implied conditions of the road service licence under which that service is operated.

(7) (*a*) Every person applying for a road service licence, and every holder of such licence applying for a variation thereof, shall submit to the Commissioner-

(i) particulars of the road or roads or area it is proposed to serve;

(ii) particulars of the vehicles to be used;

(iii) the reasons for alleging that existing transport facilities on such road or in such area (including transport by rail or any other means) are inadequate;

(iv) in the case of regular services, the time-tables of the services which it is proposed to provide under the licence;

(v) in any other case, such particulars as to the frequency of the services, the times to be taken, and the vehicles to be used on the journeys included in those services as the Commissioner may require;

(vi) the rate or fare tables of the proposed services;

(vii) particulars of any bankruptcy or of any agreement with creditors entered into by the applicant;

(viii) particulars of any agreement or arrangement affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward entered into by the applicant with any other person by whom such facilities are provided;

(ix) particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in the business of the applicant, and in the case of an applicant being a company, of any right which any such person as aforesaid has to nominate any director of the company, and any such interest or right which the applicant has in the business of any other person engaged in the operation of public service vehicles within Zambia;

(x) such other information as the Commissioner may require;

and in the case of any material misstatement of any of the above particulars the Commissioner may revoke any road service licence issued or any variation made by him upon the application containing such misstatement.

(*b*) Where any application made by any person in accordance with paragraph (*a*) is refused by the Commissioner and within a period of six months from the date of such refusal a further application is made by the same person which, in the opinion of the Commissioner, is substantially the same as the one refused, the Commissioner may in his discretion refuse to entertain such further application until the expiry of such period of six months.

(8) The Commissioner may, either of his own motion or at the request of any person interested or affected, at any time lay down or vary fixed rates and fares for any service on any road or in any area, or may fix or vary the maximum or minimum rates and fares for any service.

(9) The Commissioner on granting, revoking or suspending in whole or in part a road service licence or varying the terms or conditions of such a licence shall publish a notice thereof in the *Gazette*, and in such other manner, if any, as may be prescribed by regulation or, in the absence of such regulation, as the Commissioner may think fit, but failure to publish such notice shall not operate to invalidate any matter in respect of which such notice ought to have been given.

(10) (*a*) A road service licence may be revoked or suspended in whole or in part or its terms or conditions may be varied by the Commissioner on the ground that any condition subject to which the licence or a variation was granted has not been complied with:

Provided that the Commissioner shall not revoke, suspend or, in the terms of this subsection, vary such a licence unless owing to the frequency of the breach of conditions on the part of the licence holder or to the breach having been committed wilfully, or to the danger to the public involved in the breach, the Commissioner is satisfied that the licence should be revoked, suspended or varied.

(*b*) The issue of a road service licence may be withheld or cancelled by the Commissioner if any of the conditions subject to which such licence was granted are not complied with.

(11) Where it comes to the knowledge of the Commissioner that the services specified in any road service licence are not being adequately provided, the Commissioner may revoke or suspend the licence in whole or in part, or vary its terms or conditions, and it shall not be necessary for the Commissioner to decide such cases, or those referred to in subsection (10), at a public sitting unless requested by the holder of the licence so to do:

Provided always that in any case in which the Commissioner has been requested to hold a public sitting in accordance with the provisions of this subsection he may, if he thinks it necessary in the public interest or for the safety of the public or any members thereof, declare the licence suspended until a public sitting can be held.

(12) Subject to the provisions of section *one hundred and fifty-six*, every road service licence shall be granted for a period of not less than one year nor more than five years.

(13) For the issue of every road service licence or duplicate thereof, for every variation of such licence, and for each authorised vehicle specified therein, there shall be paid the prescribed fee.

(14) The Commissioner shall cause to be kept a register of all road service licences granted by him and such register shall be available for public inspection during normal office hours.

(15) The Commissioner shall have power to take evidence on oath and make such other necessary investigations as he may deem fit in assisting him to come to a decision regarding the issue, suspension, cancellation, variation or refusal of a road service licence, or the variation of any conditions attached thereto, and for that purpose the Commissioner shall have power to administer oaths.

(16) (*a*) Notwithstanding the provisions of this section and of section *one hundred and forty-eight*, the Commissioner may, on giving at least fourteen days' notice in the *Gazette* of the intention so to do without holding a public sitting, grant to any person applying therefor a road service licence to provide a rural feeder service after having regard only to the matters contained in paragraphs (*b*), (*e*), (*g*) and (*j*) of subsection (5), and to any objections or representations made by any person in respect thereof.

(*b*) For the purposes of this section, a rural feeder service shall mean a service for conveying goods for hire or reward in areas or on roads that are declared by the Commissioner to be primarily rural in character, subject to the following conditions:

(i) that on a rural feeder service no goods shall be taken up at any point on any specified route or in any specified area and on the same journey be set down at any other point on any specified route or in any specified area;

(ii) that no rural feeder service shall be authorised to operate on a specified route or in a specified area beyond the nearest point on that route or in that area at which such service can reasonably terminate.

(*c*) For the purposes of this section, specified routes and specified areas shall be those notified by the Minister from time to time in the *Gazette*.

(17) Notwithstanding the provisions of subsection (5), the Commissioner may grant road service licences for the operation of taxicabs in any place or area, not exceeding such number of taxicabs (hereinafter in this section referred to as "the quota") as the Minister may, by Gazette notice, from time to time specify in respect of such place or area, and the provisions of paragraphs (*c*), (*d*), (*e*) and (*f*) of subsection (5) shall not apply to any application for any such licence.

(18) Where the quota in respect of any place or area has been met, the Commissioner may refuse to publish any application for a road service licence in respect of such place or area:

Provided that the Commissioner shall keep a register of unpublished applications and shall, when the number of taxicabs falls below the quota in any place or area, publish the applications relating to that place or area in the date order in which they were received by him, to such number as he may consider necessary to meet the quota.

(19) Any road service licence-

(*a*) issued in contravention of subsection (1) to a person who is not a citizen of Zambia shall be void; or

(*b*) issued to a person who or which, by reason of any event, ceases to be a citizen of Zambia during the period of validity of such licence, shall, upon the happening of such event, expire; or

(*c*) may be revoked by the Minister, by statutory order, if it is issued to a body corporate or to a partnership of which a partner is a body corporate and the Minister is satisfied, after such inquiry as he may make or cause to be made with respect to such first mentioned body corporate or partnership, that it is not a citizen of Zambia:

Provided that nothing in paragraph (*a*), (*b*) or (*c*) shall apply to a road service licence issued by the Commissioner by virtue of his powers under the proviso to subsection (1).

(20) Any person who knowingly-

(*a*) gives any false information to the Commissioner in connection with an application for a road service licence; or

(*b*) makes a false entry in the prescribed form in respect of an application for a road service licence;

shall be guilty of an offence and shall be liable on conviction-

(i) in the case of a first offence, to a fine not exceeding three thousand penalty units or, in default of payment, to imprisonment for a period not exceeding twelve months;

(ii) in the case of a second or subsequent conviction, to a fine not exceeding seven thousand five hundred penalty units or, in default of payment, to imprisonment for a period not exceeding three years.

(21) Where, in a prosecution for an offence under this section, it is relevant to prove that a person is not a citizen of Zambia, it shall be presumed that such person is not a citizen of Zambia until the contrary is proved.

(*No.* 50 *of* 1970 *and No.* 13 *of* 1994)

Short-term licences

156. (1) Upon payment of the prescribed fee, the Commissioner may, if the Commissioner is satisfied in the particular circumstances that the needs of those concerned cannot reasonably be met from other sources or that it is desirable in the public interest, issue to any person applying therefor in the form and manner prescribed a short-term road service licence for any period not exceeding three months enabling public service vehicles to be used temporarily-

(*a*) for the purpose of a seasonal business;

(*b*) for the purpose of the execution of a particular piece of work; or

(*c*) for any other purpose of limited duration.

Such short-term licences may be issued without the necessity for the Commissioner to hold a public sitting.

(2) In granting short-term road service licences under this section, the Commissioner may exercise all the powers conferred upon him by subsections (6) and (8) of section *one hundred and fifty-five*.

(*As amended by No.* 25 *of* 1963)

Extension of validity of licences

157. If on the date of the expiration of a road service licence, other than a short-term licence, proceedings are pending before the Commissioner on an application by the holder of that licence for the grant to him of a new licence in substitution for the existing licence, the existing licence shall continue in force until the application is disposed of, without prejudice, however, to the exercise in the meantime of the powers of suspension and revocation conferred by this Part.

(*As amended by No.* 17 *of* 1961)

Road Service Appeal Tribunal

158. (1) The Minister shall appoint a Road Service Appeal Tribunal consisting of a chairman, who shall be a barrister or solicitor entitled to practise in Zambia or a person who holds or has held judicial office, and two other members for the purpose of hearing and determining appeals under this Part and Part XII.

(2) The Minister may appoint a secretary to the Tribunal.

(3) Any person who-

(*a*) being an applicant for the grant or variation of any licence which may be issued under this Part, is aggrieved by the decision of the Commissioner on the application, or by any condition subject to which the licence was granted or attached to the licence; or

(*b*) having duly made an objection to or a representation concerning any such application under this Part, is aggrieved by the decision of the Commissioner thereon; or

(*c*) being the holder of a road service licence, is aggrieved by the revocation or suspension thereof, or by any variation of the conditions attached thereto; or

(*d*) is aggrieved by any order of the Commissioner made under the provisions of section *one hundred and eighty-six*, and is a person to whom a concession has been granted under the provisions of section *one hundred and seventy-eight*, or any person who has made representations or objections in respect of such order; or

(*e*) is aggrieved by any determination of the Commissioner made under the provisions of subsection (1) of section *one hundred and eighty-three*; or

(*f*) is aggrieved by any modification by the Commissioner made under proviso (i) to subsection (1) of section *one hundred and eighty-one* modifying the conditions or time-table of a road service licence held by an existing operator;

may appeal to the Tribunal within thirty days of the decision appealed against.

(4) The Tribunal may, by notice in writing, require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence, or to produce any documents in his possession or power which relate to any matter in question on an appeal under this section, and if any person without reasonable excuse fails to comply with any of the provisions of such notice he shall be guilty of an offence.

(5) The Tribunal shall hear and determine the matter of the appeal, and may make such order therein in addition to or substitution for the matter appealed against as it thinks fit, and any such order shall be binding on the Commissioner.

(6) The Tribunal-

(*a*) shall have power to take evidence on oath and make such other investigations as it may deem fit in assisting it to come to a decision regarding any matter before it, and for that purpose the chairman shall have the power to administer oaths;

(*b*) may award to any party to an appeal such costs as the Tribunal considers reasonable, and direct how and by what parties they are to be paid:

Provided that the Commissioner shall not be directed to pay any such costs.

(7) Any of the persons mentioned in subsection (3) who is dissatisfied with the decision of the Tribunal may appeal to the High Court on any question of law but not on a question of fact. Notice of such appeal shall be given to the High Court within thirty days of the decision of the Tribunal appealed against.

(*As amended by No.* 25 *of* 1963
and No. 19 *of* 1966)

Protection of chairman of Tribunal and Commissioner

159. No action shall be brought against the chairman of the Tribunal or against the Commissioner in respect of any act done or order made by him in good faith in the execution or supposed execution of the powers and duties conferred upon him under this Act and any regulations made thereunder.

Records and returns

160. (1) It shall be the duty of any person carrying on the business of operating public service vehicles to keep such accounts and records in relation thereto and to make such financial and statistical returns to such persons and in such manner and at such times as may be prescribed:

Provided that the Commissioner may, subject to such conditions, if any, as he thinks fit to impose, authorise the submission of financial and statistical returns in a manner and at times other than as may be prescribed.

(2) The owner of a public service vehicle shall at the request of the Commissioner produce for inspection all accounts or records kept in accordance with subsection (1).

(3) If any person fails to comply with the provisions of this section he shall be guilty of an offence and liable upon conviction to a fine not exceeding seven hundred and fifty penalty units and, in the case of a continuing offence, to a fine not exceeding one hundred and fifty penalty units for every day during which the offence continues.

(*As amended by No.* 25 *of* 1963
and Act No. 13 *of* 1994)

Number of passengers: weights of public service vehicles

161. (1) The gross weight of a public service vehicle, the weight of goods and the maximum number of passengers that may be carried on a public service vehicle shall be determined by a vehicle examiner in the prescribed manner, and, together with such other particulars as may be prescribed, shall be described on the certificate of fitness for the vehicle issued under Part XI and shall be legibly painted in a conspicuous position on the vehicle in such manner as may be prescribed:

Provided that, notwithstanding the provisions of this subsection and of any regulations which may be made prescribing the manner in which the number of passengers that may be carried in a public service vehicle shall be determined, the Commissioner may, in his discretion, by Gazette notice, authorise, subject to such conditions as he may specify in such notice, the carriage of standing passengers in such omnibuses or classes of omnibuses as he may so specify.

(2) If there be found in any public service vehicle more passengers than the vehicle is permitted to carry, then the conductor of the vehicle, if any, or, if no conductor is carried, the driver, shall be guilty of an offence and liable upon conviction, to a fine of two hundred penalty units in respect of every passenger carried in excess of the permitted number of passengers.

(3) If any person being requested by the conductor or driver of a public service vehicle not to enter the vehicle enters or attempts to enter the vehicle when it is carrying the full number of passengers which it is permitted to carry, he shall be guilty of an offence.

(4) For the purposes of this section, a child apparently under five years of age and not occupying a seat shall not be counted as a person, and three children apparently over five years of age and under ten years of age shall be counted as two persons.

(*As amended by No.* 38 *of* 1960, *Act No.* 35 *of* 1974
and Act No. 13 *of* 1994)

Touting

162. (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 loud noise or sound any instrument in order to attract the attention of the public or of a possible passenger, or by troublesome or frequent demands or by persistent following hold out the vehicle for hire to the public, or attempt to induce any person to become a passenger therein in such manner as to constitute a nuisance, or act in any way so as to cause annoyance or inconvenience to any person.

(2) Any person who shall act in contravention of this section shall be guilty of an offence.

Driver of public service vehicle to wear badge

163. Every driver of a public service vehicle shall, while on duty as defined in subsection (3) of section *one hundred and sixty-four*, wear a badge of such description and in such manner as may be prescribed.

Drivers of public service vehicles-restriction on supply and consumption of liquor

164. (1) Any person who knowingly sells or supplies any intoxicating liquor to any driver of a public service vehicle, or of any other vehicle exceeding 40,000 pounds gross weight including the gross weight of any trailer drawn thereby, while such driver is on duty, and any such driver who buys or consumes intoxicating liquor while he is on duty shall be guilty of an offence, and such person or driver shall upon conviction be liable, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months.

(2) Any person licensed to drive a public service vehicle who, at any time within six hours before the time at which he is due to take charge of a public service vehicle in respect of any journey, by the consumption of intoxicating liquor renders himself incapable of taking proper control of a motor vehicle, shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months and, in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, or to both.

(3) For the purposes of this section, the driver of a public service vehicle shall be deemed to be on duty during the time when he is in charge of or responsible for the driving of such vehicle in the course of any journey, including the period of any halt during such journey other than a halt overnight.

(*As amended by Act No.* 13 *of* 1994)

Tickets and fares

165. (1) Any person authorised to receive fares from passengers or intending passengers in public service vehicles other than hire cars or taxicabs shall forthwith issue to each passenger or intending passenger who has paid his fare a ticket showing the amount of such fare and such other particulars as may be prescribed.

(2) Any passenger in a public service vehicle who has paid his fare may, if the vehicle fails to start on its journey from its terminal point within six hours of the time approved in its time-table, or if the operator fails to convey him to his destination within a reasonable time, recover the whole fare paid by him.

(3) Where a fare is recoverable under subsection (2), it shall be the duty of the person who received the fare or the person on whose behalf the fare was received if it has been handed over to him to repay it to the passenger on demand. If any such person fails so to repay the fare a magistrate may on conviction order him to repay the fare, in addition to any other fine to which he may be liable, and the amount of the fare shall then be recoverable as a fine, and imprisonment may be imposed in default of payment.

(4) Nothing in this section shall affect any civil remedy for the recovery of the fare or any part thereof which may be recoverable under this section.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence.

(*As amended by No.* 38 *of* 1960, *No.* 17 *of* 1961, *No.* 25 *of* 1963 *and No.* 19 *of* 1966)

PART XI

EXAMINATION OF CERTAIN CLASSES OF VEHICLES: CERTIFICATES OF FITNESS

Application of Part XI

166. The vehicles to which this Part applies shall be public service vehicles, heavy vehicles, heavy trailers, contract cars, and motor vehicles used for gain for the teaching of driving.

Certificates of fitness

167. No vehicle or trailer to which this Part applies shall be used on any road unless there is in force in respect of such vehicle or trailer a valid certificate, hereinafter referred to as a certificate of fitness, issued by a vehicle examiner, and no licensing officer shall issue a motor vehicle or trailer licence for any vehicle or trailer to which this Part applies unless there is produced to him such evidence as may be prescribed that either on the date when the licence comes into operation there will be in force in respect of that vehicle or trailer a valid certificate of fitness, or that such vehicle or trailer will be exempt from the need to hold such a certificate:

Provided that-

(i) no person shall be liable to a penalty for a breach of this section if he proves that he has not had a reasonable opportunity to obtain a certificate of fitness;

(ii) in the case of vehicles or trailers registered and licensed outside Zambia, regulations may be made granting exemption from the provisions of this section.

(*As amended by No.* 25 *of* 1963)

Form and display of certificate of fitness

168. (1) A certificate of fitness shall record such matters as are specified in section *one hundred and sixty-one* and such other matters as may be prescribed, and shall state that the vehicle or trailer in respect of which it is issued is in all respects fit for the purpose for which it is to be used, and that it complies with any conditions as to fitness and construction as may from time to time be prescribed.

(2) A certificate of fitness shall at all times be displayed in a conspicuous place on the vehicle in respect of which it was issued, or in the case of a trailer on the trailer or on the vehicle drawing it at the time.

(3) Any vehicle or trailer to which this Part applies on which no certificate of fitness is displayed in the manner prescribed in subsection (2) may be impounded by any road traffic inspector in uniform or by any police officer.

(*As amended by Act No.* 35 *of* 1974)

Period of validity

169. A certificate of fitness shall be valid from the date of coming into force of such certificate-

(*a*) for four months in the case of a public service vehicle, heavy vehicle or heavy trailer used for the carrying of passengers, a contract car and a motor vehicle used for the teaching for gain of driving; and

(*b*) for twelve months in the case of other public service vehicles, heavy vehicles and heavy trailers.

Defects

170. (1) Where a vehicle examiner on examining a vehicle or trailer under the provisions of this Part finds that the said vehicle or trailer does not comply with the provisions of any law in regard to construction and equipment applicable to such vehicle or trailer, he shall make a full list (hereinafter called a "defects list") of all defects found and shall give the owner of the vehicle or trailer a copy thereof and shall notify him of the date (hereinafter called the "notified date") by which the defects must be remedied and the vehicle or trailer produced for re-examination.

(2) If upon re-examining a vehicle or trailer under the provisions of this section to ascertain whether the defects in a defects list have been remedied, the vehicle examiner finds any further defects he shall require, in the manner set forth in subsection (1), the owner to remedy such defects.

(3) If a vehicle or trailer is not produced for re-examination on the notified date, or if the defects in the defects list have not been remedied on the notified date or if, upon examining a vehicle or trailer under the provisions of this section it is considered necessary in the interests of safety, a vehicle examiner may prohibit the use of such vehicle or trailer or issue such other directions as he may think necessary restricting its use; any such order and any prohibition of the use of a motor vehicle or trailer under paragraph (f) of subsection (1) of section *two hundred and twelve* may be cancelled or revoked by the vehicle examiner as soon as the defects of such vehicle or trailer have been remedied to such an extent that in his opinion the said vehicle or trailer may safely be used on a road.

(4) If upon examining a vehicle or trailer as aforesaid no defects are found, or if any defects found are remedied to the satisfaction of the vehicle examiner, the examiner shall-

(*a*) if the examination is for a certificate of fitness, issue such a certificate and cancel any defects list that may have been issued;

(*b*) if the examination is pursuant to a prohibition made under paragraph (f) of subsection (1) of section *two hundred and twelve,* cancel any defects list that may have been issued.

(5) In any case where a vehicle examiner prohibits the use of a vehicle or trailer to which this Part applies, he shall take and retain in his possession the certificate of fitness, if any, of the vehicle or trailer concerned until its use on a road is again permitted and thereupon he shall return the said certificate to the owner of the said vehicle or trailer.

(*No.* 25 *of* 1963)

Examination on direction of licensing officer

171. Any licensing officer in whose district a vehicle or trailer to which this Part applies is being used and who has reason to suspect that the vehicle or trailer has ceased to be fit for the purpose for which it is being used may order that the vehicle or trailer be produced for examination by a vehicle examiner at a specified time and place and, if such order is not obeyed, the licensing officer may, at his discretion, prohibit the use of the vehicle or trailer until the order is obeyed.

(*As amended by No.* 25 *of* 1963)

Inspection by road traffic inspector

172. (1) A road traffic inspector shall at any time on production, if so required, of his identity card, be entitled to enter and inspect any vehicle or trailer to which this Part applies, and for that purpose may require any such vehicle or trailer to be stopped and may at any time which is reasonable, having regard to the circumstances of the case, enter any premises upon which he has reason to believe that any such vehicle or trailer is kept.

(2) If, upon inspection made under subsection (1), a road traffic inspector is satisfied that it is necessary to do so, he may order that the vehicle or trailer be taken off the road forthwith or may issue such directions restricting the use of the vehicle or trailer as he may think fit, and the inspector shall notify the Commissioner of any such order or direction.

Examination by other examiners

173. Subject to an appeal to the Commissioner, no person shall have his vehicle or trailer examined for the purpose of ascertaining whether defects discovered earlier have been remedied, by a vehicle examiner other than the one who discovered such defects, unless such examiner shall consent to the examination of the vehicle or trailer by such other examiner.

Appeals

174. The decision of a vehicle examiner that a vehicle or trailer is fit for use shall be final. His decision that any such vehicle or trailer is unsafe for use and any order, direction or prohibition made under section *one hundred and seventy* or *one hundred and seventy-two* shall be subject to an appeal to the Commissioner within fourteen days of the decision, order, direction or prohibition concerned being made.

(*As amended by No.* 25 *of* 1963)

Prescribed fees

175. Such fees as may be prescribed shall be charged for examinations and re-examinations as are made under this Part:

Provided that no fee shall be payable for an examination conducted in accordance with section *one hundred and seventy-one* if no defects are discovered, nor for an examination conducted in accordance with section *one hundred and seventy-two.* Fees shall be disposed of and accounts of them rendered in such manner as may be prescribed.

Exemptions

176. The Commissioner may exempt any vehicle or trailer to which this Part applies from the requirements of its provisions, subject to such conditions as he may impose for ensuring the safety of the occupants of the vehicle and of the public.

Offences

177. If any person-

(*a*) uses or causes or permits to be used on a road a vehicle or trailer to which this Part applies and for which there is no certificate of fitness in force; or

(*b*) fails to display on a vehicle or trailer to which this Part applies a certificate of fitness; or

(*c*) uses or causes or permits to be used on a road any vehicle or trailer while a prohibition imposed under this Part is in force in relation to such vehicle or trailer; or

(*d*) obstructs any road traffic inspector or vehicle examiner in the course of his duty; or

(*e*) fails to stop a vehicle or trailer when required by a road traffic inspector so to do under this Part; or

(*f*) fails to comply with an order or direction given to him by a road traffic inspector or vehicle examiner under this Part;

he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(*As amended by No.* 25 *of* 1963
and Act No. 13 *of* 1994)

PART XII

EXCLUSIVE CONCESSIONS

Power to grant concessions

178. (1) The Minister may, by statutory notice, grant to any person or to any two or more persons jointly an exclusive concession to provide a motor omnibus service along any road or in any area upon such conditions and for such period as shall be specified in the grant and subject to the provisions of this Act:

Provided that, where the area of any local authority is included within a concession area, the local authority may at any time after the grant of the concession concerned apply to the Minister for the excision therefrom of an area of not more than twelve miles' radius from the principal post office in the local authority area and for the grant to such local authority of an exclusive concession to provide from its own resources motor omnibus services within such excised area.

(2) Any concession shall be revocable in accordance with any provision as to revocation which may be contained therein.

(3) Where the Minister is satisfied that it is necessary or desirable that a concession be extended and applied to any free road or free area he may, by statutory notice and subject to any provision as to extension which may be contained in the grant, so extend and apply such concession, and reference in this Part to the date of the grant of a concession shall be deemed to mean, in relation to any area or road to which a concession is extended and applied under the provisions of this subsection, the date upon which the concession was so extended and applied.

(4) The provisions of sections *one hundred and fifty, one hundred and fifty-one, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six* and *one hundred and fifty-seven* shall not apply to any service or vehicle from time to time provided or used under or by virtue of a concession.

(*As amended by G.N. No.* 275 *of* 1964 *and No.* 19 *of* 1966)

Particulars to be given to Commissioner

179. Not less than one month before commencing to operate any new service under or by virtue of any concession, the concession holder shall give to the Commissioner particulars of the route along which such service is to be operated, the points at which passengers may be taken up or set down, and a copy of the fare-table and time-table of the service, and if the concession holder shall make any alterations in the route or the time-table or in any of the fares or charges for the carriage of passengers on any service for the time being operated by the concession holder under or by virtue of his concession, the concession holder shall without delay notify the Commissioner of such alteration:

Provided that-

(i) the concession holder may with the consent of the Commissioner commence to operate a service notwithstanding that the concession holder shall not, in respect of that service, have complied or fully complied with the foregoing provisions of this section; and

(ii) the concession holder shall not be required to notify the Commissioner of any temporary alteration in the route or time-table of any service made by the concession holder at times of race meetings, public gatherings or the like special occasions or to facilitate the carrying out of road repairs or in consequence of any accident or any cause beyond the control of the concession holder.

Restrictions on other operators

180. (1) Subject to the provisions of this Part, no person other than the concession holder shall, during the continuance in force of a concession, use any motor omnibus on any concession road or in any concession area without the prior consent of the concession holder, and no road service licence shall, during the continuance in force of a concession, be granted to any person to provide a motor omnibus service on any concession road or in any concession area without the like consent:

Provided that-

(i) if the Minister, after considering any representations made by the concession holder and the duties of the concession holder under this Act and the concession, declares that the consent of the concession holder is in any particular case unreasonably withheld, his consent shall not in that case be necessary;

(ii) in respect of any concession road, the Commissioner may issue to any person, other than the concession holder, road service licences for the provision of motor omnibus services by such number of motor omnibuses not exceeding in the aggregate one motor omnibus for every nine used by the concession holder upon such concession road as the Commissioner may think fit, and any motor omnibuses used upon such concession road by an existing operator shall be included in computing the said aggregate.

(2) The provisions of paragraphs (*c*), (*d*), (*e*) and (*f*) of subsection (5) of section *one hundred and fifty-five* shall not apply to an application for a licence to be granted under the powers conferred upon the Commissioner by proviso (ii) to subsection (1).

(3) Notwithstanding the provisions of subsection (1), a road service licence may be granted to any person in respect of a special tour or journey for *bona fide* tourist or sporting facilities and the provisions of the said subsection shall not apply to any motor omnibus whilst it is being used on such special tour or journey:

Provided that where any such special tour or journey originates within a concession area or on any concession road the concession holder or his nominee shall, if he is in possession of a road service licence to operate such tour or journey on any free road or in any free area which may be included in the itinerary of such tour or journey, have the exclusive right to provide such special tour or journey unless the Commissioner is satisfied that the fares proposed to be charged by the concession holder in respect of such special tour or journey are unreasonable or that the concession holder is unable or unwilling to provide such special tour or journey and, in any such case, the Commissioner may issue a short-term road service licence to any other person in respect of such special tour or journey.

(*As amended by G.N. No.* 275 *of* 1964)

Saving for existing operators

181. (1) Notwithstanding the provisions of section *one hundred and eighty*, any existing operator may, so long as he is authorised by a road service licence so to do, continue to provide any motor omnibus service, in accordance with the conditions of his road service licence and time-tables in force at the date of the grant of the concession concerned, which he was licensed to provide on any concession road or in any concession area at the said date:

Provided that-

(i) the Commissioner may from time to time modify such conditions and time-table, so however that the rights of the existing operator at the said date are not diminished thereby;

(ii) except as provided by section *one hundred and eighty*, an existing operator shall not, without the approval of the Commissioner and the prior consent of the concession holder concerned, at any time use a greater number of motor omnibuses upon such service than he was authorised to use under any road service licence in force at the said date, or if such road service licence does not specify a number of vehicles, then such number as he was using thereon at any time during the twelve months ending on such date.

(2) Notwithstanding any provision of this Act to the contrary, upon the death of an existing operator his personal representatives may, for a period of six months from the date of the death, continue to provide the motor omnibus services which such existing operator was entitled under the provisions of this section to provide immediately before his death, and at any time during the said period the Minister may direct that the rights of such existing operator under this section shall devolve upon any person who by virtue of the will or the intestacy of the deceased operator is entitled to succeed to his undertaking, and thereupon such person shall be deemed for all the purposes of this Part to be an existing operator with the rights to which the deceased operator was entitled at the date of his death.

(3) If, at the date of the expiration of any road service licence held by an existing operator in respect of a motor omnibus service on any concession road or in any concession area, proceedings are pending before the Commissioner on an application by the existing operator holding that licence for the grant to him of a new licence in substitution for the existing licence, the Commissioner may, notwithstanding the provisions of section *one hundred and eighty*, grant to such existing operator a road service licence in replacement of the licence which has so expired, and the provisions of subsection (1) shall apply *mutatis mutandis* to the road service licence so granted.

(4) The provisions of paragraphs (*c*), (*d*), (*e*) and (*f*) of subsection (5) of section *one hundred and fifty-five* shall not apply to an application for a licence to be granted under the provisions of subsection (3).

(5) Where for the purposes of this section or of section *one hundred and eighty* a concession holder is empowered to give any consent, such consent may be given absolutely or for a limited period only.

(6) If any area is excised from any concession (in this subsection referred to as "the existing concession") and a concession (in this subsection referred to as "the new concession") in respect of the whole or any part of the excised area is granted to a local authority, the holder of the existing concession shall-

(*a*) continue to be entitled under the existing concession to operate services of motor omnibuses along any route through or into the excised area provided that no passenger on any such service shall, without the consent of the holder of the new concession, be taken up at any place within the excised area and on the same journey set down at any other place in that area; and

(*b*) for the purposes of this section, be deemed to be authorised by a road service licence granted for a period of one year from the date of the grant of the new concession to provide any motor omnibus service which he was at that date providing along any route wholly within the excised area in accordance with the conditions and time-tables subject to which the service was provided immediately before that date or, if different conditions or time-tables applied during different periods in the twelve months preceding that date, then in accordance with the conditions or time-tables applicable during the corresponding period in those twelve months.

(*As amended by No.* 17 *of* 1961
and G.N. No. 275 *of* 1964)

Revocation of road service licence held by existing operator

182. Where a road service licence held by an existing operator in respect of a motor omnibus service on any concession road or in any concession area is or has been revoked and where such order of revocation has not been reversed in any appeal against such order, such existing operator shall forfeit all his rights as such an existing operator in respect of such road service licence and shall not be granted any new road service licence under subsection (3) of section *one hundred and eighty-one* in substitution for the road service licence so revoked:

Provided that the foregoing provisions of this section shall not prevent such existing operator from applying for or from being granted a road service licence in accordance with and subject to the provisions of section *one hundred and fifty-five* or *one hundred and eighty* or a short-term road service licence in accordance with and subject to the provisions of section *one hundred and fifty-six*.

(*No.* 17 *of* 1961)

Termini of non-concession routes

183. (1) Where a road service licence is or has been granted authorising a motor omnibus service to provide for the needs of any free road or free area, nothing in this Act contained shall make it unlawful for the holder of such licence to use motor omnibuses for the purposes of such service over so much of any concession road or concession area as the Commissioner may determine to be necessary to enable such service-

(*a*) to reach any other part of the said free road or free area; or

(*b*) to reach the nearest convenient point at which connection can be made with any other motor omnibus service.

(2) No passenger on such service shall be taken up at any point on any concession road or in any concession area and issued with a ticket with the intention that on the same journey he should be set down at any other point on any road or in any area to which the same concession applies, and any person who contravenes the provisions of this subsection shall be guilty of an offence and on conviction for such offence the Commissioner may revoke the determination or the road service licence appertaining to such service.

(*As amended by No.* 17 *of* 1961)

Duty of concession holder to provide services

184. During the continuance in force of a concession, it shall be the duty of the concession holder to provide such motor omnibus services as will from time to time serve adequately and efficiently the needs in respect of passenger traffic of such concession roads or concession areas along or in which motor omnibus services are from time to time necessary or desirable in the public interest and can be provided by the concession holder safely and, having regard to all the duties of the concession holder under the concession, without wasteful or unjustifiable expense.

Prescribed fees

185. Such fees as may be prescribed shall be payable in respect of any public service vehicle used for providing any service under a concession granted under this Part.

(*As amended by No.* 26 *of* 1959)

Powers of Commissioner

186. (1) If it shall appear to the Commissioner from any information given to him by a concession holder under the provisions of section *one hundred and seventy-nine* or from any representations made to him by any person that-

(*a*) the concession holder has without reasonable cause failed to provide along any concession road or in any concession area such service of motor omnibuses as it is his duty under section *one hundred and eighty-four* and his concession to provide;

(*b*) any of the fares charged or proposed to be charged for the carriage of passengers on any service provided or proposed to be provided under or by virtue of any concession is unreasonable;

(*c*) any road upon which the concession holder is providing or proposing to provide a service under or by virtue of the concession is not suitable for that service or is suitable for that service only subject to conditions as to the type of vehicle used or to be used on that service;

(*d*) the frequency of any such service is excessive or insufficient having regard to the needs of the route along which the service is or is to be provided and to any other service for the time being provided by the concession holder or by an existing operator along that route or any part thereof;

(*e*) for the convenience of the public the time-table of any such service requires modification; or

(*f*) on any such service passengers should not be taken up or set down except at specified points or should not be taken up or set down between specified points;

then, subject to the provisions hereinafter contained, the Commissioner may make any such order as he may consider necessary to secure that the service or proposed service will adequately and efficiently but, having regard to all the duties of the concession holder under the concession, without wasteful or unjustifiable expense, meet the needs of the route along which it is or is proposed to be operated.

(2) Any order made by the Commissioner under subsection (1) may be amended, altered or revoked by any order subsequently so made.

(3) Before making any order under this section, the Commissioner shall give to the concession holder and to any person who has made representations to the Commissioner relating to the subject-matter of the proposed order notice in writing of his intention to consider the making of such an order together with a draft of the proposed order, and shall afford such concession holder or person such opportunity of making representations or objections in respect of the proposed order and submitting evidence, whether orally or in writing, in support of such representations or objections as the concession holder or such person may reasonably require.

(4) If after hearing and considering any objections or representations made and any evidence given in support of such objections or representations, the Commissioner is satisfied that the order proposed to be made is necessary, whether with or without modification, for any of the purposes mentioned in subsection (1), the Commissioner shall make the order subject to such modifications, if any, as he may consider necessary for that purpose and shall forthwith give notice of the making of the order to the concession holder concerned.

(5) Any order made by the Commissioner under this section shall not, without the consent of the concession holder, come into force until the expiration of the time prescribed for appealing therefrom and, if an appeal is lodged, until such appeal is withdrawn or disposed of.

(6) If any concession holder contravenes or fails to comply with the provisions of any order in force under or by virtue of this section he shall be guilty of an offence against this Act and, in the case of a conviction for failing to comply with an order made pursuant to representations under paragraph (*a*) of subsection (1), the route or area concerned may be excised from the concession concerned by order of the Commissioner:

Provided that no such order of excision shall be of any effect unless and until it shall have been confirmed by the Minister.

(*As amended by G.N. No.* 275 *of* 1964)

Saving for mails, parcels and luggage

187. (1) Notwithstanding any other provision of this Act, a concession holder may, without obtaining a road service licence in respect thereof, carry in, on or about any motor omnibus used on services provided under or by virtue of his concession and in any trailer attached to such motor omnibus, mails, parcels, and passengers' luggage, effects and bicycles.

(2) Nothing in this section shall be construed as authorising a concession holder to carry goods other than those mentioned in subsection (1), except under the provisions of a valid road service licence.

Through running agreements

188. Where arrangements are made between a concession holder and any other person operating a motor omnibus service for the interchange or through carriage of passengers between or over any services provided by any of the parties to such arrangements, or the through running of the vehicles of any party over the route or any part of the route of any motor omnibus service provided by any other such party, a vehicle used under those arrangements as a motor omnibus on any concession road or in any concession area shall, whilst so used, be deemed for the purposes of section *one hundred and eighty* to be so used by the concession holder:

Provided that where any vehicle is so used, during the whole period of such use there shall be displayed on the front or on the near side of such motor vehicle a notice stating that the vehicle is being used under contract with the concession holder.

Undertaking at disposal of Government in emergency

189. (1) The President at any time of emergency and when it is necessary in the public interest may, by written notice addressed to the registered office of a concession holder, require such concession holder to place at the disposal of the Government the entire fleet of omnibuses, or any specified part thereof belonging to the concession holder together with the whole or any specified part thereof of the staff, plant, workshops and depots of the concession holder, and such fleet, staff, plant, workshops and depots or any part thereof may be retained by the Government for the public service for such time as the President may deem necessary, subject always to the payment to the concession holder concerned of such compensation as may thereafter be agreed upon between the concession holder and the Government, and failing such agreement the amount of compensation payable under this subsection shall be submitted to arbitration.

(2) Any notice purporting to be given under the provisions of subsection (1) and signified under the hand of the Minister shall be conclusive evidence of the existence of the conditions necessary for the issue thereof, and if the concession holder to whom such notice is addressed shall fail to comply with all the terms of such notice within such time as may be specified therein, the President may, notwithstanding any provision of the concession concerned, forthwith revoke the concession.

(*As amended by G.N. No.* 275 *of* 1964
and S.I. No. 122 *of* 1965)

Expiration of concession

190. Where a concession is not at its expiration renewed, or is renewed in respect of some but not all of the roads or areas over or in which the concession holder is then providing motor omnibus services under or by virtue of the concession, then if the concession holder applies before the date of the expiration of the concession for a road service licence to authorise him to continue after that date to provide any service provided by him at any time during the twelve months immediately preceding the expiration of the concession over any road or in any area in respect of which the concession is not to be renewed, the Commissioner shall, notwithstanding the provisions of section *one hundred and fifty-five*, grant such application and accordingly issue to the concession holder a road service licence authorising him to continue during the normal currency of such licence to provide the service at the times and fares and with the number of motor omnibuses at or with which the service was at any time during the said period of twelve months operated by the concession holder:

Provided that, if the Commissioner is satisfied that the concession holder has, during the period aforesaid, failed to operate such service efficiently and that by reason of such failure the application ought in the public interest to be refused or to be granted only subject to conditions for securing the efficient operation of the service, the Commissioner may refuse the application or grant the licence so applied for subject to such conditions as he may consider necessary for that purpose.

Determination of concession by legislation

191. (1) If by any written law made or enacted after the date of the grant of a concession or by the exercise of any power conferred by any such law such concession be determined or cease to be of effect, the concession holder may, by notice in writing to the Government, require the Government to acquire and the Government shall acquire the undertaking of such concession holder on the terms and otherwise in accordance with the provisions hereinafter set forth.

(2) Where the Government acquires any undertaking in accordance with the provisions of subsection (1)-

(*a*) as consideration for the acquisition the Government shall pay to the concession holder such sum as may be agreed between the Government and the concession holder or, in default of agreement, determined by arbitration to be the fair market value of the undertaking as a going concern without any deduction or diminution by reason of the termination of the concession;

(*b*) on payment of such consideration by the Government to the concession holder, such estate or interest as the concession holder may at the date of acquisition be entitled to sell and assign in lands or buildings used wholly or mainly by the concession holder for the purposes of or in connection with the carriage of passengers or goods and all vehicles, plant, equipment and stores belonging to the concession holder at the date of acquisition and used wholly or mainly for those purposes shall be transferred or delivered to the Government;

(*c*) subject to the provisions of paragraph (*d*), on payment of such consideration the Government shall, to the exclusion of the concession holder, be subject to all obligations and liabilities whether arising by statute or otherwise howsoever to which the concession holder shall immediately before the date of acquisition have been subject, other than any liabilities of the concession holder in respect of any securities or money issued or borrowed or agreed to be issued or borrowed by the concession holder;

(*d*) all profits, receipts, outgoings and liabilities in respect of the undertaking which shall have accrued or become payable on or before the date of acquisition shall belong to or be discharged by, as the case may be, the concession holder, and all profits, receipts, outgoings and liabilities in respect of the undertaking which shall accrue or become payable after such date shall belong to or be discharged by, as the case may be, the Government, and, if necessary, any profits, receipts, outgoings and liabilities shall be apportioned as at the said date;

(*e*) any question, difference or dispute arising between the Government and a concession holder as to any matter which in default of agreement is under this section to be determined by arbitration or as to the lands or buildings or other property which or the estate or interest of the concession holder in which is to be transferred or delivered to the Government pursuant to this subsection shall, in default of agreement, be subject to any provision as to arbitration which may be contained in the grant of the concession.

(*As amended by S.I. No.* 122 *of* 1965)

PART XIII

OFFENCES: GENERAL

192. (1) The Minister may, by statutory instrument, make regulations- Speed limits

(*a*) prescribing the maximum speeds at which vehicles may be driven on roads, and different speeds may be prescribed in respect of different classes or descriptions of vehicles or in respect of different areas or in respect of different roads or portions of roads in any prescribed area or areas;

(*b*) requiring that there shall be displayed on any vehicle or class or description of vehicle, in such manner and position as may be prescribed, the speed limit applicable to such vehicle.

(2) A local authority may, with the prior approval of the Minister, by Gazette notice, specify the maximum speeds at which vehicles may be driven within the local authority area concerned, and different speeds may be specified in respect of different classes or descriptions of vehicles or in respect of different roads or portions of roads within such area, and where the provisions of any such notice conflict with any regulations relating to speed limits made under the provisions of this Act, the provisions of such notice shall prevail.

(3) Any person who drives a vehicle of any class or description on any road or portion thereof at a speed greater than that prescribed or specified under the foregoing provisions of this section as the maximum speed for such class or description of vehicle on such road or portion thereof shall be guilty of an offence and shall be liable, in the case of a first conviction, to a fine not exceeding seven hundred and fifty penalty units, and in the case of a second or subsequent conviction, to a fine not exceeding one thousand five hundred penalty units.

(4) No person shall be convicted of an offence under the provisions of subsection (3) merely on the evidence of one witness solely to the effect that, in the opinion of the witness, he was driving a vehicle at a speed greater than the maximum speed prescribed or specified in respect of a vehicle of the class or description to which such vehicle belongs.

(*No.* 38 *of* 1960 *as amended by G.N. No.* 275 *of* 1964 *and Act No.* 13 *of* 1994)

Road racing

193. Any person who promotes or takes part in any race or trail of speed between motor vehicles on a road save with the consent of and in accordance with any conditions imposed by the Commissioner of Police shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(*As amended by Act No.* 13 *of* 1994)

Exemption of fire engines, etc., from speed limits

194. The provisions of section *one hundred and ninety-two* and of any other law imposing a speed limit on vehicles shall not apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of those provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

Careless driving

195. (1) If any person drives a motor vehicle on a road without due care and attention or without reasonable consideration for other persons using the road, he shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units.

(2) A person may be charged under subsection (1) where the offence does not amount to an offence under section *one hundred and ninety-six* and, when a person is charged with an offence under the said section *one hundred and ninety-six* and the court is of opinion that he is not guilty of such offence but that he is guilty of an offence under subsection (1), he may be convicted of an offence under the said subsection although he was not charged with it.

(*As amended by No.* 38 *of* 1960
and Act No. 13 *of* 1994)

Reckless or dangerous driving

196. (1) Any person who drives a motor vehicle upon any road recklessly, or at a speed or in a manner which is dangerous to the public, regard being had to all the circumstances of the case, including the nature, condition and use of the road, and to the amount of traffic which is actually at the time, or which might reasonably be expected to be on the road, shall be guilty of an offence and liable upon conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding five years, or to both.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant the driver of any motor vehicle who commits or is reasonably suspected of committing an offence under this section within his view if he refuses to give his name and address or if the road traffic inspector in uniform or police officer has reason to believe that the name or address so given is false, or if the motor vehicle does not bear a registration mark.

(*As amended by Act No.* 35 *of* 1974
and Act No. 13 *of* 1994)

Being in charge of motor vehicle when under influence of drink or drugs

197. (1) Any person who, when in charge of a motor vehicle which is on a road, but not driving the vehicle, is under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of such vehicle, shall be guilty of an offence and liable upon conviction to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent conviction, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both:

Provided that a person shall be deemed, for the purposes of this section, not to have been in charge of a motor vehicle if he proves-

(i) that at the material time the circumstances were such that there was no reasonable likelihood of his driving the vehicle so long as he remained unfit to drive; and

(ii) that between his becoming unfit to drive and the material time he had not driven or attempted to drive the vehicle on a road.

In this subsection, the expression "unfit to drive" means under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of a motor vehicle.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or reasonably suspected of committing an offence under this section.

(*As amended by Act No.* 35 *of* 1974
and Act No. 13 *of* 1994)

Driving when under influence of drink or drugs

198. (1) Any person who, when driving or attempting to drive a motor vehicle on a road, is under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of such vehicle, shall be guilty of an offence and shall upon conviction be sentenced to either-

(*a*) imprisonment for a period of not less than six months nor more than five years; or

(*b*) imprisonment to be served during a number of consecutive week-ends, not being less than thirty nor more than fifty-two, in this section referred to as week-end imprisonment;

and may in addition be sentenced to a fine not exceeding fifteen thousand penalty units.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or reasonably suspected of committing an offence under this section.

(3) Where a person is sentenced to week-end imprisonment-

(*a*) the warrant of the court which passed the sentence shall be the authority for such person to be immediately taken to a prison situated as close as possible to such person's usual place of abode;

(*b*) the officer in charge of the prison to which such person is taken shall record, or cause to be recorded, the relevant particulars of such person and shall give to him a record book in which shall be recorded by the prison authorities the number of week-ends to be served by him in prison and the dates and times of his surrender to and release from prison; on the completion of the recording of these particulars (which shall take no longer than absolutely necessary) the person sentenced to week-end imprisonment shall be then released until he first surrenders himself under paragraph (*c*);

(*c*) he shall surrender himself to the prison at 6.30 p.m. each Friday and be released at 6.30 p.m. each Sunday during the continuance of his sentence.

(4) When considering whether to pass a sentence of week-end imprisonment, the court shall ask the person about to be sentenced whether he has any objection to such course being taken and shall record the reasons given for any objection which may be raised.

(5) If a person sentenced to week-end imprisonment fails to surrender himself at the times and place required and as recorded in the book referred to in paragraph (*b*) of subsection (3), the officer in charge of the prison shall give written notification of the fact to the court which passed the sentence, and the said court shall issue a warrant for the said person to be arrested and brought before it.

(6) Where, under the provisions of subsection (5), a person is brought before the court by which he was sentenced to week-end imprisonment, the court shall, unless it sees fit to order the continuation and completion of the total number of week-ends to be served in prison, cancel its original order and substitute therefor, making due allowance for any week-ends actually served by him, a sentence of imprisonment for a fixed period of not less than six months nor more than five years.

(*No.* 42 *of* 1971 *and Act No.* 13 *of* 1994)

Arrested person to submit to medical examination

198A. A person who has been arrested for an offence under section *one hundred and ninety-seven* or *one hundred and ninety-eight* may be required by a police officer of or above the rank of Assistant Inspector to subject himself to a medical examination by a medical practitioner for the purpose of ascertaining whether, in the opinion of the said medical practitioner, the said person was, at the time when he was in charge of a motor vehicle on a road or when he was driving or attempting to drive a motor vehicle on a road, as the case may have been, he was under the influence of intoxicating liquor or drugs to such an extent as to have been incapable of having proper control of such vehicle.

(*No.* 42 *of* 1971 *and No.* 35 *of* 1974)

Arrested person to provide specimen
Cap. 297

198B. (1) For the purposes of this section and of section *one hundred and ninety-eight A*-

"fail", in relation to providing a specimen, includes refuse and "failure" shall be construed accordingly;

"laboratory test" means the analysis of a specimen provided for the purpose;

"medical practitioner" means a person registered on the register of fully registered, provisionally registered or temporarily registered medical practitioners under the Medical and Allied Professions Act.

(2) Any person who has been required to submit himself to a medical examination under section *one hundred and ninety-eight A* shall, if requested to do so by the medical practitioner conducting the examination, provide a specimen of blood or urine for a laboratory test.

(3) A police officer of or above the rank of Assistant Inspector shall-

(*a*) when requiring a person to subject himself to a medical examination under section *one hundred and ninety-eight A*; and

(*b*) when a medical practitioner requests a person to provide a specimen under subsection (2) of this section;

warn such person that failure to submit to medical examination or to provide a specimen, as the case may be, shall make him liable to imprisonment and if such police officer does not do so a court before which such person may be charged with an offence under subsection (4) shall acquit him.

(4) Any person who-

(*a*) fails to submit himself to a medical examination under section *one hundred and ninety-eight A*; or

(*b*) fails to provide a specimen of blood or within one hour a specimen of urine pursuant to a request under subsection (2) of this section;

shall be guilty of an offence and liable on conviction to imprisonment for a period of not less than three months nor more than six months.

(5) For the purposes of this section, the specimen of blood shall be taken from such part of the body as the medical practitioner shall in his professional discretion decide.

(6) For the purposes of this section, the specimen of blood or of urine shall be in such quantity as the medical practitioner shall consider adequate for the purposes of the laboratory test.

(*No.* 42 *of* 1971)

Causing death by reckless or dangerous driving of motor vehicle

199. (1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed, or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, shall be guilty of an offence and liable upon conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding five years, or to both.

(2) When a person is charged with an offence under subsection (1) and the court is of opinion that he is not guilty of such offence, but that he is guilty of an offence under section *one hundred and ninety-five* or *one hundred and ninety-six*, he may be convicted of the offence of which the court is of opinion that he is guilty notwithstanding that he was not charged therewith and whether or not the requirements of section *two hundred* have been satisfied as respects such offence.

(3) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or reasonably suspected of committing an offence under this section.

(*As amended by No.* 38 *of* 1960, *Act No.* 35 *of* 1974, *and Act No.* 13 *of* 1994)

Warning to be given before prosecution

200. (1) Where a person is prosecuted for an offence under any of the provisions of this Part relating respectively to the maximum speed at which vehicles may be driven, to reckless driving, to dangerous driving, to careless driving, to failure to obey traffic signs or signals, or to the obstruction of a road by a vehicle, he shall not be convicted unless-

(*a*) he was warned at the time the offence was committed that the question of prosecuting him for an offence under some one or other of the sections aforesaid would be taken into consideration; or

(*b*) within fourteen days of the commission of the offence a summons for the offence was served on him; or

(*c*) within the said fourteen days a notice of the intended prosecution specifying the alleged offence and the time and place where it is alleged to have been committed was served on or sent by registered post to him or to the person registered as the owner of the vehicle at the time of the commission of the offence, and the summons was served within twenty-eight days of the commission of the offence, unless the consent in writing of the Director of Public Prosecutions is obtained to serve the said summons outside the said period of twenty-eight days:

Provided that failure to comply with this requirement shall not be a bar to the conviction of the accused in any case where the court is satisfied that-

(i) neither the name and address of the accused nor the name and address of the registered owner of the vehicle could with reasonable diligence have been ascertained in time for a summons to be served or for a notice to be served or sent as aforesaid; or

(ii) the accused by his own conduct substantially contributed to the failure.

(2) The requirements of subsection (1) shall be presumed to have been complied with unless and until the contrary is proved.

Driving motor vehicle in dangerous condition

201. (1) No person shall use or cause or permit to be used on a road any motor vehicle or trailer which is in such condition or any of the equipment or fittings of which are such that danger is caused, or is likely to be caused, to any person on the vehicle or trailer or on the road, and no person, being the owner of a motor vehicle or trailer, shall permit or cause such motor vehicle or trailer to be so driven.

(2) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable to arrest without warrant by any road traffic inspector in uniform or by any police officer.

(3) Any person convicted of an offence under this section shall be liable, in the case of a first offence, to a fine not exceeding one thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding two thousand penalty units.

(4) Notwithstanding anything contained in subsection (3), any motor vehicle or trailer in respect of which an offence is committed under this section may be impounded by any road traffic inspector in uniform or by any police officer.

(*As amended by Acts* 25 *of* 1963, 35 *of* 1974 *and Act No.* 13 *of* 1994)

Loads to be secure

202. (1) No person shall use or cause or permit to be used on a road any vehicle which causes or is liable to cause danger to any person on the road by the reason of the load or part of the load being insecurely fastened and falling or liable to fall from the vehicle or by reason of the load or part thereof projecting from the vehicle, and the Minister may, by statutory instrument, make such regulations as may appear necessary to minimise such danger.

(2) Any person contravening the provisions of this section shall be guilty of an offence.

(*As amended by No.* 26 *of* 1959, *No.* 25 *of* 1963 *and G.N. No.* 275 *of* 1964)

Vehicles to give way to all locomotives at railway crossings

203. (1) All vehicles on any road shall give way to any railway locomotive or rolling stock which is approaching or crossing such road by means of a railway line:

Provided that this section shall apply only when all reasonable steps have been taken to clearly and properly indicate the railway crossing by means of appropriate traffic signs, and between sunset and sunrise-

(*a*) in the case of any level crossing specified by the Minister by Gazette notice, when all reasonable steps have been taken to illuminate such level crossing so that rolling stock on such level crossing is clearly visible at a distance of one hundred yards;

(*b*) in the case of any other level crossing within a local authority area, when all reasonable steps have been taken to indicate such level crossing by luminous signs or other illuminated devices of such type and pattern and in such manner as may be prescribed.

(2) Any person failing to comply with the provisions of subsection (1) shall be guilty of an offence.

(*As amended by No.* 19 *of* 1966)

Travelling backwards

204. Any person who permits any motor vehicle to travel backwards for a greater distance than may be necessary for turning or other reasonable purposes shall be guilty of an offence.

Sound warnings

205. (1) A driver of any vehicle shall at all times when it is necessary for the safety or convenience of the public give audible and sufficient warning of his approach or position by using such warning device as may be prescribed. When a motor vehicle is stationary on a road, no person shall use or permit to be used in connection therewith any instrument provided for the purpose of giving audible warning, except when such use is necessary on grounds of safety. No such warning device shall in any case be used in such a manner as to be a nuisance to the public.

(2) The Minister may, notwithstanding anything contained in subsection (1), by regulation lay down that in certain areas or on certain roads the use of sound warnings shall be prohibited either at all times or at certain times, save as may be provided in the regulations.

(3) No motor vehicle, other than an ambulance, a fire engine, or a motor vehicle used solely for ambulance, fire brigade, police or such other purposes as may be prescribed, shall be fitted with a gong, bell or siren:

Provided that the provisions of this subsection shall not apply to any motor omnibus which is fitted with a bell intended solely as a means of communication between the conductor or passengers and the driver.

(4) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

(*As amended by No.* 26 *of* 1959
and G.N. No. 275 *of* 1964)

Position of driver

206. (1) The driver of a vehicle shall not drive from such a position that he has not full control of the vehicle and a full view of the road and traffic ahead and to the sides of the vehicle, and shall not permit any person to sit beside him in such a manner as in any way to obstruct his view or hinder him in steering or controlling the vehicle.

(2) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding seven hundred and fifty penalty units.

(*As amended by No.* 25 *of* 1963
and Act No. 13 *of* 1994)

Limitation of number of occupants of motor vehicles

207. (1) No person shall use or cause or permit to be used on a road any motor vehicle in which the number of occupants, including the driver, exceeds the seating capacity of such motor vehicle as determined in such manner and by such method as may be prescribed.

(2) In determining the number of occupants in any such motor vehicle, children under the apparent age of four years shall not be counted and two children of or over the apparent age of four years but under the apparent age of eight years shall be counted as one occupant.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence.

(*No.* 19 *of* 1966)

Traffic signs and signals to be obeyed

208. (1) Where a road traffic inspector in uniform or police officer is for the time being engaged in the regulation of traffic in a road or where any traffic sign for regulating traffic or indicating the route to be followed by traffic has been lawfully placed on or near any road in accordance with the provisions of section *twenty-five* or *twenty-six*, any person driving or propelling any vehicle who-

(*a*) neglects or refuses to stop the vehicle or to make it proceed in or keep to a particular line of traffic when directed to do so by the police officer in the execution of his duty; or

(*b*) fails to conform to the indication given by any such sign;

shall be guilty of an offence:

Provided that, where a traffic sign and a direction given by a police officer are in conflict, the latter shall prevail.

(2) Whenever any person controlling a body of troops or of labourers engaged on road work or of prisoners or of other persons or of animals shall, within a reasonable time, raise his hand or give such other indication as may be prescribed as a signal to the driver of any vehicle to stop or slow down, the driver of the vehicle shall stop and remain stationary or shall slow down, as the case may be, for as long as may be reasonably necessary, and any driver who fails so to stop and remain stationary or to slow down, as the case may be, shall be guilty of an offence.

(3) Any road traffic inspector in uniform or police officer may arrest without warrant any person who commits an offence under this section.

(*As amended by Act* 35 *of* 1974)

Stopping of vehicles at school crossings

209. (1) When a vehicle is approaching a place in a road where children on their way to or from school are crossing or seeking to cross the road, a school crossing patrol wearing a uniform approved by the Minister shall have power, by exhibiting a prescribed sign, to require the person driving or propelling the vehicle to stop it.

(2) When a person has been required under subsection (1) to stop a vehicle-

(*a*) he shall cause the vehicle to stop before reaching the place where the children are crossing or seeking to cross, and so as not to stop or impede their crossing; and

(*b*) the vehicle shall not be put in motion again so as to reach the place in question so long as the sign continues to be exhibited;

and a person who fails to comply with paragraph (*a*), or who causes a vehicle to be put in motion in contravention of paragraph (*b*), shall be guilty of an offence.

(3) In this section-

(*a*) "prescribed sign" means a sign prescribed by the Minister;

(*b*) "school crossing patrol" means a person appointed by the Minister to be a school crossing patrol for the purposes of this section.

(4) For the purposes of this section-

(*a*) where it is proved that a sign was exhibited by a school crossing patrol, it shall be presumed to be of a size, colour and type prescribed, unless the contrary is proved;

(*b*) where it is proved that a school crossing patrol was wearing uniform, the uniform shall be presumed, unless the contrary is proved, to be a uniform approved by the Minister;

(*c*) where it is proved that a prescribed sign was exhibited by a school crossing patrol at a place in a road where children were crossing or seeking to cross the road, it shall be presumed, unless the contrary is proved, that those children were on their way to or from school.

(*No.* 19 *of* 1966)

Failure of driver of motor vehicle to render assistance to injured person

210. (1) If the presence of a motor vehicle in any way causes a person to be injured on a road, and if the person in charge of such motor vehicle fails to stop the vehicle or to render reasonable assistance to the injured person, he shall be guilty of an offence and liable upon conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding two years, or to both:

Provided that it shall be a valid defence to a charge under this section if the driver of the motor vehicle had reason to believe that by stopping after the accident he would be endangering his own safety, or the safety of other occupants of the motor vehicle.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or suspected upon reasonable grounds of having committed an offence under this section.

(*As amended by No.* 25 *of* 1963, *Act No.* 35 *of* 1976 *and Act No.* 13 *of* 1994)

Duty to stop in case of accident

211. (1) If in any case, owing to the presence of a motor vehicle on a road, an accident occurs whereby damage or injury is caused to any person, property or animal, the driver of the motor vehicle shall stop, and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner, and the registration mark of the vehicle.

(2) In the case of any such accident as aforesaid, the driver of the motor vehicle shall report the accident to a road traffic inspector in uniform or police officer as soon as reasonably practicable:

Provided that in any case of an accident in which no person is injured, no such report need be made by a driver who has at the time of the accident given his name and address to any other person owning or in charge of any property or animal injured in such accident.

(3) If any person fails to comply with the provisions of this section, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units and to imprisonment as aforesaid:

Provided that it shall be a valid defence to a charge under this section if the driver of the motor vehicle had reason to believe that by stopping after the accident he would be endangering his own safety, or the safety of other occupants of the motor vehicle.

(*As amended by Act No.* 35 *of* 1974 *and Act No.* 13 *of* 1994)

Additional powers of police and others: requirements to be obeyed

212. (1) In addition to any other powers conferred by this Act, any police officer or road traffic inspector in uniform may at any time require the driver of any motor vehicle to stop such vehicle, and any such police officer or road traffic inspector in uniform, or who, if not in uniform, produces his identity card, may, at any time-

(*a*) require the driver of any motor vehicle to furnish his name and address and give any other particulars required as to his identification;

(*b*) require any person in any motor vehicle to furnish his name and address and give any other particulars required as to his identification and to give such information as is in his power to give and may lead to identification of the driver or owner of such vehicle;

(*c*) inspect the brakes or any part of any motor vehicle or trailer or the equipment thereof with a view to ascertaining whether the same complies with the provisions of any regulations made under the provisions of this Act;

(*d*) ascertain the dimensions of any motor vehicle or trailer or the laden weight, or the axle weights, and for this purpose require any persons or goods to be removed from such motor vehicle or trailer;

(*e*) direct the reduction or redistribution of the load of any motor vehicle or trailer, the laden weight of which or the weight carried on any axle whereof exceeds the limit specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of this Act or any regulations made thereunder;

(*f*) if the condition of a motor vehicle or trailer is such that danger is likely to be caused to the occupants or to members of the public, direct its removal forthwith from the road, and prohibit its use until the defects have been remedied to the satisfaction of a vehicle examiner in accordance with the provisions of section *seventy-five* or, if the vehicle is one to which Part XI applies, in accordance with the provisions of section *one hundred and seventy*;

(*g*) drive any motor vehicle where necessary in the execution of his duties, to investigate whether an offence is being committed under this Act in relation to such motor vehicle:

Provided that no police officer or road traffic inspector may drive any motor vehicle in the exercise of any of the powers and duties conferred or imposed on him under the provisions of this Act or any regulations made thereunder unless he is the holder of a driving licence of the appropriate class.

(2) The Director of Roads or any public officer duly authorised by him in writing shall, for the purposes of ascertaining the dimensions of any motor vehicle or trailer or its laden weight or its axle weights, have the powers conferred on police officers by subsection (1).

(3) The Minister may, by statutory instrument, make regulations for the taking of motor vehicles or trailers to weighbridges, for the weighing of them at such weighbridges, for the issue of certificates showing the recorded weight of such vehicles or trailers, and for the exemption of vehicles or trailers that have been weighed from further weighings during the validity of such certificates.

(4) The provisions of subsection (1), other than paragraphs (*d*), (*e*), (*f*) and (*g*) thereof, shall apply to bicycles as they apply to motor vehicles, and any reference therein to motor vehicles, drivers or the provisions of any regulations made under this Act shall be construed accordingly.

(5) Any person who fails to comply with a requirement or direction lawfully made or given in terms of this section shall be guilty of an offence.

(*As amended by No.* 26 *of* 1959, *No.* 38 *of* 1960, *No.* 25 *of* 1963, *G.N. No.* 275 *of* 1964 *and No.* 50 *of* 1970)

Powers concerning vehicles suspected of being used as public service vehicles

213. (1) Any police officer or road traffic inspector in uniform may at any time stop any motor vehicle or trailer on which more than one person in addition to the driver of such vehicle is or goods are being conveyed or suspected of being conveyed, for the purpose of ascertaining whether such vehicle is being used for a purpose for which such vehicle is not licensed to be used, and any such police officer or road traffic inspector in uniform, or who, if not in uniform, produces his identity card, may at any time-

(*a*) require the driver of any such vehicle to furnish his name and address, the name and address of the owner of the vehicle and particulars of the business in connection with which the vehicle is being used;

(*b*) require any person who is on any vehicle suspected of being used for a purpose for which such vehicle is not licensed to be used or who is suspected of having been on such vehicle recently, to give his full name and address and to state whether or not any remuneration has been or is to be given by him for being conveyed on the said vehicle;

(*c*) require the driver of, or any such other person in any such vehicle to furnish the name and address of the sender and consignee and the names of the points between which any goods on such vehicle are to be conveyed;

(*d*) require any other person to give such information as it is in his power to give to assist the police officer or the road traffic inspector to ascertain whether such vehicle is being used for a purpose for which it is not licensed to be used.

(2) Any person who fails to comply with a requirement or direction lawfully made or given in terms of this section shall be guilty of an offence.

(*As amended by No.* 25 *of* 1963)

Obstruction of roadway by vehicles

214. (1) A vehicle when not in motion on a road shall be placed as far as possible to the left-hand side of the carriageway by the driver or other person in charge of such vehicle, and shall not be placed or allowed to remain in any position so as to obstruct or be likely to obstruct other traffic using the road.

(2) Every driver of a vehicle shall obey any instructions as to the placing of the vehicle given by a police officer in uniform or road traffic inspector in uniform or as indicated by any traffic sign lawfully erected.

(3) The provisions of this section (other than those in subsection (2) relating to obeying instructions as to the placing of a vehicle given by a police officer in uniform or road traffic inspector in uniform shall not apply to any vehicle actually engaged in, and at the site of, the construction or maintenance of electricity or water supplies or other similar essential services, nor to any vehicle being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of the said provisions would be likely to hinder to an unreasonable extent the use of such vehicle for the purposes for which it is being used.

(4) Whenever the driver of a vehicle referred to in subsection (3) does not comply with the provisions of subsections (1) and (2), he shall take such precautions as are necessary and reasonably practicable to warn other traffic of the possible danger arising therefrom.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence and liable upon conviction to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(*As amended by No.* 17 *of* 1961, *No.* 25 *of* 1963 *and Act No.* 13 *of* 1994)

(6) Upon the conviction of any person of an offence under this section, the court may, in addition to the penalty prescribed in subsection (5), order that the vehicle in respect of which the offence was committed be impounded.

(*As amended by Act* 35 *of* 1974)

Disabled vehicles

215. (1) If a vehicle is disabled, it shall whenever possible be removed from the carriageway by the driver or other person in charge of such vehicle, or if this is not possible, placed as far to the left-hand side of the carriageway as is possible.

(2) Any person failing to comply with the provisions of this section shall be guilty of an offence and liable upon conviction to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(*As amended by No.* 17 *of* 1961 *and Act No.* 13 *of* 1994)

(3) Upon the conviction of any person of an offence under this section, the court may, in addition to the penalty prescribed in subsection (2), order that the disabled vehicle in respect of which the offence was committed be prohibited from the roads after considering a vehicle examiner's report that such disabled vehicle is no longer roadworthy.

(4) Any disabled vehicle prohibited from the roads under the provisions of subsection (3) shall not be disposed of in any way unless the owner of such vehicle has obtained from the Board a certificate stating that the defects discovered earlier have been properly remedied, and that the vehicle is again fit for use on the roads.

(5) Any person contravening the provisions of subsection (4) shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding three thousand penalty units.

(*As amended by Acts No.* 35 *of* 1974 *and No.* 13 *of* 1994)

Removal of vehicles from roads

216. (1) The Minister may, by statutory instrument, make regulations for the following purposes:

(*a*) to provide for the removal from a road of any vehicle which has broken down, or which has been permitted to remain at rest on a road, in contravention of any lawful prohibition or restriction;

(*b*) to provide for the removal from a road or road reserve of any vehicle which has been permitted to remain at rest in such a position or in such a condition or in such circumstances as to be likely to cause danger to persons using any road or to cause obstruction to such persons;

(*c*) to specify the circumstances in which a vehicle shall be deemed to have been abandoned and to provide for the removal of vehicles deemed to have been abandoned;

(*d*) to provide for the disposal by sale or otherwise of any vehicle referred to in paragraph (*c*) if it is not claimed within such time and according to such procedure as may be prescribed, or if any expenses incurred in the removal, storage, or in the arrangements for the disposal of the vehicle, are not paid in full;

(*e*) to provide for the removal of any property carried in or on any vehicle referred to in paragraph (*c*) and for the disposal by sale or otherwise of any such property or part thereof if it is not claimed by the owner within such time and according to such procedure as may be prescribed, or if any expenses incurred in such removal or in respect of storage or in arranging for the disposal of such property are not paid in full;

(*f*) to provide for the forfeiture of the proceeds of the disposal of any vehicle or property referred to in this subsection if the said proceeds are not claimed within such period and according to such procedure as may be prescribed;

(*g*) to provide for the protection against any claim in any legal proceedings or otherwise to be afforded to persons acting under or in pursuance of regulations made under this subsection, and to specify the circumstances in which such protection will be afforded.

(2) Expenses reasonably incurred in the execution of any power or duty imposed by regulations made under subsection (1) shall be recoverable summarily as a civil debt from the owner of the vehicle, and any sum so recovered shall be paid to the authority which lawfully incurred it.

(3) No person or authority who may be authorised to take any action under regulations made under paragraph (*a*) of subsection (1) shall be liable for any damage caused to any vehicle, or for any damage to or loss of any contents of such vehicle, resulting from any action taken by such person or authority in good faith and without negligence and in intended exercise of any such authorisation.

(*As amended by No.* 26 *of* 1959, *No.* 38 *of* 1960, *No.* 25 *of* 1963 *and G.N. No.* 275 *of* 1964)

Engine to be stopped when vehicle unattended

217. (1) Any person leaving a motor vehicle unattended on a road shall, before doing so, stop the engine and take such steps as are necessary to prevent the vehicle from moving.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

(*As amended by No.* 25 *of* 1963)

Opening doors of vehicles

218. (1) No person shall open any door of any motor vehicle or trailer on or near a road without reasonable consideration for the safety of other persons using the road.

(2) No person in charge of a motor vehicle or trailer shall allow any door of such motor vehicle or trailer while stationary on a road to remain open on the side of such motor vehicle or trailer on which other vehicular traffic is moving, or is likely to move, for a period of time longer than is necessary to load or unload passengers or goods from such motor vehicle or trailer.

(3) The provisions of subsection (2) shall not apply to any motor vehicle or trailer the doors of which when open, or when being opened, do not project beyond the normal width of such motor vehicle or trailer.

(4) No person shall drive a motor vehicle or trailer on a road unless the doors of such motor vehicle or trailer are closed.

(5) Any person who contravenes any of the provisions of this section shall be guilty of an offence.

(*No.* 19 *of* 1966)

Silencer

219. (1) No driver of a motor vehicle shall use a cut-out or otherwise permit the exhaust gases from the engine to escape into the atmosphere otherwise than through an efficient silencer.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

Discharge of oil and smoke

220. (1) Proper precautions shall be taken by the owner and driver of any motor vehicle to prevent the unnecessary discharge of fuel, oil or lubricants on any road, and the unnecessary discharge of smoke from any motor vehicle.

(2) Any person contravening the provisions of this section shall be guilty of an offence.

(3) Notwithstanding anything contained in subsection (2), any motor vehicle excessively discharging fuel, oil or lubricants or smoke on any road may be impounded by any road traffic inspector in uniform or by any police officer:

Provided that no such vehicle shall be impounded if it is merely being tested on the road for the purpose of repairing any fuel, oil or lubricant leakage or, of preventing the unnecessary discharge of smoke or, in the case of a diesel vehicle, if it is discharging smoke as a result of moving under speed restrictions.

(*As amended by Act No.* 35 *of* 1974)

Filling petrol, etc.

221. (1) Any person who shall fill petrol or other inflammable fuel into a motor vehicle while the engine is running or while any light, other than an electric light, is alight on the vehicle, and any person who shall smoke or light a match or introduce any naked light in close proximity while petrol or other inflammable fuel is being filled shall be guilty of an offence.

(2) Any person who shall fill petrol or other inflammable fuel into a public service vehicle while any passenger is within such vehicle shall be guilty of an offence.

Prohibition of sale of vehicles in a condition not complying with regulations as to construction, etc.

222. (1) Subject to the provisions of this section, it shall not be lawful to sell, or to supply, or to offer to sell or supply, a motor vehicle or trailer for delivery in such a condition that the use thereof on a road in that condition would be unlawful by virtue of any provisions of this Act or of the regulations made thereunder as to the construction, weight and equipment thereof or by virtue of any provisions made as respects brakes, steering gear or tyres or in such a condition as respects lighting equipment or reflectors or the maintenance thereof, that it is not capable of being used on a road during lighting-up time without contravention of the requirements imposed by law as to obligatory lamps or reflectors.

(2) If a motor vehicle or trailer is sold, supplied or offered in contravention of the provisions of this section, any person who so sells, supplies or offers it or causes or permits it to be so sold, supplied or offered, shall be guilty of an offence.

(3) A person shall not be convicted for an offence under this section in respect of the sale, supply or offer of a motor vehicle or trailer if he proves that he had reasonable cause to believe that the vehicle or trailer would not be used on a road until it had been put into a condition in which it might lawfully be so used, or, in the case of a vehicle or trailer, the sale, supply or offer of which is alleged to be unlawful by reason of its condition as respects lighting equipment or reflectors or the maintenance thereof, would not be so used during lighting-up time until it had been put into a condition in which it might be so used during that time without contravention of the requirements imposed by law as to obligatory lamps or reflectors.

(4) Nothing in the preceding provisions of this section shall affect the validity of any contract or any rights arising under a contract.

(5) In this section, "obligatory lamps or reflectors" means, in relation to a motor vehicle or trailer, the lamps or reflectors required by law to be carried thereon while it is on a road during lighting-up time.

(6) The provisions of this section shall not apply to any motor vehicle or trailer sold or supplied or offered for sale or supply solely where it is intended that its subsequent use on a road shall be solely for the purpose of taking it to a place where it is to be broken up or put into a condition in which its use on a road would not be unlawful:

Provided that-

(i) in the case of a motor vehicle, such subsequent use on a road shall not include use under the vehicle's own power;

(ii) nothing in this section shall apply to tractors or trailers used solely for agricultural purposes.

Prohibition of use of vehicles not complying with regulations as to construction, etc.

223. (1) Subject to the provisions of this Act and of any regulations made thereunder, no person shall use on any road any vehicle which does not comply with any regulations, applicable to the class or description of vehicles to which such vehicle belongs, relating to the construction, equipment and use thereof.

(2) Any person who uses any vehicle, or causes or permits any vehicle to be used, on any road in contravention of the provisions of subsection (1) shall be guilty of an offence.

Pillion riding on motor cycle

224. (1) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting astride the cycle on a proper seat securely fixed to the cycle behind the driver's seat and with his feet resting on the foot rests securely fixed to the cycle.

(2) If any person is carried on any such cycle in contravention of the provisions of this section, the driver of the cycle and any person carried thereon shall be guilty of an offence.

(*As amended by No.* 38 *of* 1960)

Application to pedal cyclists of provisions relating to certain driving offences

225. (1) The following enactments, that is to say:

(*a*) section *one hundred and ninety-five* (which penalises careless driving);

(*b*) section *one hundred and ninety-six* (which penalises reckless or dangerous driving);

(*c*) section *one hundred and ninety-eight* (which penalises driving under the influence of intoxicating liquor or drugs), but with the omission of the reference to attempting to drive;

(*d*) section *one hundred and ninety-nine* (which penalises the causing of death by reckless or dangerous driving);

(*e*) section *two hundred* (which requires the giving of warning of proposed prosecution) in so far as it relates to offences against the said sections *one hundred and ninety-five* and *one hundred and ninety-six* (careless driving and reckless or dangerous driving), but with the omission of reference to registered owners;

(*f*) section *two hundred and ten* (failure of a driver to stop and render assistance to an injured person after an accident);

(*g*) section *two hundred and eleven* (which requires drivers to stop and give their names and addresses) except so much of subsection (1) thereof as relates to the name and address of the owner and the registration mark of the vehicle;

shall, subject to the provisions of this section, apply to persons riding animals or driving vehicles, not being motor vehicles, as they apply to the drivers of motor vehicles, and references in those enactments to motor vehicles, drivers and driving shall be construed accordingly.

(2) The maximum penalties which may be imposed on a conviction by virtue of this section for an offence under section *one hundred and ninety-five, one hundred and ninety-six* or *one hundred and ninety-eight* shall be as follows:

(*a*) in the case of a conviction under the said section *one hundred and ninety-six* or *one hundred and ninety-eight*, a fine of three hundred penalty units, or, if the conviction is a second or subsequent conviction, a fine of three hundred penalty units or imprisonment for a term of three months;

(*b*) in the case of a conviction under the said section *one hundred and ninety-five*, a fine of one hundred and fifty penalty units, or, if the conviction is a second or subsequent conviction, three hundred penalty units.

(3) In determining whether a conviction under the said section *one hundred and ninety-five, one hundred and ninety-six* or *one hundred and ninety-eight* is a second or subsequent conviction-

(*a*) where it is a conviction in connection with the driving of a motor vehicle any previous conviction by virtue of this section shall be disregarded;

(*b*) where it is a conviction by virtue of this section any previous conviction in connection with the driving of a motor vehicle shall be disregarded.

(*As amended by No.* 25 *of* 1963 *and Act No.* 13 *of* 1994)

Brakes, etc., on bicycles and tricycles

226. (1) No person shall ride a bicycle or tricycle on a road unless it complies with any regulations in force governing the construction and equipment of bicycles and tricycles.

(2) Any person contravening the provisions of this section shall be guilty of an offence.

Excessive loads on two-wheeled vehicles

227. (1) No person shall while riding a two-wheeled vehicle carry thereon such number of persons or load of goods or both as to deprive him of full control of the vehicle or as to hinder him in its control, or as to obstruct his view.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence.

Throwing articles at or from vehicles

228. (1) If any person throws any article at any vehicle on any road or at any person in such vehicle, he shall be guilty of an offence and shall be liable upon conviction to imprisonment for twelve months or to a fine not exceeding three thousand penalty units, or to both.

(2) If any person throws from any vehicle an article that is in itself dangerous or that in the circumstances of the case causes or is likely to cause danger to other persons, he shall be guilty of an offence.

(*As amended by Act No.* 13 *of* 1994)

Interference with vehicles

229. (1) Any person who without the knowledge or consent of the owner of a vehicle other than a motor vehicle rides or drives or takes away such vehicle or in any way interferes with any vehicle or part thereof shall be guilty of an offence.

(2) If any person without lawful authority or reasonable cause enters or gets on to a motor vehicle or interferes with or wilfully damages such vehicle or its accessories, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to a term of imprisonment not exceeding six months, and in the case of a second or subsequent offence, to a fine not exceeding six thousand penalty units or to a term of imprisonment not exceeding twelve months, or to both.

(3) If any person, whether employed by the owner or not, shall take and drive away any motor vehicle without the consent of the owner thereof or other lawful authority, he shall be guilty of an offence and liable upon conviction to the penalties prescribed in subsection (2).

(4) If a court is satisfied that in any offence against subsection (1) or (3) the accused acted in the reasonable belief that he had lawful authority, or that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(5) If in any prosecution for stealing or attempting to steal a vehicle the court is of opinion that the defendant was not guilty of stealing or attempting to steal the vehicle, but was guilty of an offence under this section, the court may find him guilty of an offence under this section and thereupon he shall be liable to be punished accordingly.

(6) A road traffic inspector in uniform or police officer may arrest without a warrant any person reasonably suspected by him of having committed or of attempting to commit an offence under this section.

(7) In addition to any penalty specified in this section, the court may order that the convicted person shall pay to the owner of the vehicle such sum as may represent fair compensation for any damage sustained by the owner of the vehicle.

(*As amended by No.* 17 *of* 1961, *Act No.* 35 *of* 1974
and Act No. 13 *of* 1994)

Placing of handbill, etc. in or on motor vehicle

230. Any person, other than a road traffic inspector in uniform or police officer acting in the course of his duty, who places any handbill, leaflet or other similar document on or in any motor vehicle without the consent of the owner or person in charge of such motor vehicle shall be guilty of an offence.

(*No.* 19 *of* 1966)

Unauthorised use of goods vehicles

231. (1) No person shall permit any person to ride, and no person shall ride, on the wings, fenders, luggage grid, roof, running board, drawbar, towing bar or bonnet of a motor vehicle or trailer on any road except for purposes incidental to and necessary for the repair of the vehicle or trailer.

(2) A part from the driver and one other representative of the owner or hirer of a goods vehicle, no person shall permit any person to ride, and no person shall ride, on any such goods vehicle:

Provided that the provisions of this subsection shall not apply in any case where-

(i) such goods vehicle is being used in the normal course of the business of such owner or hirer, and the person riding on such vehicle is doing so for any purpose connected with such business; or

(ii) the person riding on such goods vehicle is the owner or hirer thereof or a member of the family of such owner or hirer; or

(iii) the person riding on such goods vehicle is an employee, or a member of the family of an employee, of the owner or hirer of such vehicle; and for the purposes of this paragraph, "employee" shall, in the case of an educational or other institution, include a pupil or other inmate thereof; or

(iv) a person is riding on a goods vehicle in an emergency; or

(v) the road upon which such goods vehicle is being used is not served by a motor omnibus service.

(3) No person shall ride or be permitted to ride on any load in a goods vehicle, unless there is sufficient protection as may be prescribed to prevent persons so carried from falling from the vehicle.

(4) No person shall carry or permit to be carried in any goods vehicle any goods other than goods carried on behalf or with the consent of the owner or hirer of such vehicle.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence.

(*As amended by No.* 38 *of* 1960)

Taking hold of or getting on vehicle in motion

232. If any person without lawful authority or reasonable cause takes or retains hold of or gets on a motor vehicle or trailer while in motion on any road for the purpose of being drawn or carried, he shall be guilty of an offence.

Stretching rope, etc., across road: obstruction of road

233. (1) Any person who for any purpose places or causes to be placed any rope, wire or other apparatus across a road or any part thereof in such manner as to be likely to cause danger to persons using the road shall, unless he proves that he had taken all necessary means to give adequate warning of the danger, be guilty of an offence, and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months and, in the case of a second or subsequent offence, to a fine not exceeding six thousand penalty units or to imprisonment for a period not exceeding twelve months.

(2) No person shall place or abandon or cause to be placed or abandoned upon a road any object or thing which is capable of causing danger or damage to traffic on or to such road:

Provided that nothing hereinbefore contained shall apply in respect of any object or thing placed upon a road by a highway authority road traffic inspector in uniform or police officer acting under and in terms of any written law.

(3) No person upon a road shall wilfully and without lawful excuse prevent, hinder or interrupt the free and proper passage of vehicles, persons or animals thereon.

(4) Any person contravening the provisions of subsection (2) or (3) shall be guilty of an offence.

(5) A police officer may arrest without warrant any person committing or suspected on reasonable grounds of having committed an offence under this section.

(*As amended by No.* 25 *of* 1963 *and No.* 19 *of* 1966 *and Act No.* 35 *of* 1974 *and Act No.* 13 *of* 1994)

Liability for animals on roads

234. (1) Subject to the provisions of subsection (2), no person shall leave or permit any horse, cattle, ass, mule, sheep, pig or goat to be on any road which is fenced or enclosed in any other manner along both sides, and no person shall leave any such animal in a place from which it may stray on to such road.

(2) The provisions of subsection (1) shall not apply to-

(*a*) any animal which is ridden or is being used to draw a vehicle upon a road; or

(*b*) any animal which is being moved upon the road from one place to another (other than for the purpose of grazing on such road) under the immediate control of a responsible attendant in such a manner as not to constitute a source of danger or injury to any person or any traffic upon such road.

(3) In any prosecution for a contravention of subsection (1), the owner of the animal concerned shall be presumed, until the contrary is proved, to have left or allowed such animal to be on the road concerned, or to have left it in a place from where it may have strayed on to such road, and a road shall be regarded as fenced or enclosed along both sides even though there are openings in the fence or barriers providing access to such road.

(4) No person shall drive any animal referred to in subsection (1) upon a road between sunset and sunrise unless he exhibits a white light visible in clear weather on a straight road for a distance of at least five hundred feet, or, in the case of a flock or herd of more than ten animals, a person carrying a white light as hereinbefore prescribed precedes and another carrying such a light follows such animals.

(5) A person in charge of an animal on a road shall tend it in such a manner as not to constitute an obstruction or danger to other traffic.

(6) Any person failing to comply with the provisions of this section shall be guilty of an offence.

Duty of pedestrians to comply with traffic directions given by police

235. (1) Where a road traffic inspector in uniform or police officer in uniform is for the time being engaged in the regulation of vehicular traffic in a road, any person on foot who proceeds across or along the road in contravention of a direction to stop given by the police officer, in the execution of his duty, either to persons on foot or to persons on foot and other traffic, shall be guilty of an offence.

(2) A road traffic inspector in uniform or police officer may require any person committing an offence against subsection (1) to give his name and address, and if that person fails to do so, he shall be guilty of an offence, and may be arrested thereupon without warrant.

(3) Any pedestrian who crosses, or who attempts to cross, any road when prohibited from so doing by a traffic sign shall be guilty of an offence.

Registration book and licences to be produced to police, etc., on demand

236. (1) Any road traffic inspector in uniform or police officer who, if not in uniform, produces his identity card and any other person authorised in writing by the Minister to exercise the powers bestowed by this section who produces such authority may demand-

(*a*) from the owner of any motor vehicle or trailer the registration book and the current licence for the vehicle or trailer in force at the date of such demand, and in the case of a public service vehicle the road service licence authorising the use of that vehicle at that time and place;

(*b*) from any person driving a motor vehicle on a road his driving licence, or provisional driving licence and, in the case of the latter, the driving licence of the person supervising such driving in terms of proviso (i) to subsection (2) of section *one hundred and thirteen*.

(2) Any person who fails to produce on demand any document referred to in subsection (1) shall be guilty of an offence unless within seven days thereafter or within such greater period as a road traffic inspector in uniform or police officer or person authorised in writing may specify, he produces or otherwise furnishes such document at such police station as may have been specified by him at the time that its production was required.

(3) In the case of motor vehicles or trailers that are subject to Part XI, a road traffic inspector may exercise all the powers bestowed upon a police officer by this section.

(*As amended by No.* 17 *of* 1961
and No. 25 *of* 1963)

Duty to give information

237. (1) Where any police officer has reason to believe that an offence in connection with a vehicle has been committed, it shall be lawful for him or any other police officer to require the owner of the vehicle to give all information in his possession as to the name, address, description and whereabouts-

(*a*) of the person driving and the occupants of the vehicle at the time of the alleged offence; or

(*b*) if no person was driving at the time of the alleged offence, of the last person who drove the vehicle before the alleged offence.

Any person failing to give such information shall be guilty of an offence unless he shows to the satisfaction of the court that he did not have the information and could not with reasonable diligence have obtained it.

(2) It shall also be lawful for a police officer to require any other person to give such information as aforesaid, or any other information which it is in his power to give and which may lead to the identification of any of the persons referred to in paragraph (*a*) or (*b*) of subsection (1) and, if such person fails to do so, he shall be guilty of an offence.

(3) In the case of motor vehicles that are subject to Part XI, a road traffic inspector may exercise all the powers bestowed upon a police officer by this section.

(*As amended by No.* 25 *of* 1963)

Penalty for giving false information

238. If any person in or in connection with an application for a vehicle licence or the registration of a motor vehicle or trailer or a driving or other licence or the endorsement of such a licence or any change or correction in a licence or in the registration of a motor vehicle or trailer or in giving any information lawfully demanded or required under this Act or any regulation made thereunder, makes any statement which to his knowledge is false, or in any material respect misleading, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units. Any licence, registration book or other authority acquired as a result of such statement shall be void.

(*As amended by No.* 25 *of* 1963 *and Act No.* 13 *of* 1994)

Unlawful imitation, etc., of documents

239. Whoever without lawful cause or excuse imitates, alters, mutilates, destroys or uses, or without lawful cause or excuse sells, supplies, lends or allows to be used by any other person any registration mark, vehicle licence, registration book, driving licence or any other licence issued or deemed to have been issued under this Act shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding three months.

(*As amended by No.* 25 *of* 1963 *and No.* 13 *of* 1994)

Verification of facts in applications

240. Any person or authority to whom application is made for anything to be done under this Act may require any facts stated in the application to be verified and any other necessary information to be given to his satisfaction.

Penalty

241. Any person guilty of an offence against this Act for which no special penalty is provided by this Act shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a term not exceeding three months, or to both.

(*As amended by Act No.* 13 *of* 1994)

Conditions for release of impounded vehicle or trailer

241A. Any registered owner whose motor vehicle or trailer is impounded under any provision of this Act may apply to the Commissioner or his authorised representative for the release of his motor vehicle or trailer after the termination of any criminal proceedings instituted against him, or as the case may be, after due compliance with any provisions of this Act contravened by him and, where necessary, after remedying any mechanical defects required to be remedied in order to render such vehicle or trailer roadworthy.

(*As amended by Act No.* 35 *of* 1974)

No liability for impoundment

241B. No police officer or road traffic inspector shall be liable for any damage caused to any motor vehicle or trailer or for any damage to or loss of any contents of such motor vehicle or trailer impounded by him in good faith and without negligence under any provision of this Act.

(*As amended by Act No.* 35 *of* 1974)

PART XIV

MISCELLANEOUS PROVISIONS

Control of parking charges on roads. Cap. 470, Cap. 471, Cap. 472

242. Notwithstanding anything contained in any other law, no person shall, save with the consent of the Minister, levy any charge for or in connection with parking on any public street as defined in the Municipal Corporations Act, the Townships Act and the Mine Townships Act or on any public road.

Limitation of time for which drivers of certain vehicles may remain continuously on duty

243. In the case of any public service vehicle or any other vehicle the gross weight of which with any trailer attached thereto exceeds 40,000 pounds, any person who drives or causes or permits any person employed by him or subject to his orders to drive in excess of such hours as may be prescribed by the Minister shall be guilty of an offence:

Provided that the provisions of this section and of any regulations made under this section may be extended to the drivers of such other vehicles or classes of vehicle as may be specified by the Minister by statutory notice.

(*As amended by No.* 26 *of* 1959 *and G.N. No.* 275 *of* 1964)

Protective helmets for motor cyclists

244. (1) The Minister may, by statutory instrument, make regulations-

(*a*) making it compulsory for protective helmets to be worn by persons riding on motor-cycles, or in sidecars attached to motor-cycles, of such construction or in such circumstances as may be prescribed;

(*b*) prescribing the shape, construction or quality of protective helmets.

(2) If any person sells, or offers for sale, any helmet as a helmet for affording protection as aforesaid, and such helmet fails to comply with any requirement prescribed under this section, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units, or to imprisonment for a term not exceeding three months.

(3) In this section, "helmet" includes any head-dress, and references in this section to selling or offering for sale include respectively reference to letting on hire and offering to let on hire.

(*As amended by No.* 26 *of* 1959, *No.* 38 *of* 1960, *No.* 25 *of* 1963, *G.N. No.* 275 *of* 1964, *and Act No.* 13 *of* 1994, *and came into force on* 30*th March* 1973 *by S.I. No.* 86 *of* 1973)

Maximum weights that may be transmitted to roads

245. The Minister may, after consulting any local authority affected, by statutory instrument, make regulations prescribing the maximum laden weight and the maximum axle weight of any vehicle that may be used on any road, and any person who uses or who causes or permits any other person to use a vehicle in contravention of such regulations shall be guilty of an offence and liable upon conviction to a fine not exceeding seven thousand five hundred penalty units:

Provided that the Director of Roads may, subject to such conditions as he thinks fit, grant a permit in respect of any vehicle, allowing a higher laden weight or higher maximum axle weight than those fixed by regulation, and where such a permit is given it shall not, so long as the conditions, if any, attached to the permit are complied with, be an offence for such vehicle to be used on that road by reason only that the vehicle does not comply with such regulations as aforesaid.

(*As amended by No.* 26 *of* 1959, *No.* 38 *of* 1960, *No.* 25 *of* 1963, *G.N. No.* 275 *of* 1964, *and Act No.* 13 *of* 1994)

Control of driving schools and of the teaching for gain of driving

246. (1) It shall not be lawful for any person to teach for gain the driving of motor vehicles except under the authority of a licence, hereinafter referred to as an instructor's licence, issued by the Commissioner, and no person shall set up or maintain an establishment for teaching for gain the driving of motor vehicles save under the authority of a licence, hereinafter referred to as a driving school licence, issued by the Commissioner.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence.

(*As amended by No.* 17 *of* 1961 *and No.* 25 *of* 1963)

Instructors' licences and driving school licences

247. (1) A person applying for an instructor's licence or for a driving school licence or for a variation of any of the conditions of any such licence shall apply on the prescribed form and shall submit to the Commissioner such particulars as may be prescribed.

(2) On receipt of an application for an instructor's licence, the Commissioner shall cause the applicant's competence to be tested, and may in the case of any application for an instructor's licence or a driving school licence or any variation thereof, if he deems necessary, cause to be verified the facts stated therein, and shall then, if the application is in order, and if all the information that he requires is provided, consider it, and shall, in his discretion, grant or refuse a licence or variation, as the case may be, subject to such conditions as he may impose.

(3) Licences shall be valid for such period as may be prescribed and the prescribed fees shall be payable for them.

Appeals concerning driving school licences or instructors' licences

248. If the Commissioner refuses an instructor's licence or a driving school licence or a variation of the conditions thereof, the applicant may appeal to the Minister in accordance with such procedure and upon payment of such fees as may be prescribed, and the decision of the Minister shall be final.

Instructors' licences and driving school licences not transferable

249. An instructor's licence and a driving school licence shall be personal to the person who is teaching the driving of motor vehicles or who is the proprietor of the driving school, as the case may be, and shall not be transferable.

(*As amended by No.* 25 *of* 1963)

Inspection of premises, etc.

250. The Minister may, by statutory instrument, make regulations-

(*a*) providing for the inspection of any premises, vehicles, equipment, records or any other place or thing used in connection with the teaching for gain of driving, and for ensuring that the curriculum and, where provided, the accommodation and food supplied to pupils, are suitable, and that the instructors are competent;

(*b*) providing for the revocation of instructors' licences and of driving school licences, or for the variation of the conditions thereof, and for the making and hearing of appeals in respect of such licences;

(*c*) containing such other provisions as he may deem necessary for the proper licensing, control, and inspection of the teaching for gain of driving and for ensuring that the terms of any licences relating to such teaching are observed.

(*As amended by No.* 26 *of* 1959 *and G.N. No.* 275 *of* 1964)

Certificate of examination to be admissible in evidence

251. If in any proceedings under this Act any question arises whether a motor vehicle or trailer does or does not comply with any provision of this Act or any regulation made thereunder, a certificate purporting to be signed by any person appointed by Gazette notice to act as a vehicle examiner for the purposes of this Act, that he has examined the vehicle or trailer and as to the result of his examination, shall be admissible in evidence and shall be *prima facie* evidence of any fact or opinion stated therein relating to the matter in question without calling as a witness the person who purports to have signed such certificate:

Provided that any person against whom the evidence of such certificate is sought to be used shall have the right to object to the admissibility of such certificate as evidence unless the person who purports to have signed it is called as a witness.

Admissibility as evidence of certificates relating to ownership or driver of motor vehicles

252. (1) In any proceedings for an offence against this Act a certificate in the prescribed form purporting to be signed by a road traffic inspector or by a police officer of or above the rank of Sub-Inspector and certifying that a person specified in the certificate stated to the road traffic inspector or to the police officer-

(*a*) that a particular motor vehicle was being driven by, or belonged to, that person on a particular occasion; or

(*b*) that a particular motor vehicle belonged on a particular occasion to a firm in which that person also stated that he was at the time of the statement a partner; or

(*c*) that a particular motor vehicle belonged on a particular occasion to a corporation of which that person also stated that he was at the time of the statement a director, officer or employee;

shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven, or to whom it belonged, as the case may be, on that occasion.

(2) Nothing in this section shall be deemed to make a certificate admissible as evidence in proceedings for any offence-

(*a*) unless a copy thereof has, not less than seven days before the hearing or trial, been served on the person charged with the offence; or

(*b*) if that person, not later than three days before the hearing or trial, or within such further time as the court may in special circumstances allow, serves notice on the prosecutor requiring the attendance at the trial of the person who signed the certificate.

Registers, etc., to be accepted as evidence

253. (1) Any extract from a register or other records kept in terms of this Act or any regulations made thereunder shall, if it purports to be certified to be a true extract by the officer having custody or control of such register or records, be received in any court on production by any person and without further proof as *prima facie* evidence of the facts therein stated.

(2) The registration book of any motor vehicle or trailer shall be received in any court on production by any person and without further proof as *prima facie* evidence of the facts therein stated.

Doubt concerning classification of vehicles

254. In case any doubt shall arise as to the use to which any vehicle is put or whether any vehicle or class or type of vehicle falls within any particular class or type of vehicle defined by this Act, the matter shall be referred to the Commissioner, who shall determine within what particular class or type of vehicle defined by this Act such vehicle falls.

Liability of driver and owner for offences

255. If-

(*a*) on any road any motor vehicle or trailer is used which does not comply with or contravenes any provision of this Act or of any regulations or order lawfully made thereunder; or

(*b*) any motor vehicle or trailer is used in such a state or condition or in such a manner as to contravene any such provision; or

(*c*) anything is done or omitted in connection with a motor vehicle or trailer in contravention of any such provision;

then, unless otherwise expressly provided by this Act-

(i) the driver of the motor vehicle or trailer at the time of the offence shall be guilty of an offence unless the offence was not due to any act, omission, neglect, or default on his part; and

(ii) the owner of the motor vehicle or trailer shall also be guilty of an offence, if present at the time of the offence, or, if absent, unless the offence was committed without his consent and was not due to any act or omission on his part, and he had taken all reasonable precautions to prevent an offence.

Persons empowered to examine vehicles exempted from liability for damage

256. No person who is empowered under this Act to examine, or to order the examination of, or to issue any other direction concerning any vehicle under this Act, shall be liable for the loss of any such vehicle or the contents thereof or for any damage caused to any such vehicle or the contents thereof, resulting from any action taken by such person in good faith and without negligence and in intended exercise of any such powers.

(*No.* 25 *of* 1963)

Highway Code

257. (1) The Minister may prepare a code, to be known as the Highway Code, containing such directions as appear to him to be proper for the guidance of persons using roads, and may from time to time revise the code by revoking, varying, amending or adding to the directions thereof in such manner as he thinks fit.

(2) The Highway Code and any alterations proposed to be made thereto and any revision thereof shall as soon as prepared be laid before the National Assembly, and the Highway Code or the revision thereof, as the case may be, shall not be issued until the said code or proposed alterations or revision have been approved by the Assembly.

(3) Subject to the foregoing provisions of this section, the Minister shall cause the Highway Code and every revised edition thereof to be printed and issued to the public at such price as may be prescribed.

(4) Failure on the part of any person to observe any provision of the Highway Code shall not of itself render that person liable to criminal proceedings of any kind, but any such failure may in any proceedings (whether civil or criminal and including proceedings for an offence under this Act) be relied upon by any party to the proceedings as tending to establish or to negative any liability which is in question in those proceedings.

(*As amended by G.N. No.* 275 *of* 1964)

Regulations

258. (1) The Minister may, by statutory instrument, make regulations for carrying this Act into effect, and any regulations made under this section or in pursuance of any other power to make regulations conferred by this Act shall be published in the *Gazette* at least thirty days before the date upon which they shall come into effect.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may be made-

(i) prescribing anything which by this Act may or is to be prescribed;

(ii) governing the construction and upkeep of any road or portion thereof or any bridge, ford, pontoon or culvert thereon;

(iii) prohibiting any practice which may lead to obstruction of or damage to any road;

(iv) declaring any portion of any road to be a footpath or cycle track and regulating traffic on such footpath or cycle track;

(v) providing for the imposition of tolls for special services rendered at any point on any road;

(vi) prescribing the forms to be used;

(vii) prescribing the fees payable for licences and for the various appeals, documents and services specified in this Act where such are not included in the First Schedule; prescribing the circumstances in which fees paid may be refunded either wholly or in part, the allocation of taxes and fees paid, and the rendering of accounts therefor;

(viii) prescribing the form of vehicle and motor vehicle licences, driving licences and renewals thereof and all other licences, registration books, certificates of all kinds, the conditions attaching to them and the conditions precedent to their issue and, where applicable, the periods of their validity, and the manner of displaying such certificates and licences; and regulating the issue of duplicates of licences, registration books, certificates and other documents specified in this Act;

(ix) prescribing measures to prevent a person holding illegally more than one licence, registration book or certificate, and to facilitate the identification of the holders of the same;

(x) regulating the particulars that are to be marked on vehicles, motor vehicles or trailers and the manner in which they are to be displayed or affixed, and prohibiting the display on any motor vehicle or trailer of any registration or distinguishing mark other than that of the country in which such motor vehicle or trailer is registered and licensed:

Provided that the Minister may delegate to the Commissioner the power to prescribe the letters which shall be used as registration marks on motor vehicles and trailers;

(xi) regulating traffic on any road or portion thereof or on any ford, bridge, pontoon or culvert thereon;

(xii) prescribing the rules of the road, the signals to be given by the drivers of vehicles, and the signals and traffic signs to be observed by such drivers and by pedestrians and for the establishment of crossings on roads for pedestrians;

(xiii) prescribing the maximum speeds permitted for different classes of vehicles in or on different areas and roads or parts thereof;

(xiv) regulating the parking of vehicles, the levy of any charges therefor and the manner in which such charges may be levied; prohibiting the leaving of vehicles at rest in dangerous positions and the abandoning of vehicles and providing for their removal from roads and road reserves and for the recovery of expenses in this regard;

(xv) providing for the detention of any vehicle in respect of any contravention or suspected contravention of this Act or any regulation or notice thereunder; and providing for the sale of any vehicle so detained which is not claimed within a period of thirty days after the date of detention;

(xvi) providing for the detention, inspection and disinfection of any vehicle passing through or out of any area in which tsetse fly exist or are suspected to exist;

(xvii) prohibiting sound warnings on specified roads or in specified areas or parts thereof either at all times or at specified times;

(xviii) requiring information to be furnished as to any road or vehicle;

(xix) prescribing the construction and equipment of vehicles, motor vehicles and trailers and the conditions under which they may be used on roads, including the prohibition of emblems, mascots or other devices that are liable to be a source of danger to any person on the road or of distraction to the driver or to other road users;

(xx) prescribing the width, height, length and other dimensions of vehicles, motor vehicles and trailers, or trains of such and of the loads carried thereby;

(xxi) prescribing the gross weight of vehicles, motor vehicles and trailers and the maximum weight to be transmitted to the road or any specified area thereof by a vehicle, motor vehicle or trailer of any class or description or by any part or parts of such vehicle or trailer in contact with the road; the methods by which such weights shall be determined and the conditions under which they may be required to be tested; and providing for the reduction or redistribution of the load of any motor vehicle or trailer, the laden weight of which or the weight carried on any axle whereof exceeds a prescribed limit;

(xxii) prescribing the number of trailers which may be drawn by a vehicle and the towing of one vehicle by another, and prohibiting the operation of any vehicle which is being used to tow trailers if the combined length of the vehicle and trailers exceeds a prescribed limit;

(xxiii) prescribing the number of persons who may be carried on vehicles or trailers for the purpose of controlling or attending to them;

(xxiv) regulating the number and kinds of lamps and reflectors that are to be carried on vehicles, motor vehicles, trailers and farm implements, prescribing how and when the same shall or shall not be used, prohibiting the use of any lamp or lighting device as may be specified, and prohibiting the sale or letting on hire of bicycles which do not comply with any regulations which may be made regulating the carrying on bicycles of lights, reflectors or other devices to make them conspicuous at night;

(xxv) regulating and prescribing the number and type of brakes, the affixing of efficient brakes and ensuring that brakes, steering gear and other parts of a vehicle are maintained in proper working order;

(xxvi) prohibiting the use of any cut-out, fitting or other apparatus or device rendering it possible to open the exhaust of a motor vehicle; providing for efficient silencers, to minimise noise; prohibiting the unnecessary issue of smoke or fumes, and the unnecessary discharge of fuel, oil, or lubricants; prohibiting nuisances caused by the working of motor vehicles, and prohibiting the use on roads of motor vehicles or trailers which cause excessive noise due to defect, lack of repair, or faulty adjustment or faulty packing of loads on such vehicles or trailers;

(xxvii) regulating the loading of vehicles, motor vehicles and trailers, and the securing of loads so that danger is not caused or is likely to be caused, by reason of the load or part thereof falling, or being liable to fall, from the vehicle or trailer;

(xxviii) prohibiting the use on roads of any motor vehicle which is so constructed or loaded that manual signals given by the driver cannot be readily seen from the rear of such vehicle by a person in line with the offside unless it is fitted with an apparatus to enable the driver thereof efficiently to signal his intention to stop or change direction;

(xxix) prescribing the methods to be used and appliances to be fitted for signalling the approach of a motor vehicle, for enabling the driver of a motor vehicle to become aware of the approach of another motor vehicle from the rear, and for intimating the intended movement of a motor vehicle; securing that such appliances shall be efficient and kept in proper working order;

(xxx) providing for the examination on the road or elsewhere, of motor vehicles, either generally or of such classes as may be specified, for the exemption of specified vehicles or classes of vehicle from the need to be examined and for the notification of the result of examinations;

(xxxi) prescribing those vehicles or motor vehicles that may be exempted from the need to be registered or licensed and under what conditions, and the conditions on which motor vehicles registered and licensed in any specified country outside Zambia may be used within Zambia without being registered or licensed therein or without holding a certificate of fitness; prescribing the driving licences or permits issued outside Zambia or the military driving licences, or the equivalents of such licences or permits, that may be deemed to have effect within Zambia as if issued under section *one hundred and eleven* or *one hundred and thirteen*, and prescribing the conditions to which such driving licences, permits or their equivalents may be made or may be deemed to be subject in their application to Zambia;

(xxxii) prescribing the procedure to be adopted and the conditions to be observed in connection with the issue of international certificates for motor vehicles and international driving permits and in connection with the use of such certificates and permits issued elsewhere than in Zambia;

(xxxiii) exempting, or empowering prescribed officers to exempt, vehicles, motor vehicles and trailers from compliance with the requirements of this Act and of the regulations with regard to construction and equipment;

(xxxiv) prescribing the circumstances in which public service vehicles or any classes thereof shall be exempt from compliance with all or any of the provisions of Part X, and under what conditions;

(xxxv) prescribing the construction and equipment of public service vehicles, the method to be adopted to determine the maximum load and/or the number of passengers that they may carry; prescribing for the safe custody and redelivery or disposal of any property accidentally left in a public service vehicle, and fixing the charges to be made in respect thereof; prescribing the circumstances in which and the conditions upon which vehicles may be substituted for authorised vehicles, otherwise than in the case of breakdown or unforeseeable emergency; and prescribing the circumstances in which public service vehicle services may be temporarily suspended;

(xxxvi) prescribing the hours and conditions of service of the drivers of such classes of motor vehicles as may be specified, regulating the licensing and conduct of drivers of public service vehicles and of conductors in omnibuses, prescribing the badges to be worn by such drivers and conductors, and regulating the conduct of passengers in passenger-carrying public service vehicles;

(xxxvii) prescribing the records that are to be kept and the returns that are to be made by persons holding or applying for licences issued under Part X or subject to Part XI;

(xxxviii) prescribing the manner in which applications for road service licences, and the grant, revocation or suspension of such licences, or the variation of their conditions, are to be published;

(xxxix) prescribing the means of identifying public service vehicles authorised to be used under road service licences, the period of validity of such means of identification, the particulars that they are to contain, the manner of their display, the fees to be charged therefor, and their custody, production, return and cancellation on expiration, suspension or revocation;

(xl) prescribing the classes of motor vehicles for which driving licences and provisional driving licences may be expressed to be valid;

(xli) providing for the confiscation of bicycles and for the custody of such bicycles during the period of their confiscation;

(xlii) providing for the licensing, control and inspection of driving schools and of instructors;

(xliii) prescribing penalties for the breach of any regulation, provided that no such penalty shall exceed a fine of one thousand five hundred penalty units or imprisonment for a period of three months;

(xliv) providing for the form, manner and procedure of any arbitration or appeal authorised under this Act;

(xlv) prescribing the exclusion of specified vehicles from the definition of "motor vehicle" as contained in section *two*;

(xlvi) providing for the amendment of driving licences where the name or address of the holder has been changed and for the keeping of records and registers of driving licences issued, renewed or extended by endorsement;

(xlvii) providing for the production of prescribed documents and of vehicles to driving examiners for the purpose of driving tests, and the procedure to be followed before, during and after such tests and the examiners who may conduct the same;

(xlviii) to do all such things as may be necessary for the proper carrying out of this Act.

(*As amended by No.* 38 *of* 1960, *No.* 17 *of* 1961, *G.N. No.* 275 *of* 1964, *No.* 19 *of* 1966, *No.* 50 *of* 1970 *and Act No.* 13 *of* 1994)

Exemption of vehicles from compliance with regulations relating to construction and equipment, and exemption from provisions of this Act

259. Notwithstanding anything contained in this Act, any regulations made under this Act relating to the construction and equipment of vehicles may exempt such vehicles or classes of vehicles as may be specified therein from compliance with all or any of the requirements of such regulations or from all or any of the requirements of this Act relating to the construction and equipment of vehicles, for such period or periods as may be specified and subject to such vehicles complying with the requirements of any Act or regulations, whether repealed or revoked, as may be specified.

(*No.* 17 *of* 1961)

Repeals and savings

260. The Motor Traffic Act and the Roads and Vehicles Act, Chapter 172 and 174 of the 1957 Edition of the Laws, and the Width of Tyres Act, Chapter 173 of the 1948 Edition of the Laws, are repealed:

Provided that-

(i) all licences, concessions, permits and other documents of authority issued under the said Acts shall, save as otherwise provided by or under the provisions of this Act, continue to have full force and effect notwithstanding such repeal, and every such licence, concession, permit or other document shall, upon the repeal of the law under which it was issued, be deemed to have been issued under this Act;

(ii) in any concession granted under the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and existing after the commencement of this Act, any reference to a provision of the said Motor Traffic Act shall, *mutatis mutandis*, be deemed to be a reference to the equivalent provision in this Act.

(*As amended by No.* 17 *of* 1961 *and G.N. No.* 275 *of* 1964)

Application of Parts XIII and XIV to State

261. The provisions of Parts XIII and XIV shall apply to the State.

(*As amended by S.I. No.* 122 *of* 1964)

FIRST SCHEDULE
(*Section 95*)

TAXES PAYABLE ON ANNUAL LICENCES

RATE OF TAX

		Fee units paid
1.	Vehicles owned by the Government	Nil
2.	For every hand-cart per wheel	10
3.	For every motor-cycle	50
4.	For every public service vehicle (except a contract car, hire car, taxi cab or trailer) if the manufacturer's permitted gross weight-	
	(*a*) does not exceed 2 tonnes	200
	(*b*) exceeds 2 tonnes but does not exceed 5 tonnes	300
	(*c*) exceeds 5 tonnes but does not exceed 8 tonnes	400
	(*d*) exceeds 8 tonnes but does not exceed 11 tonnes	500
	(*e*) exceeds 11 tonnes but does not exceed 14 tonnes	600
	(*f*) exceeds 14 tonnes but does not exceed 17 tonnes	700
	(*g*) exceeds 17 tonnes but does not exceed 20 tonnes	800
	(*h*) exceeds 20 tonnes	1000
5.	For every contract car, hire car or taxicab, if the weight-	
	(*a*) does not exceed 800 kg	400
	(*b*) exceeds 800 kg but does not exceed 1000 kg	500
	(*c*) exceeds 1000 kg but does not exceed 1200 kg	600
	(*d*) exceeds 1200 kg but does not exceed 1400 kg	700
	(*e*) exceeds 1400 kg but does not exceed 1600 kg	800
	(*f*) exceeds 1600 kg	1000
6.	For every private motor car, if the net weight-	
	(*a*) does not exceed 800 kg	200
	(*b*) exceeds 800 kg but does not exceed 1000 kg	250
	(*c*) exceeds 1000 kg but does not exceed 1200 kg	300
	(*d*) exceeds 1200 kg but does not exceed 1400 kg	350
	(*e*) exceeds 1400 kg but does not exceed 1600 kg	400
	(*f*) exceeds 1600 kg	500
7.	For every other motor vehicle (except a farm tractor) if the net weight-	
	(*a*) does not exceed 800 kg	200
	(*b*) exceeds 800 kg but does not exceed 1200 kg	250
	(*c*) exceeds 1200 kg but does not exceed 2000 kg	300
	(*d*) exceeds 2000 kg but does not exceed 4000 kg	350
	(*e*) exceeds 4000 kg but does not exceed 6500 kg	400
	(*f*) exceeds 6500 kg but does not exceed 9000 kg	450
	(*g*) exceeds 9000 kg	500
8.	For every trailer, if the manufacturers permitted gross weight-	
	(*a*) does not exceed 2 tonnes	200
	(*b*) exceeds 2 tonnes but does not exceed 4 tonnes	300
	(*c*) exceeds 4 tonnes but does not exceed 6 tonnes	400
	(*d*) exceeds 6 tonnes but does not exceed 9 tonnes	500
	(*e*) exceeds 9 tonnes but does not exceed 12 tonnes	600
	(*f*) exceeds 12 tonnes but does not exceed 15 tonnes	700
	(*g*) exceeds 15 tonnes	800

SECOND SCHEDULE
(*Section* 122)

CANCELLATION, SUSPENSION AND ENDORSEMENT OF DRIVING LI

Schedule showing where it is obligatory, and where it is permissible to-
(*a*) cancel a driving licence and disqualify the holder from obtaining a
(*b*) suspend a driving licence for a stated period-section 122 (1) (*a*); c
(*c*) endorse a driving licence-section 122 (1) (*b*).
NOTE 1.-The cancellation or the suspension of a driving licence must be en

Section	Offence	First second, subsequent offence	Cancellation with Disqualification		Suspension	
			Obligatory	Permissible	Obligatory	Permissible
77	No test certificate	First	No	No	No	No
		Second or subsequent	No	No	No	Yes
83	No motor vehicle or trailer licence.	First	No	No	No	No
		Second or subsequent	No	No	No	Yes
110	Driving with no driving licence.	First	No	No	No	No
		Second or subsequent	Yes	No	No	No
113 (3)	Passenger in public service vehicle with learner driving-driver, and supervisor.	First or subsequent	No	No	No	No

SECOND SCHEDULE-*continued*

Section	Offence	First second, subsequent offence	Cancellation with Disqualification		Suspension	
			Obligatory	Permissible	Obligatory	Permissible
128	Fraudulent application for driving licence, or driving when disqualified or while licence suspended.	First or subsequent	Yes*	No	No	No
133	Vehicle uninsured	First or subsequent	No	No	No	Yes
164 (1) (2)	Public service vehicle driver drinking or drunk.	First or subsequent	No	No	No	Yes
177	Using vehicle without certificate of fitness, or when use is prohibited	First	No	No	No	No
		Second or subsequent	No	No	No	Yes
192	Exceeding speed limit	Second	No	No	No	No
		Third or subsequent	No	No	No	Yes

195	Careless driving	First	No	No	No	No
		Second or subsequent	No	No	No	Yes
196	Reckless or dangerous driving.	First or subsequent	No	No	No	Yes

SECOND SCHEDULE-*continued*

Section	Offence	First second, subsequent offence	Cancellation with Disqualification		Suspension	
			Obligatory	Permissible	Obligatory	Permissible
197	Intoxicated when in charge of motor vehicle.	First	No	No	No	No
		Second or subsequent	No	No	No	Yes
198	Intoxicated when driving	First or subsequent	No	Yes	Yes	No
199	Causing death by reckless or dangerous driving.	First or subsequent	No	Yes	Yes	No
201	Driving motor vehicle or trailer in dangerous condition.	First or subsequent	No	No	No	No
210	Failure to stop or render assistance.	First or subsequent	No	Yes	Yes	No
211	Failure to stop in case of accident.	First or subsequent	No	Yes	Yes	No
231	Carrying passengers or goods without authority of owner or hirer.	First or subsequent	No	Yes	No	Yes

THIRD SCHEDULE
(*Section* 119)

PRESCRIBED FEE UNITS

DRIVING LICENCE	..	..	..	60

Country	Road		
	From	To	
Zambia	1. Zimbabwe	Kafue River Bridge (joins 2)	V
	2. Zimbabwe	Tanzania	C
	3. Kapiri Mposhi	Lubumbashi (Congo)	V
	4. Lusaka	Malawi	V
	5. Chingola	Angola	N

SUBSIDIARY LEGISLATION

ROADS AND ROAD TRAFFIC

SECTION 4-DESIGNATION OF TERRITORIAL MAIN ROADS

Statutory Instrument
37 *of* 1971

Notice by the Minister

TERRITORIAL MAIN ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
M1	Road T2 near Mpika-Kasama-Mbala town boundary.	Northern	375
M2	Road M1 near Mbala-Mpulungu	Northern	38.9
M3	Road M1 at Kasama-Mansa-Luapula River near Chembe.	Northern and Luapula	429.6
M4	Road T3 near Ndola-Mufulira-Road T3 near Mwambashi.	Copperbelt	87.4
M5	Road M4 at Mufulira-Zaire border near Mokambo.	Copperbelt	18
M6	Road T3 near Kafulafuta-Road T3 at Fisenge-Luanshya.	Copperbelt	41.8
M7	Road T3 at Kitwe-Kalulushi..	Copperbelt	13.4
M8	Road T5 near Mutanda Mission-Kabompo-Zambezi.	North-Western..	480.9
M9	Road T2 at Lusaka-Kafue Hook-Mongu.	Central and Western	582.5
M10	Livingstone Municipal boundary-Mambova-Sesheke-Mongu.	Southern and Western..	537.7
M11	Road T1 at Choma-Namwala..	Southern	169.1
M12	Road T4 near Chipata-Lundazi	Eastern	173.8
M13	Road M3 at Mun'anga-Mwenda-Kawambwa.	Luapula..	87.2
M14	Road T2 near Nakonde-Fort Hill-Malawi border at Chire River but excluding portions in Malawi.	Northern	164.1
M15	Road T2-Kariba Dam	Southern	65.2
M16	Road M7 near Kalulushi-Road T3 near Mwambashi Bridge	Copperbelt	13.7
M17	(*Deleted*)		
M18	Road M7-Lufwanyama River-Ingwe-Road M8.	Copperbelt and North-Western	256.5
M19	Road M10-Kazungula Pontoon	Southern	2.9
M20	Road T2 at Landless Corner-Mumbwa	Central	114.6

SECTION 5(1)-THE ROADS AND ROAD TRAFFIC (DISTRICT ROADS) (ALTERATION OF PARTICULARS AND APPOINTMENT OF HIGHWAY AUTHORITIES) ORDER

Statutory Instruments
122 *of* 1973
79 *of* 1975
5 *of* 1989

Notices by the Minister

Title

1. This Order may be cited as the Roads and Road Traffic (District Roads) (Alteration of Particulars and Appointment of Highway Authorities) Order.

Alteration of particulars

2. The particulars of all roads designated as district roads under section *five* of the Roads and Road Traffic Act shall be as set out in relation thereto in the Schedule hereto.

3. In respect of all roads in the Schedule bearing the prefix "D" the Director of Roads is hereby appointed a highway authority and in respect of all roads in the Schedule bearing the prefix letters "RD" the rural council concerned is hereby appointed a highway authority.

Appointment of highway authority

SCHEDULE

SECTION 5-DESIGNATION OF DISTRICT ROADS

Notice by the Minister

DISTRICT ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D1	Road T2 near Nakonde-Road M1 near Mbala ..	Mbala and Isoka ..	172.2
RD2	Road M1 near Mbala-Kamboli Mission	Mbala	80.6
D3	Road M1-Kayambi-Road D1	Kasama, Mbala and Isoka	162.8
RD4	Road D1-Road D3 near Kayambi..	Mbala and Kasama.. ..	68.1
RD5	Road RD4-near Mambwe Mission-Nsokolo ..	Mbala	14.6
RD6	Road RD4-Mpande	Mbala	9.3
D7	Mbala Town Boundary-Tanzania Border on Samfu River	Mbala	22.5
D8	Mbala Town Boundary-Kawimbe Mission-Tanzania Border	Mbala	31.7
RD9	Road D7 near Mbala-Kalambo Falls	Mbala	32.2
RD10	Mbala Town Boundary-Insanya	Mbala	4.8
D11	(*Deleted*)		
RD12	Road D1-Mambwa..	Mbala	38.8
RD13	Road M2-Kasakalabwe	Mbala	7.2
RD14	Road M1-Chinakila..	Mbala	36.4
RD15	Road M1-Moses-Chambeshi River	Mbala	22.5
RD16	Road RD15 at Moses-Maule	Mbala	8.0
D17	(*Deleted*)		
D18	Road T2 near Isoka-Mbesuma Ranch-Kasama Town Boundary	Kasama, Chinsali, Isoka..	173.0
D19	Road M1 near Senga Hill-Mporokoso-Kawambwa	Mbala, Mporokoso, Kawambwa	292.8

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D20	Road M3 near Chilubula Mission-Road D19 near Kapatu Mission	Mbala, Mporokoso, Kawambwa	71.1
RD21	Road D3-Chitimukulu-Road D18 near Malole Mission	Kasama	29.9
RD22	(*Deleted*)		
RD23	Road D3-Makasa	Kasama	5.6
RD24	Road D18-Ndasa	Kasama	19.6
RD25	Road D18-Mulema	Kasama	46.2
RD26	Road M1-Ngulula	Kasama	10.5
RD27	Road D3-Chimbola-Rosa Mission-Road M1	Kasama, Mbala	72.1
RD28	Road M1-Misamfu	Kasama	2.4
RD29	Road M1-Mulanshi	Kasama	10.9
RD30	Road M3 near Kasama-Mwamba	Kasama	20.3
RD31	Road RD30-Lukupa	Kasama	2.4
RD32	Road M3-Mulobola Mission	Kasama	46.0
RD33	Road M3-Munkonge	Kasama	3.1
RD34	Road M3-Lubushi Mission	Kasama	2.1
D35	(*Deleted*)		
D36	Road D19 near Mukunsa-Junction roads D76 and D77 at Mununga	Mporokoso, Kawambwa	85.1
D37	Road D19 at Mporokoso-Bulaya	Mporokoso	128.7
RD37	Road D37 at Bulaya-Road D36 at Nkasha	Mporokoso	145.6
D38	Road D37 at Bulaya-Sumbu	Mporokoso	43.1
D39	Road M3-Chitoshi-Road D19	Mporokoso	93.0
RD40	Mporokoso-Kashinda Mission	Mporokoso	3.9
RD41	Road D19-Kalabwe Mission-Luangwa River	Mporokoso	19.3
RD42	Road D36-Mukupa Katandula	Mporokoso	26.6
RD43	Luwingu-Lake Bangweulu near Nsombo	Luwingu	68.7
RD44 (Part)	Road D43-Luwingu/Chilubi District Boundary	Luwingu	34.0 km
RD44 (Part)	Luwingu/Chilubi District Boundary-RD45	Chilubi	10.2 km
RD45	Road RD44-Chaba	Chilubi	24.9 km
RD46	Luwingu-Ipusukilo Mission	Luwingu	15.3
RD47	Road T2-Livingstone Memorial	Serenje and Mpika	99.8
RD48	Road RD47-Chiundaponde	Mpika	36.7
RD49	Road T2-Muchinga Escarpment	Mpika	44.1
D50	Road T2-Mpika Boma	Mpika	1.5
RD51	Road M1-Kopa	Mpika	79.0
RD52	Road M1-Chalabesa Mission	Mpika	33.0
D53	Road T2-Shiwa Ngandu-Road M1	Chinsali and Mpika	76.1
RD54	Road T2-Katibunga Mission-Road T2	Mpika and Chinsali	62.4
D55	Road T2-Chinsali	Chinsali	13.4
D56	Road M1 near Safwa Rapids-Chinsali	Kasama and Chinsali	122.3
RD56	Road D56 at Chinsali-Road D18 near Mulilansolo Mission	Kasama and Chinsali	64.7
RD57	Road T2-Mulanga Mission	Chinsali	14.0
RD58	Road T2-Road D56 near Lubwa Mission	Chinsali	20.3
D59	(*Deleted*)		
RD60	Road D56 near Lubwa Mission-Mwika	Chinsali	34.4
RD61	Chinsali-Chinsali Aerodrome	Chinsali	1.6
RD62	Chinsali-Chinsali Seed Farm	Chinsali	2.3
RD63	Road T2-Road RD56 near Luvu River	Chinsali	17.9
RD64	Road RD56-Mwalule	Chinsali	16.1
RD65	Road RD56-Mulilansolo Mission	Chinsali	1.6
RD66	Road T2-Road D18 north of Mulilansolo Mission	Isoka and Chinsali	69.8
RD67	Road M14-Mulekatembo	Isoka	1.6
RD68	Road M14-Mwinimpangala	Isoka	27.7

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D70	(*Deleted*)		
RD71	Road D1-Mwenzo Mission	Isoka	2.1
RD72	Road T2-near Isoka-Luangwa River	Isoka	58.3
RD73	Isoka-Kanteshya Mission	Isoka	12.1
D74	Kawambwa-Mushota	Kawambwa and Luwingu	33.8
RD74	Road D74 at Mushota-Road M3	Kawambwa and Luwingu	84.8
RD75	Road RD74-Chama	Kawambwa	38.0
D76	Road D19 near Kawambwa-Mulwe-Junction roads D36 and D77 at Mununga	Kawambwa	124.5
D77	Junction roads D36 and D76 at Mununga-Chiengi	Kawambwa	47.8
D78	(*Deleted*)		
D79	Road D76 at Mulwe-Mbereshi-Junction roads D81 and D85 at Kashiba	Kawambwa	131.6
D80	Kawambwa-Kazembe	Kawambwa	28.4
D81	Road M3-Lower Luongo Pontoon-Junction roads D79 and D85 at Kashiba	Mansa and Kawambwa	76.3
D82	Junction roads D79 and D85 at Kashiba-Kasenga Pontoon	Kawambwa	6.8
RD83	Road D81-Chibonda Mission	Kawambwa	7.1
D84	(*Deleted*)		
D85	Road M13 near Mwenda-Junction roads D79 and D81 near Kashiba	Kawambwa	62.3
RD86	Road D81-Chisunka	Mansa	14.5
RD87	Road D81-Malapula	Mansa	7.1
D88	Road M3-Road D96 near Mwewa	Mansa	88.6
RD89	Road D88-Kalaba Mission	Mansa	9.3
D90	Road D88-Lubwe Mission	Mansa	20.1
D91	(*Deleted*)		
D92	(*Deleted*)		
RD93	Mansa Town Boundary-Kabunda Mission ..	Mansa	9.5
D94	Mansa Town Boundary-Samfya	Mansa and Samfya ..	79.6
D95	Road D94-Mwamfuli	Mansa	1.6
D96	Road D94-Ndoba-Mwewa-Kasaba	Mansa	79.5
RD97	Road D94-Chama	Mansa	11.7
RD98	Road D94-Kasamika	Mansa	19.8
RD99	Road D94-Monga	Mansa	9.2
D100	Road M3-Kapalala	Mansa	176.7
D101	Road D100-Mapula Mission-Milambo	Mansa	29.0
D102	Road M3-Matanda	Mansa	5.8
D103	Lundazi-Chama	Lundazi	141.6
D104	Road M12 near Chipata-Luambe-Road M12 near Lundazi	Chipata and Lundazi ..	310.4
RD105	Road D104-Road D103 at Chama	Lundazi	196.3
RD106	Road D103 near Manda Hill-Road D105 near Tembwe	Lundazi	64.4
RD107	Road D103-Road RD105 at Chikwa	Lundazi	63.2
RD108	Road D104-Road RD105 near Lundazi River ..	Lundazi	75.6
D109	Lundazi-Malawi Border	Lundazi	16.1
RD110	Road M12 near Lundazi-Mwase Lundazi-Road D109	Lundazi	52.5
RD111	Near Ndunda Hill-Malawi Border	Lundazi	16.1
D112	(*Deleted*)		
RD113	Road D791 at Jumbe-Chikowa Mission	Chipata	16.1
D114	(*Deleted*)		
RD115	Road M12-Kalikali Dam	Chipata	26.1
RD116	Road M12-Chitandika-Undi-Road D104	Chipata	48.8
RD117	Road RD116-at Chitandika-Chipunda	Chipata	21.9

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD118	Road M12-Tamanda Mission	Chipata	6.4
RD119	Road M12-Jembe	Chipata	12.2
RD120	Road M12-Kapatamoyo	Chipata	7.2
RD121	Road D104-Chiparamba-Road D104	Chipata	13.8
D122	Road T4-Chipata Estate	Chipata	2.6
D123	Road T4-Kaunga River-Road D598 near Msoro Mission	Chipata	77.7
RD123	(*Deleted*)		
D124	Road T4-Road D123	Chipata	38.9
D125	Road T4-Kazimuli-Katete Boma-Road T4 at Katete Trading Centre	Chipata	57.0
D126	Road T4-Road D125	Chipata	5.5
D127	Road D125 near Kazimuli-Katiula River	Chipata	29.8
D128	Road T4-Road D127 near Nsadzu Mission	Chipata	69.7
D129	Road T4 near Malawi Border-Mozambique Border	Chipata	18.3
D130	Road T4 near Mchinje-Road D129	Chipata	38.9
D131	Road T4-Magwero Mission	Chipata	14.6
D132	Chipata Town Boundary-Road D128	Chipata	4.0
D133	Road T4-Mwami Mission	Chipata	8.0
D134	Road T4-Chilongozi Game Camp	Chipata and Petauke	97.5
RD135	Road D134-Sasare Mine	Chipata and Petauke	38.0
D136	Road T4-Nyanje Mission	Petauke	20.9
RD136	Road D136 at Nyanje Mission-Mozambique Border	Petauke	12.9
RD137	Road T4-Kalindawalo	Petauke	5.6
D138	Road T4-Petauke	Petauke	5.8
RD139	Petauke-Road RD135	Petauke	29.0
D140	Petauke-Petauke Aerodrome	Petauke	12.9
RD140	Road D140 at Petauke Aerodrome-Old Petauke-Mwape	Petauke	55.0
RD141	Road T4-Merwe Mission	Petauke	4.0
RD142	Road T4-Minga Mission	Petauke	4.0
RD143	Nyimba-Luangwa Valley	Petauke	48.3
RD144	Road T4-Hofmeyr Mission	Petauke	9.3
D145	Road T4-Feira	Lusaka and Feira	93.5
RD146	Road T4-Lunsemfwa River	Lusaka	41.8
RD147	Road T4-Chagwenga Mine	Lusaka	67.6
RD148	Road T4-Chiyota	Lusaka	12.9
RD149	Road T4-Chalimbana	Lusaka	5.1
D150	Road T4-Chalimbana via Farm 87a	Lusaka	12.6
RD151	Chalimbana-Road D152	Lusaka	41.8
D152	Kabulonga Township Boundary-Road RD151 Leopards Hill Road	Lusaka	57.8
D153	Road T4-Farm 306a	Lusaka	36.2
D154	Road D152-Road D153 via Farm 1198	Lusaka	6.9
D155	Road D152-Mwambula School	Lusaka	4.8
RD155	Road D155 at Mwambula School-Muyoma	Lusaka	11.3
D156	Road D152-Road D153 via Farm 28a	Lusaka	11.7
D157	(*Deleted*)		
D158	Road T2 near Kafue Township-Road T2 near Chilanga	Lusaka	24.6
RD159	Road D158 at Chipongwe-Chipapa	Lusaka	6.0
D160	Road T2-Mimosa Township	Lusaka	0.6
D161	Road T2-Lilayi	Lusaka	3.9
D162	Road T2-Farm 1015-Kafue Township Boundary	Lusaka	41.2
D163	Road D16		1.2

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D164	Road T2 near Lusaka-Road D168 near Sanje Hill	Lusaka	36.7
D165	Road T2-Road D164	Lusaka	4.7
D166	Road D808-Nambala Mission-Road D180	Mumbwa	22.6
RD166	(*Deleted*)		
D167	Road M9-Road D164 via Farm 24a	Lusaka	10.3
D168	Road M9-Farm 681-Road D169	Lusaka and Mumbwa	34.4
D169	Road M9-Farm 519-Nampundwe Mine	Lusaka and Mumbwa	22.0
D170	Lusaka City Boundary-Road M9	Lusaka	42.3
D171	Road D170 Sub. N of Farm 691	Lusaka	5.8
D172	Road T2-Namando Stream	Lusaka	6.3
D173	Road T2-Hillcrest	Lusaka	5.8
D174	Road T2-Foxdale	Lusaka	1.1
D175	Road T4-Kabulonga Township Boundary	Lusaka	3.5
D176	Road T2-Ngwerere-Chisamba-Road T2	Lusaka and Kabwe	85.6
D177	Road T2-Karubwe Siding	Lusaka and Kabwe	19.3
D178	Road D176-Road D177 at Karubwe Siding	Lusaka	10.8
D179	Road D178-Road D176	Lusaka and Kabwe	21.7
D180	Road M9 near Mumbwa-Namwala	Mumbwa and Namwala	127.9
D181	Road D810 near Mumbwa-Kasempa-Road M8	Mumbwa and Kasempa	322.6
RD182	Road M9 at Chisaka-Road M20 at Kasalu	Mumbwa	20.9
D183	Road D166-Mpamba-Muchabi-Blue Lagoon Ranch	Mumbwa	79.8
RD184	Road D808 near Kasalu-Road D183 at Muchabi	Mumbwa	37.3
RD185	Mumbwa-Kasonkomona	Mumbwa	51.5
RD186	Road D181-Kaindu School	Mumbwa	27.4
D187	Road D176-Boundary of Reserve No. V	Kabwe	6.4
D188	Road T2-Road M20	Kabwe	24.1
D189	Road D188-Kalola Stream	Kabwe	15.0
D190	Road T2-Farm 1598-Road D188	Kabwe	30.7
D191	Road D176 near Chisamba-Nyama Siding-Road T2	Kabwe	57.6
D192	Road D176-Road D191	Kabwe	17.4
D193	Road T2-Chisamba Forest Reserve	Kabwe	9.3
D194	Broken Hill Mine Township Boundary-Farm 1819	Kabwe	12.9
D195	Broken Hill Mine Township Boundary-Farm 1533	Kabwe	16.6
D196	Kabwe Municipal Boundary-Chankwakwa Siding	Kabwe	6.8
D197	Bwacha Suburb-Road D195 near Kabwe Hospital	Kabwe	1.6
D198	Road T2-King George VI Memorial Camp	Kabwe	1.6
D199	Road T2-Kangomba Siding	Kabwe	4.3
D200	Kabwe Town Boundary-Old Mkushi	Kabwe and Mkushi	112.1
D201	Road T3-near Kapiri Mposhi-Tug Argan Cantonment-Road T3	Kabwe, Mkushi and Ndola	113.1
D202	Road D200-Kampumba Mine	Mkushi	23.2
D203	Road D200-Kakweiesa	Mkushi	6.4
RD204	Road D200-Lunsemfwa Power Station (East)	Mkushi	33.8
RD205	Road RD204-Bell Point	Mkushi	35.4
RD206	Road D207-Chingombe Mission	Mkushi	93.3
D207	Road T2-Road D208 at Picadilly Circus-Road D200 near Old Mkushi	Mkushi	104.6
D208	Lunsemfwa River (East Bank)-Road D207 at Picadilly Circus	Mkushi	30.6
RD208	Road D208 at Picadilly Circus-Fiwila Mission	Mkushi	26.4
D209	Road T2-Lunsemfwa River (West Bank) near		

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD210	Road T2-Lunchu	Mkushi	14.5
RD211	Road T2-Road D201	Mkushi	17.4
D212	Road T2-Musofu Mission	Mkushi	30.1
RD212	Road D212 at Musofu Mission-Road D201 ..	Mkushi and Ndola ..	28.5
D213	Road T2-Road D208	Mkushi	39.6
D214	Road T2-Road D207	Mkushi	19.0
D215	Road D207-Road D214	Mkushi	13.8
D216	Road D207-Farm MK21	Mkushi	4.3
D217	Road T2-Mkushi State Ranch	Mkushi	9.5
D218	Road T2-Farm MK1	Mkushi	3.5
D219	Road T2-Mkushi Boma	Mkushi	1.6
RD219	Road D219 at Mkushi Boma-Gurney's Mine ..	Mkushi	35.7
RD220	Road T2-Chiwale	Serenje	46.7
RD221	Road T2-Road D220	Serenje	19.3
RD222	Road RD221-Mulembo Farms	Serenje	3.2
RD223	Road T2-Chisomo	Serenje	75.6
D224	Road T2-Kundalila Falls	Serenje	12.9
D225	Road T2-Musoko-Lushiwashi Power Station ..	Serenje	82.1
RD226	Road RD225-Lake Lushiwashi	Serenje	11.7
RD227	Road RD225-Kaombe Farm	Serenje	14.5
RD228	Road T2-Mulokoso	Serenje	46.7
D229	(*Deleted*)		
RD230	Road RD228-Sasa Farms	Serenje	9.7
D231	Road T2-Serenje	Serenje	3.2
RD232	Serenje-Road RD228	Serenje	17.7
RD233	Serenje-Area School	Serenje	3.2
D234	(*Deleted*)		
D235	Road T2-Mukuku	Serenje	136.8
RD236	Road D235-Kafinda	Serenje	9.7
RD237	Road RD47-Road D235	Serenje	8.0
RD238	Road RD47-Nsalu Caves	Serenje	6.4
RD239	Road T2-Chitambo Mission	Serenje	6.4
D240	Ndola City Boundary-Road M6	Ndola	20.3
D241	Road T3 at Bwana Mkubwa-Road D240	Ndola	15.0
D242	Road D241-Blind School-Road D241	Ndola	5.1
D243	Road T3-Lake Cherengwa	Ndola	15.1
D244	Ndola City Boundary-Misundu	Ndola	12.1
D245	Road M4-Congo Border near Sakania	Ndola	1.0
D246	Road T3-Kasongo Siding	Ndola	2.9
D247	Road T3-Baluba River River Smallholdings ..	Ndola	4.5
D248	Road T3-Ndola West Smallholdings	Ndola	1.9
D249	Road T3-Road M4	Luanshya and Ndola ..	26.7
D250	Road M6-Fisenge Township-Road M6	Luanshya	1.1
D251	Road D469-Roan Antelope Mine Suburb	Luanshya	3.2
D252	Road T3-Farm 1948	Kitwe	4.3
D253	Road T3-Northern Boundary of Zambia Railways Reserve near Beacon 1447 ..	Kitwe	2.4
D254	Road T3-Southdowns Smallholdings	Kitwe	12.7
D255	Road M18-Lufwanyama River	Ndola	8.4
D256	Road M18-Chibuluma Township Boundary ..	Kitwe	1.1
D257	Road T3-Garneton Township Boundary	Kitwe	1.0
D258	Road T3-Mwambashi Smallholdings-Beacon HT797	Kitwe	6.4
D259	Road D258-Beacon HT874	Kitwe	0.6
D260	Road D258-Mwambashi River-Beacon HT707 ..	Kitwe and Mufulira ..	1.5
D261	Road M4-Kafue River	Kalulushi	2.1

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D262	Road M4-South Mutundu Smallholdings	Mufulira	7.2
D263	(*Deleted*)		
D264	(*Deleted*)		
D265	Chingola Municipal Boundary-Kasompe Township Boundary	Chingola	3.7
D266	Road T3-Farm 2345U	Chingola	4.8
D267	(*Deleted*)		
D268	(*Deleted*)		
D269	Road T5-Farm 2050U	Chingola	5.3
D270	Road T3-Congo Border near Tsinsenda	Chililabombwe	20.4
D271	Road T5-Kansanshi Mine-Congo Border near Kipushi	Solwezi	113.8
RD272	Road T5-Road D271	Solwezi	40.2
D273	Road T5-Kabompo Gorge Road	Mwinilunga	29.0
D274	Road T5-Ntambu-Kashambila	Mwinilunga	99.4
RD275	Road D274-Farm 1077-Mulimbeji Mission	Mwinilunga	4.8
RD276	Road T5-Kakoma-Congo Border near Beacon BP38	Mwinilunga	110.9
RD277	Road T5-Road RD276	Mwinilunga	50.7
RD278	Road RD277-Lake Chibesha	Mwinilunga	16.1
D279	Road T5-Mwinilunga Aerodrome	Mwinilunga	4.0
RD280	Road T5-Zambezi River Source	Mwinilunga	4.0
RD281	Road T5-Hillwood-Sakeji School	Mwinilunga	8.5
D282	Road T5-Congo Border near Beacon BP44	Mwinilunga	25.4
RD283	Road D282-Samahima	Mwinilunga	9.0
RD284	Road T5-Mwinimilamba	Mwinilunga	10.1
RD285	Road T5-Salujinga	Mwinilunga	18.5
D286	Mwinilunga-Road M8	Mwinilunga and Kabompo	217.2
RD287	Road D286-Matonchi Mission-Kanongesha	Mwinilunga	47.8
RD288	Road D286-Kampanda Mission	Mwinilunga	30.1
RD289	Road RD287-Road RD288	Mwinilunga	47.4
RD290	Road D286-Lyale	Kabompo	27.4
RD291	Road D286-Kayombo	Kabompo	83.7
RD292	Road M8-Kabulamema Mission	Kabompo	14.5
D293	Zambezi-Chavuma Mission	Zambezi	86.4
RD294	Road D293-Nyakulenga	Zambezi	74.0
RD295	Road RD294-Muhalabi River	Zambezi	83.7
RD296	Zambezi-Chinyama Litapi	Zambezi	91.7
RD297	Road RD296 near Zambezi-Kucheka	Zambezi	35.4
D298	Zambezi-Chitokoloki	Zambezi	46.7
RD298	Road D298 at Chitokoloki-Kakona	Zambezi	24.1
D299	Road M8-Road D298	Zambezi	24.1
D300	(*Deleted*)		
D301	Kasempa-Road M9 near Kaoma	Kasempa and Kaoma	229.7
D302	Kasempa-Kasempa Aerodrome	Kasempa	5.1
RD303	Road D181 near Kasempa-Mukinge Mission	Kasempa	3.2
D304	Road D181-Mpungu State Farm	Kasempa	17.7
RD304	Road D304 at Mpundu State Farm-Kailongwa	Kasempa	27.4
D305	(*Deleted*)		
RD305	Road M9-Road D309 near Luampa Mission-Road M10 at Namashakende	Kaoma, Senanga and Mongu	191.5
D306	(*Deleted*)		
RD306	(*Deleted*)		
D307	(*Deleted*)		
RD307	Road D792-Mayankwa	Kaoma	3.2
RD308	Road RD793-Kabanga's Kuta (Dongwe)	Kaoma	30.1

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D309	Road M9-Road D787 near Machile	Kaoma and Sesheke ..	263.9
RD309	Road M9-Road RD794 at Sikelenge	Kaoma	11.3
RD310	Road RD794 at Sikelenge-Kasabi	Kaoma	78.8
D311	(*Deleted*)		
RD312	Road RD794-Sitoya (Sititi Pan)	Mongu	70.8
RD313	Road M9-Road RD305 near Lui Bridge	Mongu	27.4
RD314	Road M9-Nomai School-Road M10 near Sefula ..	Mongu	30.1
D315	Road M9-Limulunga	Mongu	14.5
RD315	Road D315 at Limulunga-Ushaa	Mongu	35.4
D316	Kalabo-Sikongo	Kalabo	50.0
RD316	Limulunga-Libonda Pontoon-Kalabo	Mongu and Kalabo ..	70.0
RD317	Mongu-Socha..	Mongu	12.9
RD318	Road RD819-Matongo	Mongu	1.6
D319	Road D316 at Kalabo-Road M10 at Kalangola	Kalabo and Senanga ..	180.2
RD320	Road D319-Sihole-Mabua-Kalabo/Senanga District Boundary	Kalabo	154.5
RD321	Senanga-Lui Kuta	Senanga	48.3
RD322	Road M10 at Nangweshi-Road R96	Senanga	32.2
RD323	Road M10 near Sioma Mission-Sinjembele ..	Senanga	96.5
RD324	Road M10-Imusho	Sesheke	106.2
RD325	Road M10 near Sesheke-Lusu-Nawinda-Road D309 at Linguliangulia	Sesheke	225.3
D326	(*Deleted*)		
D327	(*Deleted*)		
D328	Livingstone Municipal Boundary-Road M10 ..	Livingstone	8.5
D329	Road D328-near Beacon F236 (Farm 722) ..	Livingstone	1.9
D330	Livingstone Municipal Boundary-Road M10 and Livingstone Municipal Boundary (Riverside Drive)	Livingstone	12.4
D331	(*Deleted*)		
D332	Hubert Young Drive	Livingstone	20.6
D333	Livingstone Municipal Boundary-Road D335 ..	Livingstone	27.0
D334	Livingstone Municipal Boundary-Road T1 ..	Livingstone	49.1
D335	Road T1 near Senkobo-Road D334	Livingstone	9.7
D336	Zimba-Zimba Station	Kalomo	1.3
D337	Road T1-Farm 1913-Kalomo River	Kalomo	21.6
D338	Road T1-Farm 1897-Road D337..	Kalomo	36.0
D339	Road T1-Farm 2321-Road D338..	Kalomo	8.5
D340	Road T1-Farm 2754-Road D338..	Kalomo	11.6
D341	Road T1 near Kalomo Bridge-Chilesha-Bowwood Farm 807-Road T1	Kalomo	31.4
D342	Road T1-Road D341 near Bowwood	Kalomo	8.0
D343	Road D341 at Bowwood-Road R207 at Ngwezi River	Kalomo	13.4
D344	Kalomo Township Boundary-Farm 70a-Road D345 at Mwezi River	Kalomo	22.7
D345	Road D344-Farm 1767-Road D344 at Mwezi River	Kalomo	17.9
D346	Road D344-Farm 625-Reserve Boundary on Farm 626	Kalomo	9.8
D347	Road T1-Kabanga Mission	Kalomo	71.6
D348	Road D347-Kala Ranch	Kalomo	29.0
D349	Road T1-Mukwela Siding-Road T1	Kalomo	10.3
D350	Road T1-Tara Siding	Choma	2.6
D351	Road T1-Farm 27a-Road T1	Choma	29.6
D352	Road T1-Road D354 near Sibanyati Siding ..	Choma	9.2
D353	Choma Township Boundary-Choma West		

Serial No.	Name	Province	Approx. Length Kilometres
D355	Sibanyati Siding-Nanzila River on Farm 1635 ..	Choma	12.4
D356	Choma Township Boundary-Masuku Mission ..	Choma	55.7
D357	(*Deleted*)		
D358	Road D776-Sikalongo Mission	Choma	11.3
D359	(*Deleted*)		
D360	Road T1-Farm 62a Demo-Road T1	Choma	43.4
D361	Pemba Township Boundary-Road M11 near Mapanza Mission	Choma	61.5
D362	Road M11-Road D361 near Mutama River ..	Choma	26.5
D363	Road T1 near Muzoka Siding-Road D375 at Chisekesi	Choma and Mazabuka	51.8
D364	Pemba Township Boundary-Road D363-Jembo Mission	Choma	20.0
D365	Road T1 near Monze-Bwenga River-Road M11 near Chitongo	Namwala and Mazabuka..	74.8
RD366	Road M11 near Kabulamwanda-Masla Namwala	Namwala	61.1
RD367	Namwala-Ngoma	Namwala	64.4
D368	Road D361 near Pemba-Farm 261a-Road T1 at Chisekesi	Mazabuka	30.7
D369	Road D368-Siatontola	Mazabuka	8.2
D370	Road D530-Road D368	Mazabuka	17.2
D371	Road T1-Road D370	Mazabuka	3.6
D372	Road D365 at Nteme-Banakaila	Mazabuka	19.1
D373	Road D365-Lochinvar	Mazabuka	17.9
D374	Road T1-Farm 2855-Boundary of Reserve No. XIII |Ila Tonga'	Mazabuka	8.0
D375	Road T1 at Chisekeshi-Gwembe-Chipepo Harbour	Mazabuka and Gwembe..	72.4
D376	D375 near Chisekeshi-Chikuni Mission-Road D379	Mazabuka	37.8
D377	Road D375-Road D376 near Chikuni Mission ..	Mazabuka	6.0
D378	Road T1-Rusangu Mission	Mazabuka	4.8
D379	Monze Township boundary-Chivuna Mission ..	Mazabuka	42.6
D380	Road D379-Monze Agricultural Training School ..	Mazabuka	2.4
D381	(*Deleted*)		
D382	Road T1-Farm 2156-Road D384..	Mazabuka	26.2
D383	Road D382-Tambero Siding	Mazabuka	2.4
D384	Road T1 near Magoye Siding-Sianjalika-Road D379	Mazabuka	32.7
D385	Road T1-Ngwesi River-Road D384	Mazabuka	26.2
D386	Road T1-Farm 241a-Farm 858-Boundary of Reserve No. XI	Mazabuka	41.7
D387	Road T1-Changa	Mazabuka and Gwembe..	65.0
D388	Road D387 near Farm 132a-Road D386 near Farm 221a	Mazabuka	8.2
D389	Road D387 near Farm 169A-Road D386 near Farm 2822	Mazabuka	10.1
D390	Road D387-Chikankata Mission Hospital.. ..	Mazabuka	6.9
D391	Mazabuka Township boundary-Lubombo-Road T1 near Farm 106a	Mazabuka	46.6
D392	Boundary of Nakambala Estate-Nega Nega Siding-Road D391	Mazabuka	39.4
D393	Road D391 at Lubombo-Road D392	Mazabuka	10.5
D394	Road T1 near Farm 145a-Road D391 near Farm 771	Mazabuka	10.9
D395	Road D391 on Farm 1491-Road D392 on Farm 140a	Mazabuka	5.0
D396	Road T2-Kafue Gorge South Bank (60 metres		

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D397	(*Deleted*)		
D398	(*Deleted*)		
D399	(*Deleted*)		
RD400	Road D124-Mtetezi Dam	Chipata	15.3
RD401	Road T4-Madzimawe-Road D124	Chipata	15.6
RD402	Road D128-Farm 22 near Kanyanga River	Chipata	13.7
RD403	Road D128-Road D804 near Feni Ngoni	Chipata	5.6
D404	Road D125 at Kazimuli-Road D128	Chipata	17.1
D405	Road D128-Mwangla	Chipata	46.2
D406	Road D130-Vubwe Mission-Road D405	Chipata	61.9
D407	Road D128-Chadiza-Road D405	Chipata	10.3
RD408	Road D405-Mlolo	Chipata	12.1
D409	Road D127 at Katiuli River-Road D584	Chipata	11.4
RD409	Road D409 at Road D584-Road D514	Chipata	51.5
RD410	Road T4-Chisale School	Chipata	4.0
RD411	Road T4-Choma	Chipata	29.6
RD412	Road T4 near Sinda-Adoni	Chipata	21.9
RD413	Road T4-Chataika	Petauke	10.1
D414	Road T4-Mumbi	Petauke	20.9
RD414	Road D414 at Mumbi-Manyani-Matonge-Road T4	Petauke	21.9
RD415	Road T4-Road D414	Petauke	16.9
RD416	Road D414-Mwanjawanthu	Petauke	22.4
RD417	Road RD414-Zumaile	Petauke	8.2
RD418	Road T4-Vizimomba Camp	Petauke	9.5
RD419	Road T4-Matonje	Petauke	17.5
D420	Road T3-Mindola Suburb (18 metres in width)	Kitwe	1.3
D421	Broken Hill Mine Township-Mulungushi Dam road turn-off	Kabwe	53.9
RD422	Road M1-Mbala Suburb	Mbala	1.6
D423	Road M10-Katombora	Kalomo	7.2
RD424	Road RD42-Road R3	Mporokoso	45.9
D425	(*Deleted*)		
RD426	Road RD52 at Chalabesa Mission-Mayuku	Mpika	41.8
RD427	Road RD52 at Chalabesa Mission-Road RD51 at Kopa	Mpika	59.5
D428	Road M1 near Chambeshi River-Mbati	Mpika	42.8
RD429	Road RD46 near Ipusukilo Mission-Road R6	Luwingu	26.5
RD430	Road M3-Road RD44 at Luena Mission	Kasama and Luwingu	61.1
D431	(*Deleted*)		
RD432	Road RD433 at Chisanga-Mpondela	Mbala	4.0
RD433	Road RD432 at Chisanza-Isoka	Mbala	17.7
RD434	Road RD2 at Chitimbwa-Road R54	Mbala	30.6
RD435	Road RD2 at Kambole Mission-Ngozye	Mbala	8.5
RD436	Road RD434-Yendwe Valley	Mbala	38.6
RD437	Road D1-Nsokolo	Mbala	11.4
RD438	Road D1-Mpande	Mbala	34.8
RD439	Road RD66-Road RD73 at Kanteshya Mission	Isoka	19.6
D440	Road D77 at Chiengi-Luchinda	Kawambwa	29.4
D441	Road D77-Kalobwa Fishing Camp	Kawambwa	3.2
RD442	Road D76-Mukwakwa Fishing Camp	Kawambwa	2.2
D443	(*Deleted*)		
RD444	Road D79-Mubende	Kawambwa	11.3
RD445	Road D81-Munwa Farms	Kawambwa	17.2
RD446	Road RD83 at Chibondo-Katuta	Kawambwa	15.8
RD447	Road D19-Chimpempe Mission	Kawambwa	0.8

Serial No.	Name	Province	Approx. Length Kilometres
D448	(*Deleted*)		
D449	Samfya-Road D450	Samfya	33.8
RD449	Road D450-Chimembe School-Twingi Mission-Mutoni School-Kaminsa School	Samfya	48.9
D450	Road D449-Mpanta Point	Samfya	10.9
D451	Road D94 near Samfya-Road D100	Samfya and Mansa	30.9
RD452	Road D100-Kalasa Mukoso	Samfya	12.4
D453	(*Deleted*)		
D454	(*Deleted*)		
RD455	Road M10 at Namushakende-Maalo	Mongu	12.9
RD456	Road RD312 at Sitoya-Road RD315 at Ushaa	Mongu	41.8
D457	(*Deleted*)		
RD458	Road D319-Road RD320 near Sihole Mission	Kalabo	24.1
RD459	Kalabo-Angola Border near Beacon 15	Kalabo	128.7
RD460	Road RD316 at Liumba Hill Mission-Mwanwawa	Kalabo	96.5
RD461	Road RD316 at Sikongo-Road RD320 at Mavua	Kalabo	57.9
RD462	Road RD320 at Kalabo/Senanga Boundary-Shangombe Lupuka-Sinjembele- Road RD324 at Imusho	Senanga and Sesheke	223.7
RD463	Road M10-Road RD462 at Shangombe	Senanga	154.5
RD464	Road RD323-Road RD462	Senanga	48.3
RD465	Road RD794 near Lukute Stream-Road RD310 at Kasabi	Kaoma	25.7
D466	(*Deleted*)		
RD467	Kaoma-Naliele	Kaoma	5.6
D468	Road T3-Road R114	Ndola	94.9
RD468	Road R114-Kafue River	Ndola	29.3
D469	Road D468 at Mpongwe-Ibenga-Masaiti-Luanshya Municipal Boundary	Ndola and Luanshya	62.4
RD470	Road M6-Road D469 near Masaiti	Ndola	32.2
RD471	Road T3-Chondwe-Road D201	Ndola	16.1
RD472	Road D469 at Masaiti-Kafulafuta Mission	Ndola	8.0
RD473	Road M18-Mwelushi Mission-Lumpuma	Ndola	35.4
RD474	Road M18-Chief Nkana's Court	Ndola	12.9
RD475	Road M18-Shibichinga-St Mary's Mission	Ndola	37.5
D476	Road D261-Copperbelt Experimental Farms	Kalulushi	1.9
D477	Road T3-Chambeshi Railway Siding	Kalulushi	0.5
D478	Road T3-Farm 2125U	Kalulushi	2.1
D479	(*Deleted*)		
RD480	Road T4-Allies Mine-Kantantapa Stream	Lusaka	18.3
RD481	Road D152-Chiawa	Lusaka	53.7
D482	Road T2-Kafue River-Road R119-Road RD481 at Chiawa	Lusaka	46.0
RD483	Road T4-Mandebele Settlement	Lusaka	8.0
RD484	Road D158-near Shimabala-Kafue Gorge	Lusaka	22.5
RD485	Lusaka City Boundary-Chantumba	Lusaka	12.9
D486	(*Deleted*)		
RD487	Road RD159 at Chipapa-Nankanga	Lusaka	29.0
RD488	Road RD186 at Kaindu School-Kafue River at Chimachabo Ferry	Mumbwa	25.7
RD489	Road D808-Sichanzu-Road D183	Mumbwa	37.3
RD490	Road D808 near Nabulwe-Road RD184-Road D534	Mumbwa	30.4
RD491	Road RD208-Shaiwila	Mkushi	9.7
RD492	Road RD206-Mborama	Mkushi	48.3
RD493	Road RD206 at Chingombe Mission-Mboshya	Mkushi	35.4
D494	(*Deleted*)		

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD495	Road D356 at Musuku Mission-Road D775 at Mamba	Gwembe	28.0
D496	(*Deleted*)		
D497	Road D775-Siatwinda	Gwembe	9.7
RD498	Road D497 at Siatwinda-Ndengeza-Molola River	Gwembe	98.1
D499	Road D775-Sinamalima-Dinde-Road D375	Gwembe	81.4
D500	Road D387 at Changa-Road D375 at Munyambwe	Gwembe	82.9
D501	Road D387 at Changa-Road M15 near Sigongo	Gwembe	46.8
RD502	Road D501-Road M15 near Simamba	Gwembe	51.5
RD503	Road D500-Siambalangwe-Road RD502	Gwembe	34.3
RD504	Road M15-Zambezi River (Lusitu Resettlement Area)	Gwembe	16.1
RD505	Road M11-Simaubi-Chubo	Choma	29.3
RD506	Road RD367-Luchena	Namwala	25.7
RD507	Road T4-Chimtanda	Petauke	10.0
RD508	Road RD137 at Kalindawalo-Road RD416 at Mwanjawanthu	Petauke	35.9
RD509	Road RD508-Road R12 at Mtukuzi	Petauke	14.5
RD510	Road RD414 at Manyani-Road RD419 at Matonje	Petauke	12.9
RD511	Road RD418-Chimpanje	Petauke	11.1
RD512	Road D418-Mchenga	Petauke	11.4
RD513	Road D134 near Makali-Road RD135	Petauke	12.9
D514	Road D136-Road RD409 at Chipata/Petauke Boundary	Petauke	11.9
RD515	Road T5-Road RD561	Solwezi	31.4
RD516	Road D181-Ntemwa	Kasempa	12.9
RD517	Road D255-Nyoko-Road RD304	Kasempa	88.5
RD518	Road D811 near Lutale River-Road D180	Mumbwa	10.5
RD519	Road RD558-Road RD291	Kabompo	24.1
RD520	Road M8-Nkulwashi-Road M8	Kabompo	3.2
RD521	Road RD291 at Kayombo-Road RD295 at Muhalbi River	Kabompo	27.4
RD522	Road RD296-Chinyingi Mission	Zambezi	29.0
D523	Road D405 at Mwangala-Welele-Road D406	Chipata	27.9
D524	Choma Township Boundary-Farm 1632	Choma	11.1
D525	Road T1-Farm 1619	Choma	5.6
RD526	Road T1-Sindi Mission	Kalomo	8.4
RD527	Road T1 at Sibanyati Siding-Musokotwane-Road RD526 at Sinde Mission	Livingstone and Kalomo	10.9
D528	Road T1-Farm 1764-Mwemba River	Kalomo	13.5
D529	(*Deleted*)		
D530	Monze Township Boundary-Kasungula River	Mazabuka	18.5
D531	(*Deleted*)		
D532	Road T1-Kaleya River-Farm 1433	Mazabuka	9.0
RD533	Road M3 near Luwingu-Chipalo	Luwingu	5.5
D534	Road D169-Road D183 on Farm 570 (Blue Lagoon)	Lusaka and Mumbwa	70.5
D535	Road M9-Mukalaikwa	Kabwe and Mumbwa	3.7
RD536	Road D534-Mukalaikwa	Mumbwa	20.1
D537	Road M11 near Ngonga River-Road D538-Macha Mission	Choma	17.4
D538	Road M11-Road D537-Macha Maize Depot	Choma	15.1
D539	Road T2-Mkushi Roads Department Depot	Mkushi	0.3
RD540	Road RD296 near Kashizi River-Kucheka	Zambezi	19.3

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD541	Road D293-Zambezi River near Chinyingi Mission	Zambezi	8.0
D542	Road D293 at Chavuma Mission-Angola Border	Zambezi	11.4
D543	Road D368-Reserve Boundary at Farm 8a	Mazabuka	10.6
D544	(*Deleted*)		
D545	Road D81-Musonda Falls Hydro-Electric Scheme	Mansa	16.1
D546	Road M3-Luwingu-Road M3	Luwingu	6.0
D547	Road D20-Kasama Hydro-Electric Scheme Power Station	Kasama	3.1
D548	Road D547-Kasama Hydro-Electric Scheme Diversion Weir	Kasama	1.1
D549	Road M2-Road RD2 near Lunzua River	Mbala	9.4
D550	(*Deleted*)		
D551	Road D549-Mbala Hydro-Electric Scheme Diversion Weir	Mbala	0.6
RD552	Road M9 near Mumbwa-Road M17	Mumbwa	12.9
RD553	Road D534-Chabota	Mumbwa	10.1
RD554	Road D534-Chasinka-Mukalaikwa	Mumbwa	13.8
RD555	Road D534-Hambalu Inlet (Kafue River)	Mumbwa	29.4
D556	Road M10 near Farm 188-Road D568	Lusaka	2.4
RD556	Road D568-Road D169-Sokola	Lusaka and Mumbwa	41.5
D557	Road M8-Kabompo River at Watopa-Road D792 at Lukulu	Kabompo and Mongu	93.3
RD558	Road M8 near Kabompo-Road RD519	Kabompo	19.3
D559	(*Deleted*)		
RD560	Road RD520-Kabompo River	Kabompo	3.2
RD561	Road RD515-St Francis Mission	Solwezi	3.2
D562	(*Deleted*)		
D563	(*Deleted*)		
D564	Road T4-Farm 32a-Road D176	Lusaka	8.5
D565	Road T4-Farm 382a	Lusaka	2.1
D566	Road T4-Road D153	Lusaka	4.5
D567	Road D153-Kasikiri Stream on Farm 353a	Lusaka	6.0
D568	Road D556-Farm 2000	Lusaka	11.7
D569	Road M9-Farm 279a	Lusaka	7.2
D570	Road D170-Farm 1960	Lusaka	8.7
D571	Road D170-Road D171	Lusaka	5.0
D572	Road D171 on Sub. N of Farm 691-Maiyukuyoko Stream	Lusaka	3.2
D573	(*Deleted*)		
D574	Road D161 at Lilayi-Chilanga	Lusaka	5.3
D575	Road T2-Road D162	Lusaka	15.2
D576	Road T2-Farm 44a	Lusaka	6.4
D577	(*Deleted*)		
D578	Road D104-Mzoole	Chipata	9.7
D579	Road T4 on Farm 37-Road D123	Chipata	8.4
RD580	Road D130-Vubwe River	Chipata	11.3
D581	Road D125-Farm 151-Road D127	Chipata	8.4
RD582	Road D134-Ukwima	Petauke	23.0
D583	Road D125-Road RD409	Chipata	21.7
D584	Road RD409-Road D583	Chipata	17.7
RD585	Road D583-Kalambana	Chipata	16.9
D586	Road T4-Farm 586-Road D125	Chipata	7.9
D587	Road D125-Farm 202-Road D127	Chipata	18.7
D588	Road D125-Farm 56-Farm 204	Chipata	18.5
RD589	Road D138-Nsadzu Mission	Chipata	1.5

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D590	Road T4-Farm 21	Chipata	1.6
D591	Road D588-Farm 159	Chipata	4.7
RD592	Road RD412-Vulamkoko	Chipata	18.3
RD593	Road D407 at Chadiza-Mlolo	Chipata	23.5
D594	(*Deleted*)		
RD595	Road T4-Nzamane-Road D125 at Kazimuli	Chipata	18.7
RD596	Road D128-Road RD595	Chipata	24.8
D597	(*Deleted*)		
D598	Road T4 near Farm 169-Msoro Mission	Chipata	50.7
RD599	Chipata Township Boundary-Farm 39-Sopa Township Boundary	Chipata	0.8
RD600	Road D103-Road RD111	Lundazi	64.4
D601	Road D176-Chipembi Mission-Road R132	Kabwe	14.3
D602	Road D191-Farm 1838	Kabwe	7.2
D603	Road T2-Farm 2563	Kabwe	6.8
D604	Road T2-Farm 2150	Kabwe	6.3
D605	Road D189-Farm 1605	Kabwe	9.5
D606	Road T1-Farm 542-Road D387	Mazabuka	11.6
D607	Road T1-Farm 129a-Road D386	Mazabuka	10.9
D608	Road T1-Farm 236a-Road D391 near Lubombo	Mazabuka	10.5
D609	Road T1-Road D368 on Farm 264a	Mazabuka	11.1
D610	Kalomo Township Boundary-Farm 1850	Kalomo	9.7
D611	(*Deleted*)		
D612	Road D349-Farm 1756-Sichikwenkwe River	Kalomo	12.9
D613	Road T1-Farm 1763-Mwemba River	Kalomo	10.0
D614	(*Deleted*)		
RD615	Road D538 at Macha-Road RD505 at Chubo	Choma	14.3
RD616	Road RD505 at Kabanze-Mubola	Choma	8.5
RD617	Road RD505 at Simaubi-Mpinda Maize Depot	Choma	9.7
RD618	Road M11-Masonsa Maize Depot	Choma	4.5
RD619	Road D361-Ngolwe Maize Depot	Choma	14.2
RD620	Road D361-Siamkumchale Maize Depot	Choma	27.2
RD621	Road M11-Mapanza Agricultural Station	Choma	2.4
RD622	Road M11-Sedumbwe Maize Depot	Choma	11.6
D623	Road D195-Road D196 at Chankwakwa Siding	Kabwe	12.1
D624	Road T2-Road D623 at Chankwakwa Siding	Kabwe	4.8
D625	Road D195-Farm 384a-Kabwe Urban/Rural Boundary	Kabwe	12.9
D626	Road D195 on Farm 1533-Farm 2446	Kabwe	20.1
D627	Road D195 on Farm 1533-Farm 2447	Kabwe	10.9
D628	Road T2-Farm 1822-Road D194 on Farm 1819	Kabwe	18.3
D629	Road T2-Farm 1809	Kabwe	3.2
D630	Road D199 at Kangomba Siding-Farm 1828	Kabwe	8.5
D631	Road D630 at Kangomba Siding-Farm 2086	Kabwe	12.2
D632	Road D191-Farm 1834	Kabwe	10.3
D633	Road T2-Road D191 near Nyama Siding	Kabwe	12.6
RD634	Road M9-Road RD467 at Naliele	Kaoma	3.2
D635	Road D610-Farm 250	Kalomo	1.3
RD636	Road D387 at Mwenda-Namembe	Mazabuka	11.6
RD637	Road D386-Farm 656-Road D387	Mazabuka	12.6
RD638	Road D379-Nkomkola Maize Depot	Mazabuka	8.0
RD639	Road D379-Choma Maize Depot-Nampeyo	Mazabuka	16.1
RD640	Road D376-Road D639	Mazabuka	4.5
RD641	Road RD639-Njola	Mazabuka	13.6
RD642	Road D641-Malobi Mission	Mazabuka	17.4
RD643	Road RD641-Nabukuyu Mission	Mazabuka	1.9

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD644	Road T1-Chalimbana	Mazabuka	8.0
RD645	Road RD644-Kalomo School	Mazabuka	10.3
D646	Road D372-Mpongo Maize Depot	Mazabuka	4.8
RD646	Mpongo Maize Depot-Road D374	Mazabuka	13.5
RD647	Road D372 at Banakaila-Lochinvar Ranch Boundary	Mazabuka	16.1
RD648	Road D530-Nalutanda Maize Depot	Mazabuka	31.9
RD649	Road RD648 at Siamasanka Maize Depot-Siamananansa Maize Depot	Mazabuka	11.3
RD650	Road D369 at Siatontola-Road RD620 at Siamkumchale Maize Depot	Mazabuka	13.2
D651	(*Deleted*)		
RD652	Road T5-Road RD281	Mwinilunga	4.8
RD653	Road T5-Kalene Hill Mission-Road RD654	Mwinilunga	1.6
RD654	Road T5-Road RD284 at Mwinimilambo	Mwinilunga	9.5
RD655	Road RD287-Matonchi Mission	Mwinilunga	4.8
D656	(*Deleted*)		
D657	Road D273 at Kabompo Gorge-Road D274 at Kashambila	Mwinilunga	23.0
D658	(*Deleted*)		
D659	(*Deleted*)		
D660	Road T2-Farm 2923	Mkushi	8.2
D661	Road T2-Farm 2914-Road D213	Mkushi	5.5
D662	Road T2-Farm 2900-Road D214	Mkushi	17.4
D663	Road D662-Farm 2905	Mkushi	5.6
D664	Road D10-Mansa River (south bank)	Mansa	11.3
RD665	Road D94-Lake Bangweulu Holiday Camp	Samfya	3.2
D666	Road D190-Farm 1601-Farm 1603	Kabwe	9.7
RD667	Road M10 at Mambova-Sekute Fishing Camp	Kalomo	15.9
D668	Road D258 near Beacon HT797-Mwambashi Farms-Kitwe City Boundary	Kitwe	10.5
D669	Road D243-Lake Ishiku Reserve	Ndola	3.7
D670	(*Deleted*)		
D671	(*Deleted*)		
RD672	Road T3-Kafulafuta Siding	Ndola	7.7
D673	Road T3-Walamba Siding-Road D201	Ndola	14.6
RD674	Road T3-Kashita Siding	Ndola	3.7
RD675	Road D363-Sikatumba	Choma	10.0
D676	Road D386-Road T1-Trust Land No. 1 near Farm 1433	Mazabuka	36.5
D677	Road D386-Farm 220A-Road D676	Mazabuka	12.9
D678	Road T1 near Farm 232A-Road D677-Road D385	Mazabuka	23.8
D679	(*Deleted*)		
D680	Road D386-Farm 223A	Mazabuka	7.2
D681	Road D392 at Nega Nega-Kafue River	Mazabuka	9.7
D682	Mazabuka Town Boundary-Road D608	Mazabuka	6.8
D683	Road D364-Road D363 near Farm 501	Choma	7.1
D684	(*Deleted*)		
D685	(*Deleted*)		
RD686	Road D293-Chavuma Sub-Boma	Zambezi	1.6
RD687	Road RD411-Mnyamadzi River	Chipata	9.7
D688	Road D213-Farm 2969	Mkushi	6.3
D689	Road D213-Farm 2984	Mkushi	6.4
D690	Road T3-Sub. H of Farm 842	Kitwe	3.9
RD691	Road D103 at Choma-Kalinku	Lundazi	17.5
RD692	Road M12-Chikomeni-Mwanya Road-D104	Lundazi	113.6

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
RD693	Road RD115-Mwandauka (Tsetse Perimeter Road)	Lundazi and Chipata	38.6
RD694	Road M12-Nkota Hill-Road RD115 at Kali Kali Dam	Lundazi and Chipata	27.4
RD695	Road M12-Vutawanjou Hill-Road M12	Chipata	25.1
RD696	Road RD694 near Nkota Hill-Road RD695	Chipata	2.6
RD697	Road M12-Road RD695	Chipata	7.6
RD698	Road M12-Mpala Dam	Chipata	1.9
RD699	Road T4-Chiluzi-Kasopa Farm	Chipata	6.4
RD700	Road RD699-Sinda Farms	Chipata	1.3
RD701	Road T4-Chimputi Farms	Chipata	7.4
D702	(*Deleted*)		
RD703	Road D134-Kambadya Farms	Chipata	2.3
RD704	Road D134-Kakumbi Farms	Chipata	4.5
RD705	Road D134-Kapangili Farms	Chipata	3.7
RD706	Road D104-Road D578	Chipata	3.4
RD707	Road RD706-Chingoma River	Chipata	1.6
D708	(*Deleted*)		
RD709	Road D104-Chiwayu-Road RD710	Chipata	14.2
RD710	Road D104-Kadende	Chipata	7.9
RD711	Road D104-Kamtunda	Chipata	8.7
RD712	Road RD711-Mtambe	Chipata	0.5
D713	Road D332-Mukuui's Village	Livingstone and Kalomo	7.2
D714	Road D344-Dundumwense-Barotse Cattle Cordon	Kalomo	100.4
D715	(*Deleted*)		
D716	Road D370-Fort Monze	Mazabuka	3.6
D717	Road D329-Sinde Plots	Livingstone	2.4
D718	Mazabuka Township boundary-Veterinary Research Station	Mazabuka	2.7
D719	(*Deleted*)		
D720	Road D660 at Farm 2923-Farm 2974	Mkushi	4.5
D721	Road D191-Farm 1842	Kabwe	2.4
D722	Road D347-Kalomo Forest Reserve-Road D610	Kalomo	10.6
D723	(*Deleted*)		
D724	Road D191-Mulamba River	Kabwe	8.0
D725	Road D368-Reserve, Chief Monze's Area	Mazabuka	4.8
D726	(*Deleted*)		
RD727	Road RD759-Road D79 at Lukwesa	Kawambwa	44.1
RD728	Road D100-Maba School	Samfya	19.8
D729	Fisenge Township-Road M6	Luanshya	2.7
D730	Road T2-Iolanda Tea Garden Road	Lusaka	1.6
RD731	Road M3-Matanda	Mansa	37.8
D732	Road T2-Subdivisions A-E of Farm 2344	Lusaka	3.7
RD733	Road T2-Chiundaponde	Mpika	70.6
D734	(*Deleted*)		
D735	Road D240-Kafubu River	Ndola	2.3
D736	Road T3-Kavu Plots (South)	Ndola	0.6
D737	Road T3-Kavu Plots (North)	Ndola	1.1
D738	Road 269-Beacon PT39	Chingola	6.4
D739	Road T2-Zambia Police Station, Mpika	Mpika	1.0
D740	Road T1-Mayoba Road Depot	Kalomo	0.5
D741	Road D164-Road D162	Lusaka	6.9
D742	Road D170-Road D172	Lusaka	3.9
D743	Road M15-Siavonga	Gwembe	4.0
D744	Road M2-Mbala Airport	Mbala	0.5

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D746	Road M6-Kamitendo-Road M6	Luanshya	4.8
D747	(*Deleted*)		
D748	Road D207-Road D213	Mkushi	29.9
D749	Road D748-Farm 68	Mkushi	9.3
D750	Road D213-Road D748	Mkushi	10.9
D751	Road D209-Road D689	Mkushi	8.7
D752	Road D208-Farm 79	Mkushi	9.0
D753	Road T4-Kasisi Mission Boundary-Road D176	Lusaka	16.1
RD754	(*Deleted*)		
D755	Road D748-Road D749	Mkushi	12.2
D756	Road D750-Road D752	Mkushi	8.2
RD757	Road M8-Mujimanzovu	Solwezi	53.1
D758	Road T2-Kabwe Rural Boma	Kabwe	0.6
RD759	Road M13 near Kawambwa-Road D85	Kawambwa	69.8
RD760	Road R232 at Sitwe School-Isoka/Lundazi Boundary	Lundazi	53.1
D761	Road D382 Reserve XI Tonga	Mazabuka	9.3
D762	Road D194-Farm 2446 near Beacon SE58	Kabwe	14.5
D763	Road M4-Hammarskjoeld Memorial	Ndola	8.0
D764	Road D200-Mukonshi Tobacco Scheme	Mkushi	11.3
D765	Road D166-Chomba Cotton Scheme-Road RD489	Mumbwa	22.5
RD766	Road D80-Luapula Leprosy Settlement	Kawambwa	1.5
D767	Road D80-Road D79 at Mbereshi Mission	Kawambwa	9.2
RD768	Road D79 near Lufubu Mission Road D80	Kawambwa	12.4
D769	Road M9-Kafue River at Iteshi-Teshi	Namwala and Mumbwa	110.3
D770	Luanshya Municipal Boundary-Kafubu Block-Road M6	Luanshya	14.3
D771	Kasompe Township-Mimbula	Chingola	3.9
D772	(*Deleted*)		
D773	Road M8-Kalengwa Mine	Kasempa	40.2
D774	Road D762-Waya Village	Kabwe	28.8
D775	Road T1 at Batoka-Siankandobo Mine	Gwembe and Choma	89.5
D776	Choma Township Boundary-Road D775	Choma	34.8
RD777	Road D775 at kilometre peg 19-Road D776	Choma	10.0
RD778	Road D775 at kilometre peg 22.5-Siamakube Village	Choma	12.2
D779	Road D775-Nkandabwe Mine	Gwembe	4.3
RD780	Road D775 at kilometre peg 48-foot of Escarpment	Gwembe	3.1
RD781	Road D396-Energoprojekt Camp No. II	Mazabuka	10.6
D782	Road T4-Rufunsa	Lusaka	1.1
D783	Road T1 near Junction with Road D332-Zambezi River Bank: Zambezi River Scenic Drive	Livingstone	1.8
D784	(*Deleted*)		
D785	Road D775-Sinazongwe Boma and Harbour	Gwembe	18.2
D786	Road D775 at kilometre peg 66-Road D785	Gwembe	13.7
D787	Road M10-Mulobezi	Sesheke and Kalomo	92.2
D788	Road M19-Mambova	Kalomo	12.1
D789	Road M10-Mwandi Kuta	Sesheke	3.2
D790	Isoka-Road M14	Isoka	112.0
D791	Road D104-Jumbe-Masumba-Luangwa River at Kakumbi	Chipata	68.1
D792	Road M9 near Kaoma-Sitaka-Road D557	Kaoma and Mongu	197.9
RD793	Road D792 at Sitaka-Road D557 at Watopa	Kaoma and Mongu	67.6
RD794	Road D792-Sikalenge-Road M9	Kaoma and Mongu	157.9

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
D795	Senanga-Lumbe River	Senanga	75.6
D796	Road D421-Road D204 at Lunsemfwa ..	Mkushi	41.2
D797	Road D421-Mulungushi Power Station ..	Mkushi	10.6
D798	Road D797-Mulungushi Township	Mkushi	3.1
D799	(*Reserved*)		
D800	Road D254-Kafue River	Ndola	7.9
D801	Road D800-Zambia Youth Service	Ndola	3.2
D802	Road M18-Chapula Irrigation Scheme-Chief Nkana's Court-Road M18	Ndola	24.3
D803	(*Deleted*)		
D804	Road T4-Vubwe	Chipata	45.1
D805	Road D139 at Nyanje-Kondwelani-Chimvila-Kameta	Petauke and Chipata ..	35.7
D806	Road D409-Road D805 at Chimvila	Chipata	3.2
D807	Road M9-Kabile-Road M9	Kabwe and Mumbwa ..	47.2
D808	Road M9-Dunrobin-Road M9	Mumbwa	35.0
D809	Road M9-Mumbwa (direct access)	Mumbwa	3.9
D810	Road M9-Mumbwa	Mumbwa	7.4
D811	Road M9-Mulumbika River-Road M9 ..	Mumbwa	11.4
D812	Road M9-Mukela	Kaoma	12.3
D813	Road M9-Shishombwa-Manjolo-Road M9 ..	Kaoma	31.2
D814	Road D301 at Kaoma-Kaoma West	Kaoma	3.5
D815	Road D301 at Kaoma-Kaoma East	Kaoma	4.3
D816	Road T2-Isoka	Isoka	4.1
D817	Road D626-Lukanga Ferry-Mukubwe-Kafue River-Ngabwe	Kabwe	140.0
D818	Lusaka City Boundary-Lilayi Aerodrome ..	Lusaka	7.0
RD819	Mongu-Lealui	Mongu	15.0

SECTION 5 (2)-HIGHWAY AUTHORITIES-DISTRICT ROADS

Statutory Instrument
173 *of* 1970

Notice by the Minister

The following are hereby appointed highway authorities:

(1) the director of roads in respect of the district roads designated under section *five* (1) of the act bearing the prefix letter "D";

(2) the rural council concerned in respect of the district roads designated under section *five* (1) of the act bearing the prefix letters "RD".

SECTION 6 (1)-DESIGNATION OF BRANCH ROADS

Statutory Instruments
205 *of* 1972
4 *of*1973
153 *of* 1974
79 *of* 1975

Notices by the Minister

BRANCH ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
B1	Road M1-Chibutubutu	Kasama	4.2
B2	Road T3-Venture Farm Turn-off	Luanshya	4.2
B3	Road D539-Farm MK1672	Mkushi	3.4
B4	Road T2-Norrhodia Estates	Mkushi	0.5
B5	Road T2-Road D194	Kabwe	4.8
B6	Road D194-Road D629	Kabwe	4.0
B7	Road D629-Plot 1807	Kabwe	2.4
B8	Road B6-Plot 1801	Kabwe	2.9
B9	Road B6-Plot 1800	Kabwe	3.2
B10	(*Deleted*)		
B11	Road D192-Farm 2143	Kabwe	5.6
B12	Road D192-Farm 2141	Kabwe	6.4
B13	Road D170-Lilanda Township	Lusaka	0.3
B14	Road M9-Sub 1 of Sub C of Farm 175a	Lusaka	1.6
B15	Road M9-Farm 739-Road D170	Lusaka	11.3
B16	Road M9-Farm 1956-Road D170	Lusaka	6.4
B17	Road D167-Sub B of Farm 677 (15 metres wide Road Reserve).	Lusaka	1.1
B18	Road D162-Farm 44a-Road D576	Lusaka	6.5
B19	Road D566-Road D567	Lusaka	2.4
B20	Road T2-Farm 85A/B	Mazabuka	1.1
B21	Road T1-Farm 137a-Road D391	Mazabuka	12.2
B22	Road D200-Mita Hills Dam	Mkushi	6.4
B23	(*Deleted*)		
B24	Road D360-Mutama River	Choma	11.7
B25	(*Deleted*)		
B26	Road D360-Farm 2590	Choma	2.1
B27	Sibanyati Siding-Farm 179a	Choma	2.4
B28	Road D104-Luona	Chipata	2.6
B29	Road D104-Chiewe	Chipata	3.2
B30	Road T4-Kanzu	Chipata	2.5
B31	Road D132-Kamanda Farm	Chipata	8.0
B32	Road D128-Farm D34A	Chipata	0.8
B33	Road M10-Farm 749	Livingstone	5.6
B34	(*Deleted*)		
B35	Road M1-Chambeshi Memorial	Kasama	8.2
B36	Road M1-Chambeshi River (South Bank)	Kasama	0.2
B37	Road D128-Road R274 at boundary of Reserve No. II Ngoni.	Chipata	7.2
B38	Road D580-Road R276 at boundary of Reserve No. III Chewa.	Chipata	5.5
B39	Road T1 near Kaleya-Farm 234a-Road D678.	Mazabuka	8.0
B40	Road D177 at Karubwe-Farm 1153-Mutoyo Siding	Lusaka and Kabwe	10.6
B41	Road D610-Mwemba River on Farm 1851	Kalomo	12.9
B42	Road D610-Farm 66A	Kalomo	7.9
B43	Road D343-Farm BW7	Kalomo	2.9

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
B44	Road D349-Farm A34	Kalomo	7.4
B45	Road D349-Farm 1856	Kalomo	1.9

SECTION 6 (3)-HIGHWAY AUTHORITIES-BRANCH ROADS

Statutory Instruments
41 *of* 1971
67 *of* 1971

Notices by the Minister

The authorities set out in column 1 of the Schedule are hereby appointed highway authorities in respect of the branch roads set out in column 2 thereof.

SCHEDULE

Column 1	*Column* 2
General Manager, Nakambala Estate Limited.	B76
General Manager (Chingola Division), Nchanga Consolidated Copper Mines Limited. ..	B77
General Manager (Rokana Division), Nchanga Consolidated Copper Mines Limited. ..	B78

SECTION 7-DESIGNATION OF RURAL ROADS

Statutory Instruments
204 *of* 1972
115 *of* 1981

Notice by the Minister

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

RURAL ROADS

Serial No.	*Name*	*Province*	*Approx. Length Kilometres*
R1	Road D20-Misengo	Kasama	7.9
R2	Road D37-Kampinda	Mporokoso	19.3
R3	Road D37-Lake Chishi	Mporokoso	22.0
R4	Road D39-Mukupa Kaoma	Mporokoso	3.5
R5	Road M3-Mucheleka	Luwingu	31.7
R6	Road M3-Chungu	Luwingu	38.5
R7	Road D77-Kafulwe Mission	Kawambwa	2.7
R8	(*Deleted*)		
R9	Road M3-Kalundu Mission	Kawambwa	8.0
R10	Road D96 at Mwewe-Shikamushili-Road D88 at Mwewe	Mansa	22.5
R11	Road M3-Chimese	Mansa	2.6
R12	Road D136-Mtukuzi	Petauke	36.5
R13	Road T4-Road R12	Petauke	28.0
R14	Road T4-Nyalugwe	Petauke	19.3
R15	Road D319-Shekela Kuta	Senanga	22.5
R16	Road D325 at Nawinda-Sonso River (Nangoma) ..	Sesheke	46.7
R17	Road D325-Road R16	Sesheke	11.3
R18	Road M3-Chikwekwe	Mporokoso	17.5
R19	Road D19-Kaliminwa-Road D20 near Kapatu Mission	Mporokoso	4.8
R20	Road D36-Kandabwika Falls	Mporokoso	4.0
R21	Road D39-Vincent Bulaya	Mporokoso	9.7
R22	Road M1-Mpepo School..	Mpika	0.8
R23	Road T2-Mpumba	Mpika	3.2
R24	Road D48 at Chiundaponde-Chimasula	Mpika	19.3
R25	Road T2-Chikwanda	Mpika	0.8
R26	Road D47-Mabeti	Serenje and Mpika ..	8.0
R27	Road D56-Julius Malekani	Chinsali.. ..	31.1
R28	Road D56-Charles Pambalashi	Chinsali.. ..	7.6
R29	Road T2-Mukwikile	Chinsali.. ..	1.8
R30	Road D56-Nkula-Road D60	Chinsali.. ..	9.7
R31	Road D60-Posta	Chinsali.. ..	16.1
R32	Road D53-Lukaka Lwenshi	Chinsali.. ..	2.4
R33	Chinsali-Chintankwa	Chinsali.. ..	28.0
R34	Road T2-Musonko	Chinsali.. ..	8.0
R35	Road D18 at Mbesuma Ranch-Kalisha	Chinsali.. ..	8.0
R36	Road T2-Musunsu	Chinsali.. ..	4.8
R37	Road D57-Kalende	Chinsali.. ..	9.7
R38	Road T2-Chinkumba	Chinsali.. ..	1.6
R39	Road T2-Kasanfala	Chinsali.. ..	1.6
R40	Road D57 at Mulango Mission-Chamasenga River ..	Chinsali.. ..	8.0
R41	Road D44-Nakulu Bwalya	Luwingu	33.3
R42	Road D96 at Kasaba Mission-Lupososhi Causeway-Road R6 at Chungu	Samfya and Luwingu ..	30.0
R43	Road D88-Katuta	Luwingu	50.5
R44	Road M3-Kasande	Kasama	4.8
R45	Road M3-Road D30 at Mwamba..	Kasama	12.1
R46	Road D8 at Kawimbe Mission-Timothy School ..	Mbala	8.0
R47	Road D7-Chilwa	Mbala	11.9
R48	Road D10 at Isanya-Isoka-Road M2	Mbala	22.7
R49	Road D433 at Isoka-Niamukolo	Mbala	8.4
R50	Road M2-Katula	Mbala	5.6
R51	Road D2-Road D14 at Chinakila..	Mbala	53.8
R52	Road D2-Chamazambi	Mbala	6.9
R53	Road D2-Road D434	Mbala	10.5
R54	Road D434-Chisongo	Mbala	11.6
R55	Road D438-Sementi	Mbala	11.7

SECTION 14-THE ROADS AND ROAD TRAFFIC (CONTROL OF ACCESS, STRUCTURES AND WORKS) RULES

Rules by the Minister

Government Notices
328 *of* 1960
344 *of* 1963
422 *of* 1964
Statutory Instruments
400 *of* 1965
405 *of* 1966
64 *of* 1972
88 *of* 1972
Act No.
13 *of* 1994

Title

1. These Rules may be cited as the Roads and Road Traffic (Control of Access, Structures and Works) Rules.

Control of points of access

2. (1) No person shall, except with the prior written consent of the appropriate highway authority and under such conditions as it may impose-

(*a*) open a new point of access; or

(*b*) alter the character of an existing point of access; or

(*c*) reopen any point of access which has been effectively closed for the preceding period of twelve months or more;

on to any main or district road.

(2) Any person who contravenes the provisions of this rule shall be guilty of an offence.

Control of structures and works

3. (1) Subject to the provisions of rule 4, no person shall erect or modify any structure or carry out any works on or under any land within 90 metres of the centre line of any road or portion of road described in the Schedule except with the prior written consent of the appropriate highway authority and under such conditions as it may impose.

(2) Any person who contravenes the provisions of this rule shall be guilty of an offence.

(*As amended by No.* 64 *of* 1972)

Exceptions

4. The provisions of rule 3 shall not apply to any land reserved for railway purposes and purposes ancillary thereto or to any land within a local authority area.

5. (1) If any person contravenes rule 2 or 3, the appropriate highway authority may, by notice in writing, direct the person responsible to effect at his own expense such alterations as may be specified in such notice within the period specified in such notice. Alterations

(2) If such person fails within the period specified under such notice to comply with the directions given therein he shall be guilty of an offence.

6. Any person guilty of an offence against these Rules shall be liable upon conviction to a fine not exceeding five hundred penalty units or to imprisonment for a period not exceeding three months, or to both. Penalty

(*As amended by Act No.* 13 *of* 1994)

SCHEDULE
(*Rule* 3)

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

Road Classi-fication	Serial No.	Portion of road affected
Main	T1	The whole (excluding any portion within a Local Authority area)
Main	T2	The whole (excluding any portion within a Local Authority area)
Main	T3	The whole (excluding any portion within a Local Authority area)
Main	T4	The whole (excluding any portion within a Local Authority area)
Main	T5	The whole (excluding any portion within a Local Authority area)
Main	M1	The whole (excluding any portion within a Local Authority area)
Main	M2	The whole (excluding any portion within a Local Authority area)
Main	M3	The whole (excluding any portion within a Local Authority area)
Main	M4	The whole (excluding any portion within a Local Authority area)
Main	M5	The whole (excluding any portion within a Local Authority area)
Main	M6	The whole (excluding any portion within a Local Authority area)
Main	M7	The whole (excluding any portion within a Local Authority area)
Main	M8	The whole (excluding any portion within a Local Authority area)
Main	M9	The whole (excluding any portion within a Local Authority area)
Main	M10	The whole (excluding any portion within a Local Authority area)
Main	M11	The whole (excluding any portion within a Local Authority area)
Main	M12	The whole (excluding any portion within a Local Authority area)
Main	M13	The whole (excluding any portion within a Local Authority area)
Main	M14	The whole (excluding any portion within a Local Authority area) and portions within Malawi)
Main	M15	The whole (excluding any portion within a Local Authority area)
Main	M16	The whole (excluding any portion within a Local Authority area)
Main	M18	The whole (excluding any portion within a Local Authority area)
Main	M19	The whole (excluding any portion within a Local Authority area)
Main	M20	The whole (excluding any portion within a Local Authority area)
District	D753	The whole
District	D775	The whole

(*No.* 88 *of* 1972)

SECTION 46-THE ROADS AND ROAD TRAFFIC (CATTLE GRID) RULES

Government Notice 37 *of* 1962

Rules by the Minister

Title

1. These Rules may be cited as the Roads and Road Traffic (Cattle Grid) Rules.

Interpretation

2. In these Rules, unless the context otherwise requires-

"the appropriate highway authority" means the authority responsible for the construction, care and maintenance of the road which is the subject of an application for the erection or alteration of a cattle grid;

"cattle grid" means a framework of parallel bars of iron or other material constructed on a road with the object of allowing the passage of vehicles and preventing the passage of livestock;

"road" means a district road as defined in section *five* of the Act.

Prohibition on construction and alteration of cattle grids

3. (1) Save as provided in these Rules, no person shall construct or alter a cattle grid on any road without the permission in writing of the highway authority responsible for the construction, care and maintenance of such road.

(2) Any person who contravenes the provisions of subrule (1) shall be guilty of an offence.

Application for permission to construct or alter a cattle grid

4. (1) Any person wishing to construct or alter a cattle grid on any road may apply in writing for permission to the appropriate highway authority.

(2) The highway authority may on such application grant permission in writing to construct or alter a cattle grid and may attach to such permission such conditions (if any) as it considers desirable.

(3) Any person who contravenes or fails to comply with any condition attached under the provisions of sub-rule (2) shall be guilty of an offence.

Application for construction or alteration by highway authority of a cattle grid

5. (1) Any person may apply in writing to the appropriate highway authority for the construction or alteration by such authority of a cattle grid on a road.

(2) Where the highway authority constructs a cattle grid in accordance with an application made under sub-rule (1), it may recover the full cost of such cattle grid from the applicant:

Provided that in the case of a cattle grid constructed on the line of a farm boundary fence the amount recoverable by the highway authority from the applicant shall be the standard charge.

(3) The highway authority may, before beginning the construction of a cattle grid in accordance with an application under sub-rule (1), require the applicant to deposit with it-

(*a*) in the case of a cattle grid on the line of a farm boundary fence, the standard charge; and

(*b*) in any other case, the full cost of the cattle grid as estimated by the highway authority.

(4) Any highway authority making an alteration in accordance with an application made under this rule may recover the cost of such alteration from the applicant and may before beginning such alteration require the applicant to deposit with it such sum as appears to the highway authority to be the likely cost.

*(4)(5) For the purposes of this rule, the "standard charge" means the sum for the time being notified in the *Gazette* by the appropriate highway authority as the standard charge.

*The Director of Roads, the highway authority responsible for district roads, has notified that the standard charge in respect of district roads shall be 1,500 fee units. (G.N. No. 80 of 1962.)

Design and specification

6. The design and specification for any cattle grid constructed under these Rules shall be determined by the highway authority responsible for the construction, care and maintenance of the road upon which such cattle grid is to be constructed.

Cost of maintenance

7. The cost of maintaining any cattle grid constructed under these Rules shall be borne by the highway authority responsible for the construction, care and maintenance of the road upon which such cattle grid is constructed.

Appeal

8. (1) Any person aggrieved by-

(*a*) the refusal of a highway authority to construct or alter a cattle grid; or

(*b*) the refusal by a highway authority of permission to construct or alter a cattle grid; or

(*c*) the imposition of any condition under rule 4; may appeal to the Minister.

(2) On any such appeal the Minister may reject the appeal or, as is appropriate, may direct the highway authority to construct or alter the cattle grid or to grant permission to construct or alter the cattle grid or to vary or remove any condition imposed.

(3) Any direction given by the Minister under this rule shall be binding on the highway authority.

(4) The decision of the Minister on any appeal shall be final.

*The Director of Roads, the highway authority responsible for district roads, has notified that the standard charge in respect of district roads shall be 1,500 fee units. (G.N. No. 80 of 1962.)

THE TEST CERTIFICATES REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Interpretation
3. Prescribed forms
4. Prescribed fees
5. Requirements for examinations
6. Applications for examinations; production of registration book
7. Requirements as to vehicles submitted for examinations
8. Results of examinations
9. Refusal of test certificate where braking test cannot be carried out
10. Appeal on refusal of test certificate
11. Removal of vehicles submitted for examination
12. Duplicate test certificates
13. Display of test certificate
14. Test certificate to be produced before issue of licence
15. Application
16. Commencement

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Prescribed fees

SECTIONS 76, 77 AND 258-THE TEST CERTIFICATES REGULATIONS

Regulations by the Minister

Government Notices
124 *of* 1962
251 *of* 1963
Statutory Instrument
52 *of* 1982
20 *of* 1988
135 *of* 1989
12 *of* 1991
35 *of* 1989
35 *of* 1992
22 *of* 1993
10 *of* 1994
49 *of* 1996
Act No.
13 *of* 1994

1. These Regulations may be cited as the Test Certificates Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"construction vehicle" means-

(*a*) a motor vehicle which is a tracked tractor;

(*b*) a motor vehicle or a trailer incorporating machinery, plant or equipment of the following nature:

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;

(iv) crushers;

(v) paving machines;

(vi) road sweepers or power brooms;

(vii) soil, concrete, tar or bitumen mixers;

(viii) welding units;

(ix) drilling and boring machinery;

(x) cranes (excluding breakdown trucks);

(xi) graders;

(xii) scrapers;

(xiii) pipelayers;

(xiv) cablelayers;

(xv) cement, lime or stone spreaders;

(xvi) excavators;

(xvii) trenchers;

(xviii) front-end loading shovels;

(xix) rollers and compactors;

(xx) stabilisers;

(xxi) concrete spreaders and tampers;

(xxii) road watering bowsers;

(xxiii) powered mowers;

(xxiv) extending towers and ladders;

(xxv) compressors;

(xxvi) stone driers and heaters;

(xxvii) pumps;

(xxviii) rooters and scarifiers;

(xxix) ploughs and harrows;

"examination" means an examination of a motor vehicle for the purposes of section *seventy-six* of the Act;

"the prescribed statutory requirements" means-

(*a*) in the case of motor vehicles first registered in this or any other territory before the 1st July, 1952, the requirements of Part II of the Roads and Road Traffic (Construction, Equipment and Use) Regulations; and

(*b*) in the case of motor vehicles first registered in this or any other territory on or after the 1st July, 1952, the requirements of regulations 19, 20, 21, 23, 24, 34, 41, 43, 45 and 47 of the Roads and Road Traffic (Construction, Equipment and Use) Regulations.

Prescribed forms

3. The forms set out in the First Schedule are hereby prescribed and shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.

Prescribed fees

4. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) In any case where an appeal to the Commissioner in accordance with the provisions of subsection (4) of section *seventy-six* of the Act is successful the whole of the fee paid, or such other portion of it as the Commissioner may direct, shall be refunded to the appellant.

Requirements for examinations

5. (1) Subject to the provisions of these Regulations, every motor vehicle to which these Regulations apply submitted for examination in accordance with these Regulations shall be examined for the purpose of ascertaining whether the prescribed statutory requirements are at the date of the examination complied with in relation to that vehicle.

(2) In any case where in the course of an examination the vehicle examiner observes other respects in which the vehicle does not comply with the requirements of the Act or of any regulations made thereunder with regard to the construction or equipment of motor vehicles, he shall inform the vehicle owner in writing of the same.

Applications for examinations; production of registration book

6. (1) Any person wishing to have an examination of a motor vehicle to which these Regulations apply carried out may make application for that purpose to a vehicle examiner either orally or in writing.

(2) At every examination of a motor vehicle to which these Regulations apply, the registration book (Form R.L.4 of the First Schedule to the Roads and Road Traffic (Registration and Licensing) Regulations) shall be produced to the vehicle examiner.

Requirements as to vehicles submitted for examinations

7. A vehicle examiner shall not be under any obligation to carry out an examination of a motor vehicle in any of the following cases, that is to say:

(*a*) where on the submission of a vehicle for an examination the applicant for the examination does not produce the registration book referred to in subregulation (2) of regulation 6;

(*b*) where the vehicle or any part thereof or any of its equipment is, in the opinion of the vehicle examiner, in such a dirty condition as to make it unreasonably difficult for the examination to be carried out in accordance with the provisions of these Regulations;

(*c*) where before the carrying out of an examination of a motor vehicle all or any goods or other things which are on the vehicle and are not part of its equipment or accessories are required to be removed from the vehicle or to be secured in such manner as the examiner may think necessary and the goods or things are not removed or secured accordingly.

Results of examinations

8. (1) Subject to the provisions of these Regulations, vehicle examiners after an examination of a vehicle is completed shall-

(*a*) where it is found on the examination that the prescribed statutory requirements are complied with in relation to the vehicle, issue a test certificate in the prescribed form; or

(*b*) where it is not so found on the examination, issue a notification of the refusal of a test certificate in the prescribed form.

(2) Upon the issue of a test certificate the vehicle examiner shall issue a test certificate record card in the prescribed form or, if such a card has already been issued in respect of the vehicle, he shall make an appropriate entry therein.

Refusal of test certificate where braking test cannot be carried out

9. (1) Where in the course of an examination of a motor vehicle carried out by a vehicle examiner it is found that there are such defects in the construction or condition of the vehicle or its equipment or accessories that to carry out a braking test of the vehicle, either by the vehicle being driven on a road or in any other way in which that test can be carried out by that examiner with the facilities and apparatus available to him, would be likely to cause danger to any person or damage to the vehicle or any other property, the examiner shall not be under any obligation to carry out the braking test but shall complete the rest of the examination in accordance with the provisions of these Regulations.

(2) Where in any such case as is mentioned in sub-regulation (1) an examiner does not carry out a braking test of a vehicle, he shall issue a notification of the refusal of a test certificate specifying as the grounds of such refusal that the examiner could not safely carry out a full examination of its braking system or systems and any other ground there may be for such refusal and the said notification shall be in the form in, and contain the particulars required by, Form T.C.4 of the First Schedule.

Appeal on refusal of test certificate

10. (1) Any person appealing to the Commissioner in accordance with the provisions of subsection (4) of section *seventy-six* of the Act shall do so in writing and shall send with his appeal the prescribed fee.

(2) As soon as reasonably practicable after the date of receipt of the appeal as aforesaid, the Commissioner shall send to the appellant a notice stating where and when an examination for the purposes of the appeal is to take place addressed to the appellant at the address of the appellant stated in his appeal.

(3) The vehicle shall be submitted for examination at the place and time specified in the notice sent to the appellant under sub-regulation (2) unless arrangements are made with the agreement of the Commissioner for the carrying out of the examination at some other place and time.

(4) On the submission of the motor vehicle for an examination for the purposes of an appeal the person submitting the vehicle for an examination shall-

(*a*) produce to the vehicle examiner appointed by the Commissioner to carry out the examination-

(i) the notification of the refusal of a test certificate issued as a result of the examination in connection with which the appeal is made; and

(ii) the registration book relating to the vehicle; and

(*b*) give to the aforesaid examiner such information as he may reasonably require in connection with the carrying out of the examination relating to any alteration made or repairs carried out, or any accident or other event occurring, since the date of the said notification, which may have affected the vehicle or its equipment or accessories;

and the said examiner shall not be required to carry out the examination unless the said notification and registration book are produced and such other information as aforesaid is given.

(5) Subject to the following provisions of this regulation, upon completion of the said examination the said examiner shall on behalf of the Commissioner either issue a test certificate or a notification of the refusal of a test certificate stating the grounds thereof.

(6) The provisions of paragraphs (*b*) and (*c*) of regulation 7 and regulation 9 shall apply in relation to an examination for the purposes of an appeal as they apply in relation to other examinations.

(7) Test certificates and notifications of the refusal of a test certificate issued under the foregoing provisions of this regulation shall be signed on behalf of the Commissioner by the examiner carrying out the examination for the purposes of the appeal.

Removal of vehicles submitted for examination

11. Where a motor vehicle has been submitted for an examination to a vehicle examiner, the person by whom the vehicle has been so submitted shall cause it to be removed from the custody of the examiner before the end of the second day after the day on which the person submitting the vehicle for examination receives notice (whether in writing or not)-

(*a*) that the examination has been carried out; or

(*b*) in a case where the examination is not carried out by reason of any of the provisions of regulation 7, that he is to remove the vehicle from the custody of the examiner.

Duplicate test certificates

12. If a test certificate or test certificate record card has been lost or defaced, an application for the issue of a duplicate of the original certificate or card may be made to the Commissioner who shall, after making such inquiries and being supplied with such information as he may think necessary and on being paid the appropriate fee specified in the second column of the Second Schedule, cause such a duplicate to be issued which shall be marked "Duplicate" and the duplicate so issued shall have the same effect as the original test certificate or card:

Provided that no such duplicate need be issued if the applicant does not supply with his application such information as the Commissioner may reasonably require to enable him to trace the original certificate or card issued.

Display of test certificate

13. (1) No person shall use and no person being the owner shall cause or permit to be used upon a road any motor vehicle to which these Regulations apply unless there is displayed on the said vehicle in a conspicuous position so as to be visible from the front or left front of the said vehicle an effective test certificate issued in respect of the said vehicle in accordance with the provisions of these Regulations.

(2) Any person who fails to comply with the provisions of sub-regulation (1) shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Test certificate to be produced before issue of licence

14. No licensing officer shall issue a licence as required by section *eighty-three* of the Act in respect of any motor vehicle to which these Regulations apply unless there is produced to him a test certificate in respect of the said vehicle issued within the period of twelve months before the day from which the licence will take effect:

Provided that in lieu of a test certificate there may be produced to a licensing officer the test certificate record card in respect of the said vehicle containing an entry to establish that a test certificate has been issued in respect thereof within a period of twelve months from the date from which the licence will take effect.

Application

15. These Regulations shall apply to such motor vehicles as may be determined by the Minister from time to time in pursuance of the provisions of subsection (2) of section *seventy-seven* of the Act.

(*No.* 251 *of* 1963)

Commencement

16. The provisions of regulations 13 and 14 shall come into force on the 1st July, 1962.

FIRST SCHEDULE
(*Regulation* 3)

PRESCRIBED FORMS

FORM T.C. 1
(*Regulation* 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

TEST CERTIFICATE

No .....

Registration mark of motor vehicle .....

The above motor vehicle, having been examined under section seventy-six of the Roads and Road Traffic Act, it is hereby certified that at the date of the examination thereof the prescribed statutory requirements were complied with in relation to the vehicle.

This certificate is effective until .....

.....
Signature of Examiner

Date of issue .....

FORM T.C. 2
(*Regulation* 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

TEST CERTIFICATE RECORD CARD

No .....

Registration mark of motor vehicle .....

Name of owner .....

Address of owner .....

Record of Test Certificates issued:

Number	Signature and Date of Issue	Effective until	official stamp of vehicle examiner
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

FORM T.C. 3
(*Regulation* 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF REFUSAL OF A TEST CERTIFICATE

No .....

Registration mark of motor vehicle .....

The above motor vehicle, having been examined under section *seventy-six* of the Roads and Road Traffic Act, it is hereby notified that a test certificate in respect of the vehicle is refused on the grounds that at the date of the examination the prescribed statutory requirements were NOT COMPLIED WITH as respects its (delete as appropriate) BRAKING SYSTEM OR SYSTEMS/STEERING GEAR/TYRES/LIGHTING EQUIPMENT AND REFLECTORS for the following reasons (complete as appropriate):

Braking system or systems .....

.....

.....

Steering gear .....

.....

Tyres .....

.....

Lighting equipment and reflectors .....

.....

.....

.....

.....

Signature of Examiner

Date of issue .....

FORM T.C. 4
(*Regulation* 9)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF REFUSAL OF A TEST CERTIFICATE

No .....

Registration mark of motor vehicle .....

The above motor vehicle, having been examined under section *seventy-six* of the Roads and Road Traffic Act, it is hereby notified that a test certificate in respect of the vehicle is refused-

(1) on the grounds that a full examination of its BRAKING SYSTEM or SYSTEMS could not safely be carried out because at the date of the examination there were the following defects in the construction or condition of the vehicle:

.....

.....

.....

(2) *and on the grounds also that in so far as the examination of the vehicle was carried out it was found that at the said date the prescribed statutory requirements were NOT COMPLIED WITH as respects its *BRAKING SYSTEM OR SYSTEMS/*STEERING GEAR/*TYRES/*LIGHTING EQUIPMENT AND REFLECTORS for the following reasons*:

Braking system or systems .....

.....

.....

*Delete or complete as appropriate.

Steering gear .....

.....

Tyres .....

.....

Lighting equipment and reflectors .....

.....

.....

.....

.....

Signature of Examiner

Date of issue .....

FORM T.C. 5
(*Regulation* 5 (2))

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF DEFECTS

No .....

To:

The Owner of Motor Vehicle No .....

Please take notice that in the course of the examination of the above motor vehicle for the purposes of section *seventy-six* of the Roads and Road Traffic Act the following defects, which are not included in the prescribed statutory requirements, were observed:

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

.....
Signature of Examiner

Dated .....

SECOND SCHEDULE
(*Regulation* 4)

PRESCRIBED FEES

	Fee units
1. Appeal to the Commissioner	200
2. Duplicate test certificate or test certificate record card	60
3. Vehicle Examination	120

(*As amended by S.I. No.* 10 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 49 *of* 1996)

SECTION 77-OBLIGATORY TEST CERTIFICATE NOTICE

Statutory Instrument 173 *of* 1978

Notice by the Minister

Title and commencement

1. This Notice may be cited as the Roads and Road Traffic (Obligatory Test Certificates) Notice, and shall come into operation upon the expiration of a period of thirty days from the date on which it is published in the *Gazette*.

Obligatory test certificates

2. (1) It is hereby notified that section *seventy-seven* of the Act shall, subject to the provisions of this paragraph, apply to the motor vehicles specified in the first column of the Schedule hereto, from the dates specified in the second column of the said Schedule.

(2) This paragraph shall not apply to construction vehicles, invalid carriages, motor cycles, vehicles to which Part XI of the Act applies or to vehicles registered and licensed elsewhere than in Zambia and used in Zambia by visitors.

SCHEDULE
(*Paragraph* 2)

Motor vehicles in respect of which the under-mentioned period has elapsed since the date of first registration in Zambia or any other country	*Date of application of section 77*
7 years and 6 months or more	31st March, 1979
7 years or more	30th June, 1979
6 years and 6 months or more	30th September, 1979
6 years or more	31st December, 1979
5 years and 6 months or more	31st March, 1980
5 years or more	30th June, 1980

SECTION 77 (4)-ROADS AND ROAD TRAFFIC (OBLIGATORY TEST CERTIFICATE NOTICE) EXEMPTION REGULATIONS

Statutory Instrument
61 *of* 1989

Regulations by the Minister

Title and commencement

1. (1) These Regulations may be cited as the Roads and Road Traffic (Obligatory Test Certificate Notice) Exemption Regulations.

(2) These Regulations shall come into effect on the expiration of a period of thirty days after the date on which they are published in the *Gazette*.

Exemption

2. Reconditioned motor vehicles may, on an application by an importer, dealer or manufacturer, be exempted from obtaining obligatory test certificates for such periods and on such conditions as the Minister may determine.

SECTION 192-THE ROADS AND ROAD TRAFFIC (SPEED LIMITS) REGULATIONS

Government Notices
126 *of* 1962
330 *of* 1964
497 *of* 1964
Statutory Instruments
346 *of* 1969
245 *of* 1971
59 *of* 1972
103 *of* 1972

Regulations by the Minister

Title

1. These Regulations may be cited as the Roads and Road Traffic (Speed Limits) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"articulated goods vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage of goods;

"articulated passenger vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage of passengers;

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"caravan" means a trailer constructed or adapted for living purposes;

"construction trailer" means a trailer incorporating water boring machinery or construction machinery of the nature of a crane, grader, shovel, scraper, pipelayer, cablelayer, compressor, or a trailer incorporating plant or equipment of the following nature: bitumen or tar heaters, bitumen, tar or water sprayers or distributors, crushers, extending towers or ladders, rippers or rooters, road sweepers or power brooms, rollers, sand and stone driers, soil, concrete, tar or bitumen mixers, stone spreaders or distributors, water pumps, water tankers, welding units;

"high speed trailer" means a trailer-

(*a*) which has not more than one axle, which shall not be positioned further towards the front of such vehicle than the centre of the body thereof; and

(*b*) which together with any load thereon does not exceed a width of 1,375 millimetres; and

(*c*) which together with any load thereon does not exceed a height greater than an equivalent of its wheel track; and

(*d*) which together with any load thereon does not exceed a length of 3,700 millimetres, measured from the rearmost point of the drawing vehicle to the rearmost point of the trailer or any load thereon, whichever is the greater;

Provided that at no time shall any load extend further back than 610 millimetres beyond the rearmost point of the trailer; and

(*e*) which has overrun or driver-operated brakes; and

(*f*) which is connected to the drawing vehicle by means of a hitch or coupling device which is so clamped that when in use it minimises the possibility of the hitch or coupling device becoming uncoupled; and

(*g*) which is fitted with a safety chain or cable coupled between such trailer and the drawing vehicle, in such a manner as to prevent the drawbar from dropping to the ground if the hitch or coupling device fails; and

(*h*) which has a laden weight not exceeding 460 kilograms.

For the purpose of paragraph (*d*) above, the rearmost point of the drawing vehicle shall not include any portion of the hitch or coupling device referred to in paragraph (*f*) above.

(*As amended by No.* 330 *of* 1964 *and No.* 59 *of* 1972)

Nature of construction machinery

3. Construction machinery of the following nature:

(*a*) bitumen or tar heaters;

(*b*) bitumen or tar or water sprayers or distributors;

(*c*) continuous bucket loaders;

(*d*) crushers;

(*e*) extending towers or ladders;

(*f*) paving machines;

(*g*) road sweepers or power brooms;

(*h*) soil, concrete, tar or bitumen mixers;

(*i*) welding units;

is hereby prescribed for the purposes of the definition of "construction vehicle" in section *two* of the Act.

Speed limits

4. (1) The maximum speed on roads within the areas specified at the headings of columns 2 and 3 of the First Schedule for vehicles of the class or description set forth in column 1 of such Schedule shall be as set forth respectively opposite thereto in such columns 2 and 3.

(2) The maximum speed on roads within the areas specified at the headings of columns 2 and 3 of the Second Schedule, not being roads within the areas set forth in column 4 of such Schedule, for vehicles of the class or description set forth in column 1 of such Schedule shall be as set forth respectively opposite thereto in such columns 2 and 3.

FIRST SCHEDULE
(*Regulation* 4(1))

SPEED LIMITS

	1 *Class or description of vehicle*	2 *Within the area of a local authority* *Kilometres per hour*	3 *In any other part of Zambia* *Kilometres per hour*
1.	Construction vehicle	30	30
2.	Motor vehicle drawing a construction trailer ..	30	30
3.	Tractor, other than a tractor designed to form part of an articulated vehicle	40	40
4.	(*a*) A motor vehicle, the net weight of which is 3,632 kilograms or more, drawing a trailer other than a light trailer	40	50
	(*b*) an articulated goods vehicle the net weight of which is 3,632 kilograms or more	40	50
	(*c*) an articulated goods vehicle whatever its net weight when drawing a trailer	40	50
5.	A motor vehicle the net weight of which is 3,632 kilograms or more whether drawing a light trailer or not	40	50
6.	(*a*) A motor vehicle the net weight of which exceeds 2,275 kilograms but is less than 3,632 kilograms whether drawing a trailer or not	40	55
	(*b*) an articulated goods vehicle the net weight of which is less than 3,632 kilograms	40	55
	(*c*) a tractor designed to form part of an articulated vehicle	40	55
7.	A motor vehicle, the net weight of which does not exceed 2,275 kilograms, drawing-		
	(*a*) a caravan	40	70
	(*b*) any other trailer not being a high speed trailer ..	40	55
8.	(*a*) A motor omnibus, whatever its net weight ..	50	65
	(*b*) an articulated passenger vehicle, whatever its net weight	50	65
	(*c*) a motor vehicle having seating accommodation for more than twelve passengers	50	65
9.	A motor vehicle, other than a motor omnibus or an articulated passenger vehicle, designed solely or principally for the carriage of passengers exceeding seven but not exceeding twelve in number, whether drawing a high speed trailer or not	50	80
9A.	A taxicab	50	80
10.	Any motor vehicle which is not included in classes 1 to 8 above and which is drawing a high speed trailer	50	80
11.	Any motor vehicle which is not included in the preceding classes on any road not having a bituminous surface of 6.1 metres or more in width	50	80

(*As amended by No.* 330 *of* 1964, *No.* 245 *of* 1971 *and Nos.* 59 *and* 103 *of* 1972)

SECOND SCHEDULE
(*Regulation* 4(2))

SPEED LIMITS

1	2	3	4
Class or description of vehicle	*Within the area of a local authority Kilometres per hour*	*In any other part of Zambia Kilometres per hour*	*Excepted areas*
Any motor vehicle which is not included in classes 1 to 10 in the First Schedule on any road having a bituminous surface coat of 6.1 metres or more in width.	50	100	

(*As amended by No.* 346 *of* 1969 *and Nos.* 59 *and* 103 *of* 1972)

SECTION 209-THE ROADS AND ROAD TRAFFIC SIGNS (SCHOOL CROSSING PATROLS) REGULATIONS

Statutory Instruments
406 *of* 1969
5 *of* 1973

Regulations by the Minister

Title

1. These Regulations may be cited as the Roads and Road Traffic Signs (School Crossing Patrols) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"school crossing patrol" means a person appointed by the Minister to be a school crossing patrol for the purpose of section *two hundred and nine* of the Act.

Dimensions and shape of sign

3. Except where the Minister authorises the use of signs of another description, every sign which is exhibited by a school crossing patrol for the purpose of stopping any vehicle or vehicles in accordance with section *two hundred and nine* of the Act shall be of the size, colour and type shown in the diagram in the Schedule, subject however to the provisions of regulation 4.

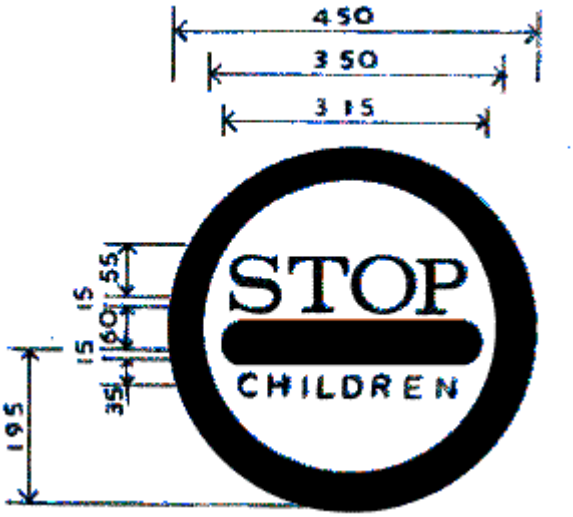
Exceptions

4. (1) Any variation in a dimension (other than as to the height of a letter) specified in the diagram in the Schedule shall be treated as permitted by these Regulations if the variation conforms with the provisions of regulations 13 to 20 of the Roads and Road Traffic (Traffic Signs) Regulations.

(2) Any variation in a dimension as to the height and the shape of a letter specified in the diagram in the Schedule shall be treated as permitted by these Regulations if the variation is made in accordance with details and dimensions set out in Part II of the Second Schedule to the Roads and Road Traffic (Traffic Signs) Regulations.

SCHEDULE
(*Regulation* 3)

DIMENSION AND SHAPE OF SIGN



Black letters and bar on yellow fluorescent background with red fluorescent border

(*No.* 5 *of* 1973)

THE ROADS AND ROAD TRAFFIC (REMOVAL OF VEHICLES) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

REMOVAL OF VEHICLES FROM ROADS

3. Power to require removal of vehicle
4. Power to remove or direct removal of vehicle

PART III

DISPOSAL OF VEHICLES ABANDONED ON ROADS

5. Deeming vehicle to have been abandoned
6. Tracing owner of vehicle
7. Giving notice to owner of vehicle with registration mark
8. Inquiry as to owner of vehicle without registration mark
9. Further inquiry as to owner of vehicle
10. Where inquiry is successful
11. When inquiry is not necessary
12. Sale of unclaimed or unredeemed vehicle
13. Expenses incurred for removal and storage

SCHEDULE-Prescribed fees

SECTIONS 216 AND 258-THE ROADS AND ROAD TRAFFIC (REMOVAL OF VEHICLES) REGULATIONS

Regulations by the Minister

Statutory Instrument
159 *of* 1970
13 *of* 1991
29 *of* 1992
28 *of* 1993
8 *of* 1994
54 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Removal of Vehicles) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"appropriate authority" means the Commissioner of Police, the Deputy Commissioner of Works, the Road Traffic Commissioner, and any municipal council as defined in the Local Government Act; Cap. 281

"authorised officer" means-

(*a*) any police officer, road traffic inspector or other person authorised by the Minister or by any person acting on his behalf;

(*b*) in the case of any road within the area of a municipal council, any person authorised in writing by such council;

"place of safety" means any car park, road traffic depot, police station yard, Government workshop yard, or any other place considered to be such by an authorised officer.

PART II

REMOVAL OF VEHICLES FROM ROADS

3. (1) Where a vehicle- Power to require removal of vehicle

(*a*) has broken down or been permitted to remain at rest on a road in contravention of any lawful prohibition or restriction;

(*b*) has been permitted to remain at rest on a road or road reserve in such a position or in such a condition or in such circumstances as to appear to an authorised officer to be likely to cause danger to persons using any road or to cause obstruction to such persons;

any authorised officer may require the owner, driver or other person in control or in charge of the vehicle to move it or cause it to be moved, and any such requirement may include a requirement that the vehicle shall not be moved to any such road or to any such position on a road as may be specified by the authorised officer.

(2) For the purposes of sub-regulation (1) (*a*), a vehicle which has broken down and has remained at rest for any period in any position on a road shall be treated as if it had been permitted to remain at rest in that position throughout that period.

(3) Any person who fails to comply as soon as practicable with any requirement given under this regulation shall be guilty of an offence.

Power to remove or direct removal of vehicle

4. Where such vehicle as is referred to in regulation 3 cannot be moved under its own power by reason of the driver not being present, or because of a mechanical failure in some part of it, or for any other reason, any authorised officer may remove the vehicle, or arrange for its removal, from that road or road reserve to a place of safety.

PART III

DISPOSAL OF VEHICLES ABANDONED ON ROADS

Deeming vehicle to have been abandoned

5. Where a vehicle-

(*a*) appears to have been left in the same spot on a road for a continuous period of seven days or more;

(*b*) which, after being examined by a vehicle examiner, is not taken away by the owner from the place where it was examined within seven days of the said examination; or

(*c*) which, after having been taken to a place of safety in accordance with regulation 4, is not collected by or on behalf of the owner within seven days of its being taken to the place of safety;

the said vehicle may, for the purposes of these Regulations, be deemed by the appropriate authority to have been abandoned by the owner thereof and may be sold or otherwise disposed of by that authority:

Provided that the power of disposal conferred by this regulation shall not be exercisable in the case of a vehicle unless there have been taken by the appropriate authority such of the following steps as are applicable to the vehicle and there has elapsed a period of six weeks beginning with the taking of the first of those steps.

Tracing owner of vehicle

6. (1) Subject to the provisions of regulation 11, where a vehicle carries a registration mark issued under the Act-

(*a*) in a case where the appropriate authority, being a municipal council, is the council with which that vehicle is registered under the Act, it shall ascertain from its records the name and address of the person who it appears is the owner of that vehicle;

(*b*) in any other case, the appropriate authority shall apply in writing to the council with which it has reason to believe the vehicle was last registered inquiring who it appears may be the owner of the vehicle and the address of that person.

(2) Where an appropriate authority acts under this regulation, the first step for the purposes of regulations 5 and 7 shall be taken to be the sending of the notice mentioned in regulation 7.

Giving notice to owner of vehicle with registration mark

7. An appropriate authority shall, where the authority is by virtue of regulation 6 aware of the name and address of a person who it appears may be the owner of the vehicle, send a notice to that person at that address stating that it is the intention of the appropriate authority to sell or otherwise dispose of the vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the appropriate authority under this Part) unless it is in the meantime removed by or on behalf of that person from the place of safety specified in the notice or from such other place as may be subsequently notified in writing by the authority to that person.

Inquiry as to owner of vehicle without registration mark

8. Subject to the provisions of regulation 11, where a vehicle does not carry a registration mark issued under the Act, the first step to be taken shall be, if the appropriate authority is the Commissioner of Police, the Deputy Commissioner of Works, or the Road Traffic Commissioner, to apply in writing to the local authority in whose area is the place from which the vehicle has been, or could at any time be, removed in pursuance of these Regulations, inquiring of the local authority who they consider is the owner of the vehicle and the address of that person or, if the appropriate authority is a municipal council, to apply in writing to the Commanding Officer of Police in whose area is such place, inquiring who that officer considers is the owner of the vehicle and the address of that person.

Further inquiry as to owner of vehicle

9. If, after steps have been taken under the foregoing provisions of this Part, a vehicle is not claimed, the appropriate authority shall make such further inquiries (if any) as the authority considers reasonable as to who may be the owner of the vehicle and the address of that person.

Where inquiry is successful

10. Where by vitue of regulation 8 or 9 an appropriate authority is informed of the name and address of the person who the authority considers may be the owner of the vehicle, regulation 7 as respects the sending of notices shall apply in relation to that person at that address as it applies in relation to the person mentioned in the said regulation 7.

When inquiry is not necessary

11. Nothing in the foregoing provisions of this Part shall require an appropriate authority to take any step as is therein mentioned for the purpose of inquiring who is the owner of a vehicle to which regulation 5 applies, if the authority has found a person who satisfies the authority that he is in fact the owner of that vehicle and the authority has sent him at his address a notice containing the particulars specified in regulation 7, the sending of the notice being treated as the first step for the purposes of that regulation, and of the said regulation 5.

Sale of unclaimed or unredeemed vehicle

12. (1) If no person has satisfactorily established his ownership of the vehicle or if, having established his ownership, he has not paid in full the expenses incurred in moving and storing the vehicle and of the notice referred to in regulation 7 and of any other expenses necessarily incurred, the appropriate authority may offer the vehicle for sale by public auction and the proceeds of such sale shall be applied in the first instance to the cost of removal of the vehicle, the storage of the vehicle, the notice referred to in regulation 7 and the reimbursement of any other expenses necessarily incurred, and the balance shall be payable within a period of one year from the date of the sale of the vehicle to any person to whom, but for such vehicle having been deemed to have been abandoned in terms of these Regulations, the vehicle would have belonged, and in so far as any such sums are not claimed within the said period, they shall be applied by the authority to any of the purposes of the Act for which such authority is responsible.

(2) If any vehicle having been offered for sale by public auction as aforesaid is not sold, the appropriate authority may dispose of it as the authority thinks fit, and any proceeds of such disposal shall be dealt with a prescribed by sub-regulation (1).

Expenses incurred for removal and storage

13. An owner of a vehicle which has been removed, or arrangements have been made for its removal, by an authorised officer, shall pay the expenses incurred in storing the vehicle as specified in the Schedule.

SCHEDULE
(*Regulation* 13)

PRESCRIBED FEES

	Fee Units
1. Motor vehicle moved:	
(*a*) Heavy vehicles per day	1,400
(*b*) Any other vehicle	700
2. Motor vehicle stored:	
(*a*) Heavy vehicle per day	300
(*b*) Any other vehicles per day	150

(*As amended by S.I. No.* 8 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 54 *of* 1996)

THE RULES OF THE ROAD REGULATIONS

ARRANGEMENT OF REGULATIONS

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2. Interpretation

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3. Removal of vehicles causing obstruction or danger
4. Passing vehicles
5. Overtaking
6. Stopping and parking of vehicles
7. Right of way for fire-fighting vehicles, etc.
8. Exemption of certain vehicles
9. Drivers to give warning signals
10. Drivers to give way to traffic approaching from their right
11. Bicycles and cycle tracks
12. Animal-drawn traffic
13. Pedestrians

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14. Application of Part III
15. Loading and unloading
16. Stopping of buses: boarding and alighting therefrom
17. Traffic on tarmacadamised roads
18. Prohibited driving
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SECTIONS 216 AND 258-THE RULES OF THE ROAD REGULATIONS

Regulations by the Minister

Government Notice
489 *of* 1964
Statutory Instrument
60 *of* 1972
100 *of* 1995
Act No.
13 *of* 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Rules of the Road Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"bus stop" means a place or area in a road reserved for motor omnibuses to stop for the purpose of allowing persons to board or alight therefrom;

"contravene" includes, in relation to any provision, a failure to comply with that provision and "contravention" shall be construed accordingly;

"guide line" means a line described in regulation 45 of the Roads and Road Traffic (Traffic Signs) Regulations;

"longitudinal prohibition line" means a line described in regulation 41 of the Roads and Road Traffic (Traffic Signs) Regulations;

"one-way street" means a road or, where a road is divided into two or more carriageways, carriageway along which traffic is permitted to travel in one direction only;

"overtake" means to pass any other vehicle proceeding in the same direction along a road;

"pavement" means that part of a road in a local authority area used, or intended to be used, soley by pedestrians;

"pedestrian crossing" means a crossing described in regulation 48 or 49 of the Roads and Road Traffic (Traffic Signs) Regulations;

"road junction", in relation to two intersecting or meeting roads, means that area contained within the prolongation of the lateral boundary of the carriageway of each such road;

"robot" means an automatic light signal giving the directions to traffic mentioned in regulation 35 of the Roads and Road Traffic (Traffic Signs) Regulations;

"service lane" means any land designated as a service lane under any approved development plan in force in the local authority area concerned or access road at the rear or side of any premises used for business, commercial or industrial purposes, and which lane or access road is constructed, laid out, or provided primarily for use as vehicular access to such premises for the loading or off-loading of goods or the removal of refuse, or for the purposes of parking of vehicles on such premises, providing access to or from authorised parking places or areas adjacent to such lane or gaining access to places of residence;

"unloading zone" means a place or area in a road reserved for the use of motor vehicles when loading or unloading goods.

PART II

GENERAL PROVISIONS

Removal of vehicles causing obstruction or danger

3. (1) Where any vehicle has been permitted to remain at rest on any road in contravention of any lawful prohibition or restriction, or where any vehicle has been left on any road in such position, circumstances or condition as may, in the opinion of an officer, obstruct any traffic on, or cause danger to any users of any road, such officer may remove or cause to be removed such vehicle to any place off such road or to any place on the same or another road.

(2) For the purposes of this regulation, "officer" means a person authorised in writing by the highway authority of the road concerned to exercise the powers conferred by this regulation, and any police officer or road traffic inspector.

Passing vehicles

4. (1) Every vehicle shall, while passing traffic travelling in the opposite direction on a road, be so driven that every part of the vehicle and of its load, if any, is to the left-hand side of the centre line of the carriageway of such road.

(2) Wherever a longitudinal prohibition line or a guide line is marked on or near to the centre line of a carriageway, the centre line of such line shall be deemed to be the centre line of such carriageway.

(3) Any person who drives a vehicle in contravention of the provisions of sub-regulation (1) shall be guilty of an offence.

Overtaking

5. (1) When one vehicle is overtaking or attempting to overtake another vehicle-

(*a*) the overtaking vehicle shall be driven so as to pass the overtaken vehicle on the right, or off, side of such overtaking vehicle:

Provided that an overtaken vehicle may be passed on its left or near side-

(i) when its driver has signalled his intention to turn to his right;

(ii) where the road is divided into traffic lanes by lines marked thereon and the overtaking vehicle is conforming to the indication given by such lines;

(iii) on a one-way street of a width sufficient for two or more lines of moving traffic; or

(iv) if the overtaken vehicle is a bicycle or an animal-drawn vehicle or a vehicle referred to in regulation 8 and is being driven on the right-hand side of such road;

(*b*) the overtaking vehicle shall be so driven as to maintain at all times a safe distance from the overtaken vehicle;

(*c*) the driver of the overtaken vehicle shall not increase the speed of his vehicle until the overtaking operation is completed and-

(i) if being overtaken on his off side, shall drive his vehicle as near to his left-hand side of the road as is consistent with safety; or

(ii) if being overtaken on his near side, shall not alter the course of his vehicle so as to endanger the overtaking vehicle.

(2) No vehicle shall be so driven on a road as to overtake or attempt to overtake any other vehicle-

(*a*) on the near side of the overtaken vehicle unless the driver of the overtaking vehicle has a clear and unobstructed view of the road ahead; or

(*b*) on the off side of the overtaken vehicle unless the driver of the overtaking vehicle can see that the road ahead is clear for such a distance as will enable him to overtake and to return his own vehicle to his proper side of the road before meeting any traffic coming in the opposite direction; or

(*c*) where, owing to the condition of the road or because of other traffic thereon, the overtaken vehicle cannot be driven sufficiently near to the left-hand side of the road so that it and its load are wholly within the left-hand half of the carriageway:

Provided that this paragraph shall not apply in the case of a one-way street;

(*d*) when outside a local authority area and approaching a visible or sign-posted road junction, within such a distance of such junction that he is not able to overtake and return his own vehicle to his proper side of the road before it reaches the said junction:

Provided that this paragraph shall not apply to overtaking on the left as permitted by regulation 5 (1)(*a*)(i).

(3) Any person who drives a vehicle in contravention of the provisions of this regulation shall be guilty of an offence.

Stopping and parking of vehicles

6. (1) The driver of a vehicle shall not stop such vehicle on a road, otherwise than in an authorised parking place-

(*a*) within any tunnel or subway, or on any bridge or causeway, or within 8 metres of the entrance to any tunnel, subway, bridge or causeway;

(*b*) alongside any vehicle, or, where the normal width of the road has for any reason been constricted to such an extent that the normal flow of traffic is impeded, within 8 metres of the beginning or end of such constriction or within such constriction, except for the purpose of setting down or picking up, but not waiting for, passengers other than passengers in any motor omnibus or private motor omnibus;

(*c*) forming part of a roundabout;

(*d*) within 8 metres of a road junction;

(*e*) in any place outside a local authority area where the vehicle cannot be seen by drivers of approaching vehicles for at least 90 metres in both directions;

(*f*) in any place where the stopping of such vehicle would constitute or would be liable to constitute either an obstruction or danger to other traffic:

Provided that this sub-regulation shall not apply in any case where a vehicle is stopped to avoid an accident, or to comply with a traffic sign or with a direction lawfully given by some person, or due to some cause beyond the control of the driver.

(2) No person shall park a vehicle on a road, otherwise than in an authorised parking place-

(*a*) within 8 metres of his approach side of a pedestrian crossing;

(*b*) upon or over the actuating mechanism of a traffic-controlled robot;

(*c*) within 14 metres on either side of the central point of a bus stop, or on either side of a fire hydrant, the existence of which is clearly indicated on or near to the road;

(*d*) in such a manner as to encroach upon a pavement;

(*e*) across or opposite any entrance for vehicular traffic to public or private property in such a manner as to obstruct such entrance;

(*f*) within 45 metres of a railway level crossing;

(*g*) in a position which would obscure any traffic sign from drivers of vehicles using the road.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

(*As amended by No.* 60 *of* 1972)

Right of way for fire-fighting vehicles, etc.

7. (1) The driver of a vehicle on a road shall take such steps as are necessary to afford the clear passage along such road of any vehicle used for fire brigade, ambulance or police purposes which is sounding its warning bell or siren.

(2) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

Exemption of certain vehicles

8. (1) The provisions of regulations 4, 5 and 6 shall not apply to any vehicle actually engaged in, and at the site of, the construction or maintenance of any road, or the maintenance of electricity or water supplies or other essential services if the observance of the provisions of such regulations would be likely to hinder to an unreasonable extent the use of such vehicle for the purposes for which it is being used on that occasion.

(2) The provisions of regulation 6 shall not apply to any vehicle being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of such provisions would be likely to hinder to an unreasonable extent the use of such vehicle for the purpose for which it is being used on that occasion.

(3) Whenever the driver of a vehicle referred to in this regulation does not comply with the requirements or prohibitions of any of the regulations so referred to, he shall take such precautions as are necessary and reasonably practicable to warn other traffic of the possible danger arising therefrom.

9. Every person driving a vehicle on a road shall, except in cases of emergency when time or circumstances do not permit, give to other traffic timely and clear warning, by mechanical, electrical or manual signal of his intention to turn, slow down or stop and any person who fails to give such warning shall be guilty of an offence and liable to a fine not exceeding three hundred penalty units.

Drivers to give warning signals

(*As amended by Act No.* 13 *of* 1994)

10. Every driver of a vehicle when approaching a road junction the traffic at which is not controlled for the time being by a member of the police force, or the presence of a compulsory "stop" sign or "give way" sign or robot shall give way to any other vehicle approaching from his right and any person who contravenes the provisions of this regulation shall be guilty of an offence.

Drivers to give way to traffic approaching from their right

11. (1) No person shall ride a bicycle on a road unless he has at least one hand on the handlebar.

Bicycles and cycle tracks

(2) Save when overtaking or passing, no person shall ride a bicycle abreast of more than one other bicycle, and if any person or persons contravene this sub-regulation all such persons other than the two nearest to the left-hand side of the road shall be guilty of an offence.

(3) Any person riding a bicycle along a road on which a cycle track is provided shall ride on such track, and shall pass traffic travelling in the opposite direction on such track on the right or off side of such traffic.

(4) No person shall ride or drive any motor vehicle on a cycle track:

Provided that the provisions of the sub-regulation shall not apply to the crossing of a cycle track where such is necessary to enable the driver of a motor vehicle to reach his destination.

(5) Any person who contravenes any provisions of this regulation shall be guilty of an offence, and in the case of a contravention of any provision of sub-regulation (1), (2) or (3) shall be liable to a fine not exceeding one hundred and fifty penalty units.

(*As amended by Act No.* 13 *of* 1994)

12. (1) No vehicle drawn by animals-

Animal-drawn traffic

(*a*) shall be left on any road unless it is in charge of a responsible person;

(*b*) shall be driven on a road unless such animals are led or are controlled by reins.

(2) Any persons who leaves or drives such a vehicle in contravention of this regulation shall be guilty of an offence.

Pedestrians

13. (1) No pedestrian shall enter a pedestrian crossing at which traffic is for the time being controlled by a robot exhibiting a light sequence unless the red light of such robot is prohibiting the movement of traffic across such pedestrian crossing.

(2) At every pedestrian crossing which is not controlled by a traffic sign or by a police officer the driver of a vehicle shall give right of way to any pedestrian who is in the crossing and on that half of the road along which the vehicle is travelling:

Provided that no pedestrian shall exercise his right of way under this sub-regulation without offering drivers of oncoming vehicles a reasonable opportunity of stopping their vehicles immediately before such crossing.

(3) Any person who fails to yield at a pedestrian crossing in contravention of sub-regulation (1) or who contravenes sub-regulation (2) shall be guilty of an offence and shall be liable to a fine not exceeding three hundred penalty units or to a fine of one thousand penalty units, respectively.

(*As amended by S.I. No.* 100 *of* 1995 *and Act No.* 13 *of* 1994)

PART III

LOCAL AUTHORITY AREAS: MISCELLANEOUS PROVISIONS

Application of Part III

14. The provisions of this Part shall apply to local authority areas only.

Loading and unloading

15. (1) No person shall cause any vehicle to stand in an unloading zone in such a manner that, unless the size of the vehicle or of its load otherwise requires, any part of it or any of its load extends beyond the demarcated limits of such zone.

(2) No person shall cause any vehicle to stand in an unloading zone except when actually engaged in loading or unloading goods.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

16. (1) No driver of any motor omnibus shall stop such motor omnibus for the purpose of taking up or setting down passengers except at a bus stop.

Stopping of buses: boarding and alighting therefrom

(2) No person shall take hold of, board, enter, climb on or alight from any motor omnibus except when such motor omnibus is stationary at a parking place designated for motor omnibuses or at a bus stop.

(3) No driver or other person in charge of a motor omnibus shall wilfully allow the said omnibus to stop at a bus stop save for the purpose of loading or unloading.

(4) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

17. (1) Traffic over tarmacadamised roads shall be confined to-

Traffic on tarmacadamised roads

(*a*) foot passengers;

(*b*) animals;

(*c*) any wheeled vehicle having other than pneumatic tyres, with a wheel loading on any wheel not exceeding 70 kilograms;

(*d*) any wheeled vehicle having pneumatic tyres:

Provided that a local authority may in respect of the area of its jurisdiction grant exemption from the provisions of this regulation.

(2) Any person who, being in charge of any traffic, permits such traffic to use any tarmacadamised road in contravention of the provisions of sub-regulation (1), shall be guilty of an offence.

(*As amended by No.* 60 *of* 1972)

18. (1) No person shall-

Prohibited driving

(*a*) drive or ride any vehicle or drive or ride any animal on any pavement;

(*b*) drive any motor vehicle along a service lane:

Provided that this paragraph shall not apply to persons driving motor vehicles for the purpose of the removal of refuse or for the purpose of delivering to or removing goods from buildings on land which adjoins a service lane, or for the purpose of maintaining essential services in the service lane, or for the purposes of parking, providing access to or from authorised parking places or areas adjacent to such lane, or gaining access to places of residence.

(2) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

Penalties

19. Any person guilty of an offence under these Regulations for which no other penalty is provided shall be liable, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

SECTION 244-THE ROADS AND ROAD TRAFFIC (PROTECTIVE HELMETS) REGULATIONS

Statutory Instrument No.
87 *of* 1973
Act No.
13 *of* 1994

Regulations by the Minister

Title and commencement

1. (1) These Regulations may be cited as the Roads and Road Traffic (Protective Helmets) Regulations.

(2) These Regulations shall come into operation on the expiration of a period of thirty days after the date on which these Regulations are published in the *Gazette*.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"prescribed helmet" means a helmet prescribed by regulation 5 of these regulations;

"side-car" includes an attachment to a motor-cycle for carriage of a passenger.

Necessity to wear protective helmet

3. (1) No person shall ride on a road on a motor-cycle or in a side-car without wearing on his head a protective helmet.

(2) Any person who contravenes this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred penalty units or to imprisonment for a term not exceeding three months.

4. Any person who sells, offers for sale, lets on hire or offers to let on hire any head-dress as a protective helmet affording protection to persons on motor-cycles or in side-cars other than a prescribed helmet shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months.

Sale of protective helmets

(*As amended by Act No.* 13 *of* 1994)

5. Any helmet which in its shape, construction or other qualities complies with one or more of the standards specified in the Schedule hereto is prescribed for the purposes of these Regulations.

Prescribed standards of helmets

SCHEDULE

THE ROADS AND ROAD TRAFFIC ACT

The Roads and Road Traffic (Protective Helmets) Regulations
(*Regulation* 5)

STANDARDS FOR PROTECTIVE HELMETS

Certification Mark	*Standard*	*Number*
British Standard	. .	2001: 1956
South African Bureau of Standards	. .	SABS 397: 1960

Central African
Standard . . Z13:1970

THE ROADS AND ROADS TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

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Regulations by the Minister

Government Notices
301 *of* 1961
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Statutory Instrument
56 *of* 1982
18 *of* 1988
13 *of* 1989
15 *of* 1991
30 *of* 1992
23 *of* 1993
11 *of* 1994
47 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Driving Instructors and Schools) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"identity card" means a document issued by the Commissioner to a road traffic inspector to establish his identity as such;

"medical certificate" means a medical certificate in the Form DSR.9 in the First Schedule.

PART II

PRESCRIBED FORMS AND FEES

Prescribed forms

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations, subject to such variations as may be necessary.

Prescribed fees

4. (1) The fees specified in the second column of the Second Schedule shall be charged in respect of the matters set out respectively opposite them in the first column of the said Schedule.

(2) In any case where an appeal to the Minister, in accordance with the provisions of section *two hundred and forty-eight* of the Act or of regulation 18 is successful, the whole of the fee paid, or such other portion as the Minister may direct, shall be refunded to the appellant.

(3) The fees hereinbefore specified shall be payable-

(*a*) in the case of an instructor's licence or a driving school licence, before the licence is issued;

(*b*) in the case of the variation of an instructor's licence or a driving school licence, before the licence is varied;

(*c*) in the case of a test of competence for an instructor's licence or the variation thereof, before the test is carried out.

(*As amended by No.* 173 *of* 1963)

PART III

INSTRUCTORS' LICENCES

Application for instructor's licence

5. An application for an instructor's licence shall be in Form DSR.1 in the First Schedule and shall be submitted to the Commissioner together with the applicant's driving licence, two certified copies of a recent photograph of the applicant and a medical certificate of recent date in Form DSR.9 in the First Schedule duly completed by a medical practitioner.

(*As amended by No.* 173 *of* 1963)

Application for variation of instructor's licence

6. An application for a variation of an instructor's licence shall be in Form DSR.2 in the First Schedule and shall be submitted to the Commissioner.

(*As amended by No.* 173 *of* 1963)

Procedure on refusal of licence or variation

7. Where an application for an instructor's licence or a variation thereof is refused by the Commissioner, or is granted subject to conditions not acceptable to the applicant, the Commissioner shall, if so requested by the applicant, state in writing the reasons for his decision.

Period of validity

8. An instructor's licence shall be valid for three years from the date of issue, unless in any particular case the Commissioner sees fit to specify a shorter period. In any such case the fee payable shall be reduced in proportion to the shorter period so specified.

(*As amended by No.* 173 *of* 1963)

Limit on further applications for instructor's licence

9. No person whose application for an instructor's licence or for a variation thereof has been refused, or whose appeal against any order of the Commissioner has been dismissed, may apply for a further instructor's licence or variation until the expiry of three months from the date of the said refusal, or, in the case of an appeal, from the date of the dismissal thereof.

(*No.* 173 *of* 1963)

PART IV

DRIVING SCHOOL LICENCES

Application for driving school licence

10. An application for a driving school licence shall be in Form DSR.4 in the First Schedule and shall be submitted to the Commissioner together with the insurance policy referred to therein.

(*As amended by No.* 173 *of* 1963)

Application for variation of driving school licence

11. An application for a variation of a driving school licence shall be in Form DSR.5 in the First Schedule and shall be submitted to the Commissioner.

(*As amended by No.* 173 *of* 1963)

Procedure on refusal of licence or variation

12. Where an application for a driving school licence or a variation thereof is refused by the Commissioner, or is granted subject to conditions not acceptable to the applicant, the Commissioner shall, if so requested by the applicant, state in writing the reasons for his decision.

Period of validity

13. A driving school licence shall be valid for a period of three years from the date of issue, unless in any particular case the Commissioner sees fit to specify a shorter period. In any such case the fee payable shall be reduced in proportion to the shorter period so specified.

(*As amended by No.* 173 *of* 1963)

Limit on further applications for driving school licence

14. No person whose application for a driving school licence or for a variation thereof has been refused, or whose appeal against any order of the Commissioner has been dismissed, may apply for a further driving school licence or variation until the expiry of three months from the date of the said refusal, or, in the case of an appeal, from the date of the dismissal thereof.

(*No.* 173 *of* 1963)

PART V

REVOCATION OF LICENCES AND VARIATION OF THEIR CONDITIONS: APPEALS

Revocation of instructor's licence or variation of conditions thereof

15. (1) The Commissioner may in respect of any instructor's licence where he is satisfied that-

(*a*) the licence holder thereof is for any reason incapable of giving proper instruction in the driving of vehicles;

(*b*) the standard or nature of instruction is unsatisfactory;

(*c*) the fees charged are excessive in relation to the instruction given or to the period of instruction given;

(*d*) any of the terms of the licence or any of the conditions subject to which it was issued has not been complied with;

revoke such licence or vary the conditions thereof.

(2) Before revoking any instructor's licence or varying the conditions thereof under the powers in sub-regulation (1), the Commissioner shall give reasonable and full opportunity to the licence holder or his representative to make representations concerning the proposed revocation or variation and shall then hear and consider any such representations.

(3) Where it comes to the knowledge of the Commissioner that the holder of any instructor's licence has been convicted of an offence against any sections of the Act specified in the Second Schedule to the Act for which cancellation with disqualification or suspension is either obligatory or permissible, he may revoke the instructor's licence of such holder.

(*As amended by No.* 173 *of* 1963)

Revocation of instructor's licence or variation of conditions thereof

16. (1) The Commissioner may in respect of any driving school licence where he is satisfied that-

(*a*) the motor vehicle used for purposes of instruction is not suitable for that purpose; or

(*b*) the fees charged are excessive in relation to the instruction given or to the period of instruction given; or

(*c*) the fees charged for accommodation or board are excessive; or

(*d*) there are too many pupils under instruction in relation to the number of vehicles or instructors available; or

(*e*) the standard or nature or duration of instruction given is unsatisfactory or insufficient; or

(*f*) the standard or nature of accommodation or board provided is unsatisfactory; or

(*g*) any of the terms of the licence or any of the conditions subject to which it was issued has not been complied with;

revoke the licence or vary the conditions thereof.

(2) Before revoking any driving school licence or varying the conditions thereof under the powers in sub-regulation (1), the Commissioner shall give reasonable and full opportunity to the licence holder or his representative to make representations concerning the proposed revocation or variation and shall then hear and consider any such representations.

(*As amended by No.* 173 *of* 1963)

Reasons for revocation or variation to be given

17. The Commissioner shall, if so requested by the holder of an instructor's licence or driving school licence which has been revoked or the conditions of which have been varied, state in writing his reasons for revoking or varying the conditions of such licence.

Appeals

18. (1) Where any person has been granted an instructor's or driving school licence containing conditions unacceptable to him, he may appeal to the Minister against the Commissioner's decision.

(2) Any holder of an instructor's licence or driving school licence aggrieved by the revocation of his licence or the variation of the conditions thereof under regulation 15 or 16 may appeal to the Minister against the Commissioner's decision.

(3) Any appeal made under section *two hundred and forty-eight* of the Act or sub-regulation (1) or (2) shall be made to the Minister in writing setting out the grounds of appeal signed by the appellant within sixty days of the decision appealed against, and the appropriate fee specified in the Second Schedule shall be sent with the written appeal together with the reasons for the Commissioner's decision.

PART VI

MISCELLANEOUS

Inspection of driving schools

19. Any road traffic inspector in uniform or who if not in uniform produces his identity card may during normal hours of tuition inspect any premises, vehicles, equipment, driving school licence, instructor's licence, records or any other place or thing used in connection with the teaching for gain of driving.

(*As amended by No.* 173 *of* 1963)

Records

20. (1) The holder of an instructor's licence shall keep, or cause to be kept, a record in Form DSR.7 in the First Schedule.

(2) The holder of a driving school licence shall keep, or cause to be kept, a record in Form DSR.8 in the First Schedule.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

FIRST SCHEDULE
(*Regulation* 3)

PRESCRIBED FORMS

FORM DSR. 1
(*Regulation* 5)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR AN INSTRUCTOR'S LICENCE

I ..... hereby apply for an instructor's licence. I certify that the particulars given below are true, that I am not addicted to the use of narcotic drugs or to the excessive use of intoxicating liquor, and that I am not disqualified from holding a driving licence.

Name .....

Address (postal) .....

Address (residential) .....

Number of previous instructor's licence held (if any) .....

Age last birthday .....

Office or place from which instruction will be conducted .....

Languages spoken .....

Give particulars of experience as a licensed motor driver .....

.....

Give details of any convictions in connection with the driving of a motor vehicle .....

.....

.....

Class(es) of vehicle for which it is desired to be an instructor .....

.....

I enclose herewith my driving licence No. .....

I enclose two identical copies of a photograph of myself taken (*say when*) .....

.....

I enclose a medical certificate in the prescribed form (Form DSR.9) dated .....

.....

.....
Applicant

Date .....

FORM DSR.2
(*Regulation* 6)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR VARIATION OF INSTRUCTOR'S LICENCE

I ..... hereby apply for my instructor's licence No. ..... to be varied as follows:

.....

.....

Applicant

Date .....

FORM DSR.3
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

INSTRUCTOR'S LICENCE No. .....

..... of .....

holder of driving licence No. ..... is hereby authorised to act as an instructor of learner drivers of motor vehicles of the classes noted below.

PHOTOGRAPH

Signature of Instructor .....

Classes of motor vehicle .....

Date of expiry .....

Date of issue .....

.....

Road Traffic Commissioner

FORM DSR.4
(Regulation 10)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR DRIVING SCHOOL LICENCE

I ..... hereby apply for a driving school licence. I certify that the particulars given below are true. I have held the following driving school licence No. .....

Date of expiry .....

Name .....

Address (postal) .....

Place where school is/is to be* established .....

Details of accommodation provided: (*a*) Residential .....

(*b*) Class rooms .....

Number of pupils .....

Is food/accommodation to be provided? .....

Give details of curriculum, including periods of instruction .....

.....

Details of vehicles to be used .....

.....

Are they available for candidates' driving tests? If so, what charges will be made for this facility? .....

Give the following information about the insurance policy/policies that cover the use of the vehicles as driving school vehicles. (Please enclose policy/policies for inspection.)

Name of Company	*No. of Policy*	*Type of Policy*	*Date of Expiry*
.....	.....	.....	.....
.....	.....	.....	.....

Give details of instructors who will be employed together with the numbers of their instructors' licences.

Name	*No. of instructor's licence*
1.	.....
2.	.....
3.	.....
4.	.....

Length of course .....

Other facilities offered .....

Fees to be charged .....

.....
Applicant

Date .....

* Delete as applicable.

FORM DSR.5
(*Regulation* 11)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR VARIATION OF DRIVING SCHOOL LICENCE

I ..... hereby apply for my driving school Licence No. ..... to be varied as follows:

.....

.....

Applicant

Date .....

FORM DSR.6
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

DRIVING SCHOOL LICENCE No. .....

..... of .....

is hereby authorised to establish/maintain a driving school in accordance with the following conditions:

Place where school is/is to be* established .....

Maximum number of students: (*a*) Boarders .....

(*b*) Day students .....

Classes of motor vehicle in which instruction may be given .....

.....

Date of expiry .....

.....

.....

Road Traffic Commissioner

Date of issue .....

* Delete as applicable.

FORM DSR.7
(*Regulation* 20 (1))

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

RECORD TO BE KEPT BY HOLDER OF INSTRUCTOR'S LICENCE

Name of instructor .....

Number of instructor's licence .....

Date	Name of person instructed	Period of instruction From To

.....
Signature

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS)

RECORD TO BE KEPT BY HOLDER OF DRIVING SCHOOL LICEN

Name of holder of driving school licence .....No. of driving school licence ...

Driving school at .....

Name of student	Date of arrival	Classes of motor vehicle in which instruction given	Period of instruction	Classes of motor vehicle in which official test taken	

.....

FORM DSR.9
(*Regulation* 2)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

MEDICAL CERTIFICATE

I CERTIFY that I .....

of ..... (*address*) have today personally

examined ..... of

(*address*) .....
an applicant for an instructor's licence, with the results noted below. I further certify that I have explained the contents of the subjoined "Declaration by Applicant" to the applicant, and that his signature/thumb impression thereto has been affixed in my presence.

(*a*) Apparent age .....

(*b*) Vision without glasses .. R. L.

With glasses (if worn) .. R. L.

(*c*) Colour perception: (1) (State whether normal by ishahara pseudoisochromatic plate test;

(2) if not, test for signal red, signal green and amber by a suitable lantern).

(1) .....

(2) .....

(*d*) Hearing .....

(*e*) Limbs (state whether unrestricted use of all limbs or otherwise) .....

.....

(*f*) Is he free from suspicion of being intemperate or addicted to drugs?

.....

(*g*) General health (state whether reactions normal, and whether free of any disease, temporary or otherwise, which would induce faintness or undue

fatigue) .....

.....

As a result of my examination I am/am not* satisfied that applicant is a medically fit person to hold an instructor's licence.

.....
Registered Medical Practitioner

Date .....

**Delete whichever is inapplicable.*

DECLARATION BY APPLICANT

I declare that I am not subject to epilepsy, and do not suffer from fits; and that my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of an instructor's licence.

I further declare that the answers to the questions put to me by the Medical Examiner are true and complete and I understand that if any statement made by me is to my knowledge false or in any material respect misleading, I am liable to a fine not exceeding seven hundred and fifty penalty units in the case of a first offence and to a fine not exceeding one thousand five hundred penalty units in the case of a second or subsequent offence.

Signed .....
Applicant

RIGHT THUMB IMPRESSION

Date .....

(*As amended by Act No.* 13 *of* 1994)

SECOND SCHEDULE
(*Regulation 4*)

PRESCRIBED FEES

	Fee units
1. Instructor's licence	300
2. Driving School licence	750
3. Test of competence for instructor's licence or variation thereof	250
4. Variation of licence	250

(*As amended by Act No.* 13 *of* 1994 *and S.I. No.* 47 *of* 1996)

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

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3. Procedure on application for certificate of fitness
4. Action by vehicle examiner
5. Evidence of existence of certificate of fitness or exemption
6. Form of licensing officer's prohibition of use of vehicle
7. Form of notice, prohibition, etc., by vehicle examiner, etc.
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CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH PART XI OF THE ACT APPLIES

10. Application
11. Prerequisite to issue of certificate of fitness
12. Spare wheel and tyre
13. Exhaust pipe and gases
14. Electric cables
15. Fire extinguishers
16. Matters to be inscribed or painted on vehicle
17. First aid kit
18. Suspension
19. Side overhang
20. Fuel tanks, carburettors, etc.
21. Body
22. Destination indicator
23. Height
24. Roof and guard rail
25. Space for goods
26. Vehicle with first and second class compartments
27. Steps and stairs
28. Number and position of entrances and exits
29. Width of entrances and exits
30. Doors
31. Emergency exits
32. Access to exits
33. Width of gangway
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35. Seats
36. Guards at windows
37. Internal lighting
38. Passengers' communication with driver
39. Ventilation and protection against rain
40. Luggage racks
41. Drivers' accommodation
42. Requirements for taxicabs, etc.

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43. Exemption for vehicles having "foreign certificates of fitness"

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SECOND SCHEDULE-Prescribed fees

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SECTION 258-THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

Regulations by the Minister

Government Notice
270 *of* 1962
Statutory Instruments
122 *of* 1965
140 *of* 1965
36 *of* 1969
63 *of* 1972
10 *of* 1991
31 *of* 1992
25 *of* 1993
14 *of* 1994
52 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Certificate of Fitness) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"crew" means the driver of a motor vehicle and, where carried, the conductor and one other person authorised by the owner or hirer, as the case may be;

"deck" means a floor or platform upon which seats are provided for the accommodation of passengers;

"double-decked vehicle" means a motor omnibus having two decks, one of which is wholly or partly above the other;

"driving school vehicle" means a motor vehicle which is used for gain for the teaching of driving;

"emergency exit" means an exit which is intended to be used only in case of emergency;

"entrance" means any aperture or space by which passengers are intended to board a vehicle;

"exit" means any aperture or space by which passengers are intended to leave a vehicle;

"gangway" means the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat or a row of seats which is required only for the use of passengers occupying that seat or that row of seats;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"passenger" does not include a member of the crew of a motor vehicle;

"single-decked vehicle" means a motor omnibus having a deck no part of which is vertically above another deck.

PART II

PROCEDURE CONCERNING ISSUE OF CERTIFICATE OF FITNESS: PRESCRIBED FORMS: APPEALS: PRESCRIBED FEES

Procedure on application for certificate of fitness

3. (1) Application for a certificate of fitness for a vehicle to which Part XI of the Act applies shall be made to a vehicle examiner. At every vehicle's first examination, the vehicle's registration book prescribed in the First Schedule to the Roads and Road Traffic (Registration and Licensing) Regulations, shall be produced.

(2) In all cases of first application, or when any material alteration other than by way of replacement of parts is made in the construction or fixed equipment of a vehicle, the applicant shall produce a certificate in Form C.F.1 in the First Schedule, duly completed and signed by the manufacturer of the chassis, or his duly authorised representative. In any case where the manufacturer of the chassis or his duly authorised representative is unable to state the net weight of the complete vehicle, a further certificate in Form C.F.2 duly completed and signed by the maker of the body, or his duly authorised representative, shall also be produced.

(3) Notwithstanding the provisions of sub-regulation (2), the production of the certificate or certificates referred to in the said sub-regulation shall not be necessary in any case where a vehicle has been weighed at a weighbridge and where evidence of the weight ascertained thereby is produced to the satisfaction of the vehicle examiner.

Action by vehicle examiner

4. (1) Every certificate of fitness shall be in Form C.F.5 in the First Schedule. In all cases of first application for a certificate of fitness, the vehicle examiner shall complete in respect of the vehicle examined a Certificate of Fitness Record Book as prescribed in Form C.F.4 in the First Schedule, which book the owner of the vehicle shall retain and produce at subsequent examinations. At subsequent examinations the vehicle examiner shall, upon issuing a certificate of fitness, enter in the Certificate of Fitness Record Book the number of the certificate of fitness issued and its expiry date. He shall sign and date each entry.

(2) The manufacturer's permitted gross weight shall be considered as the gross weight of the vehicle, and the difference between the gross and net weights shall be the weight of the load (including all passengers, the crew carried, and all goods of any description whatsoever) that may be carried:

Provided that nothing in this sub-regulation contained shall be deemed to permit the use on a road of any vehicle the laden weight of which is in excess of any weight limit duly imposed by the Director of Roads or other competent authority, nor the carrying in a public service vehicle of any load in excess of that permitted by the Commissioner under Part X of the Act.

(3) The weight of each passenger and of each member of the crew shall be deemed to be 64 kilograms.

(4) In computing the number of passengers that may be carried in any vehicle authorised to carry passengers, the vehicle examiner shall allow 380 millimetres of seat for each passenger for whom seating is provided.

(*As amended by No.* 63 *of* 1972)

Evidence of existence of certificate of fitness or exemption

5. (1) When any certificate of fitness is issued the fact shall be recorded on Form C.F.3 in the First Schedule and this record, or the certificate of fitness itself, or an entry in the Certificate of Fitness Record Book of the vehicle, made according to regulation 4 (1), shall be accepted by a licensing officer as evidence of the facts stated therein, concerning the existence of a certificate of fitness, when a motor vehicle or trailer licence is applied for as provided in section *one hundred and sixty-seven* of the Act.

(2) Where a vehicle is exempted under section *one hundred and seventy-six* of the Act from the need to hold a certificate of fitness, the Commissioner shall issue a certificate of exemption in Form C.F.6 in the First Schedule and shall make an appropriate entry in the Certificate of Fitness Record Book and either the certificate or the entry shall be accepted by a licensing officer as evidence that the vehicle has been so exempted.

Form of licensing officer's prohibition of use of vehicle

6. The prohibition by a licensing officer of the use of a vehicle or trailer as provided for in section *one hundred and seventy-one* of the Act shall be in Form C.F.7 in the First Schedule.

Form of notice, prohibition, etc., by vehicle examiner, etc.

7. (1) Any notice, prohibition, order or other direction issued by a vehicle examiner or road traffic inspector under section *seventy-five* (3), (4) or (5) or under Part XI of the Act shall be in Form C.F.8 of the First Schedule.

(2) Any order or direction issued by a police officer or by a road traffic inspector in accordance with section *two hundred and twelve* (1) (*f*) of the Act shall be in writing.

(*As amended by No.* 140 *of* 1965)

Appeals

8. (1) Any person who, in accordance with section *one hundred and seventy-three* of the Act, wishes to have his vehicle or trailer examined by a vehicle examiner other than the one who conducted the earlier examination at which defects were discovered shall set forth the grounds of his appeal in writing to the Commissioner and shall send with the appeal the prescribed fee and any documents as are relevant thereto. The Commissioner may make such inquiries as he may think necessary, and his order shall be binding upon the appellant and upon the vehicle examiner against whose decision the appeal is made.

(2) Any appeal made to the Commissioner according to section *one hundred and seventy-four* of the Act shall be in writing and shall be accompanied by the prescribed fee and such documents as are relevant to the matter under appeal. The Commissioner may make such inquiries and cause such further vehicle examinations to be made as he thinks necessary before deciding the appeal. His decision shall be binding upon the appellant and upon the vehicle examiner or road traffic inspector against whose decision, order, direction or prohibition the appeal is made.

Prescribed fees

9. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) The fee prescribed for the re-examination of a motor vehicle or trailer shall be payable only if the said vehicle or trailer is produced for re-examination by the notified date, as referred to in section *one hundred and seventy* of the Act. If the said vehicle or trailer is produced after the said date the fee prescribed for an examination shall be payable.

(3) Where the person conducting an examination or re-examination is an officer of the Government, the fee specified in the Second Schedule shall be paid into the general revenues of the Republic. Where the said person is not such an officer, such portion of the fee as the Minister may from time to time direct shall be paid to him and the remainder paid into the general revenues of the Republic. In all cases where fees are paid for an examination or re-examination a receipt shall be issued in Form C.F.3 of the First Schedule.

(4) In any case where an appeal is successful the whole of the fee paid in respect of the appeal or such portion as the Commissioner may direct shall be refunded to the appellant.

(5) No fee shall be payable for any inspection or examination carried out in exercise of the powers bestowed by section *two hundred and twelve* of the Act.

(*As amended by S.I. No.* 122 *of* 1965)

PART III

CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH PART XI OF THE ACT APPLIES

Application

10. (1) Unless the context otherwise requires and subject to any exemptions duly granted under the Act or these Regulations, the vehicles to which Part XI of the Act applies shall at all times when used on a road comply with the provisions concerning construction and equipment of the following of these Regulations:

	Vehicle	*Regulations*
(*a*)	A public service vehicle being a goods vehicle ..	12, 13, 14, 15, 16.
(*b*)	A heavy vehicle being a goods vehicle	12, 13, 14, 16.
(*c*)	A public service vehicle being a trailer	12, 14, 16.
(*d*)	A heavy trailer not being a public service vehicle	12, 14, 16.
(*e*)	A public service vehicle being a motor omnibus	12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41.
(*f*)	A heavy vehicle being a private motor omnibus ..	12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41.
(*g*)	A public service vehicle being a taxicab	12, 13, 14, 15, 16, 17, 21, 42.

(*h*)	A public service vehicle being a hire car	12, 13, 14, 15, 16, 17, 21, 42 (excluding (*d*)).
(*i*)	A contract car	12, 13, 14, 21, 42 (*a*) and (*c*).
(*j*)	A motor vehicle used for gain for the teaching of driving, and having seating accommodation for more than seven persons other than the driver	12, 13, 14, 15, 17, 18, 19, 20, 28 (1) (*c*), 28 (2), 30, 31.
(*k*)	A motor vehicle used for gain for the teaching of driving and having seating accommodation for not more than seven persons other than the driver ..	12, 13, 14, 15, 17, 42 (*a*) and (*c*).

Vehicle		*Regulations*
(*l*)	A motor vehicle used for gain for the teaching of driving being a goods vehicle	12, 13, 14, 15, 17.
(*m*)	Any vehicle to which Part XI of the Act applies not otherwise specified in this regulation	12, 13, 14.

(2) In regulations 12 to 42, the expression "vehicle to which this regulation applies" shall be construed with reference to the vehicles set forth in sub-regulation (1).

Prerequisite to issue of certificate of fitness

11. No certificate of fitness shall be issued in respect of any motor vehicle or trailer to which Part XI of the Act applies unless the said vehicle or trailer complies in all respects with such of the requirements of the Act and of any Regulations made thereunder with regard to the construction and equipment of motor vehicles and trailers as are applicable to the said motor vehicle or trailer.

Spare wheel and tyre

12. On every vehicle to which this regulation applies, there shall be carried at least one spare inflated tyre in good serviceable condition affixed to a rim, spare wheel or other device capable of being fitted quickly to a wheel or axle together with apparatus in good working order for so fitting it:

Provided that this regulation shall not apply to any motor cycle.

Exhaust pipe and gases

13. On every vehicle to which this regulation applies, the exhaust pipe shall be so placed and maintained and the flooring so constructed or covered with material that no exhaust gases are permitted to enter the vehicle, and the exhaust pipe shall be so fitted or shielded that no inflammable material is likely to fall or be thrown upon it from any other part of the vehicle and so that it is not likely to cause a fire through proximity to any inflammable material on the vehicle.

Electric cables

14. All electrical leads and cables on every vehicle to which this regulation applies shall be adequately insulated, and, where liable to be affected by exposure to water, petrol or oil, adequately protected.

Fire extinguishers

15. (1) Vehicles to which this regulation applies shall be equipped with fire extinguishers as follows:

(*a*)	a motor vehicle used for gain for the teaching of driving not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not	1
(*b*)	a public service vehicle authorised to carry not more than twelve passengers	1
(*c*)	a heavy vehicle being a private motor omnibus	2
(*d*)	a public service vehicle authorised to carry more than twelve passengers	.2
(*e*)	a public service vehicle being a goods vehicle	1

(2) Each fire extinguisher must be of a type approved by a vehicle examiner as suitable for use on petrol and oil fires, and maintained in proper order and condition. The capacity of each shall not be less than 1 litre, or its approximate equivalent in weight, and each shall be carried in a bracket or other suitable holder in a position on the vehicle as approved by a vehicle examiner so as to be readily available for use at any time.

(*As amended by No.* 63 *of* 1972)

Matters to be inscribed or painted on vehicle

16. On every vehicle to which this regulation applies, there shall be inscribed or painted on the near side of the outside of the vehicle in letters and figures at least 35 millimetres high the name and residential or business address of the registered owner, its gross weight, net weight, the weight of its load (including all passengers, crew and goods) and in the case of a vehicle authorised to carry passengers, the number of passengers that may be carried:

Provided that if the vehicle is used other than occasionally or temporarily by a person who is not the registered owner, that person's name and address may be inscribed or painted on the vehicle in addition to the registered owner's.

First aid kit

17. (1) Every vehicle to which this regulation applies not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not, shall be equipped with the appropriate first aid kit as specified in the Third Schedule.

(2) Every first aid kit shall be contained in a container so designed or adapted that it can be hung up or carried.

(3) The contents of every first aid kit shall be maintained in a clean and hygienic condition.

(4) When a vehicle to which this regulation applies is in use on a road, there shall be displayed conspicuously in the interior thereof a notice indicating where the first aid kit is located, unless the kit itself is so displayed.

Suspension

18. Every vehicle to which this regulation applies shall be equipped with an efficient suspension system so designed and constructed that, in the opinion of a vehicle examiner, no dangerous body sway is likely to occur when the vehicle is in use.

Side overhang

19. (1) No part included within the overall width of a vehicle to which this regulation applies shall project laterally more than 150 millimetres beyond the outer face of the outer tyre on the rearmost wheel on the same side of the said vehicle:

Provided that in the case of a motor omnibus with a seating capacity for not more than twelve passengers, this regulation shall have effect as if "180 millimetres" were substituted for "150 millimetres".

(2) For the purposes of this regulation, "overall width" shall include all fittings other than any outside rear view mirror and the arm of any direction indicator, provided that such arm when not in use does not project beyond the mirror.

(*As amended by No.* 63 *of* 1972)

Fuel tanks, carburettors, etc.

20. (1) No part of any fuel tank in any vehicle to which this regulation applies shall be placed immediately under any entrance or exit, and no filling point for such a tank shall be under or immediately adjacent to any entrance or exit.

(2) No part of any fuel tank or apparatus intended to contain fuel shall be placed in the compartments or other spaces provided for the accommodation of the driver or passengers.

(3) All fuel tanks and all apparatus intended to supply fuel to the engine shall be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any woodwork or upon any part or fitting where it is capable of readily being ignited or can fall into any receptacle where it might accumulate.

(4) The filling points for all fuel tanks shall only be accessible from the outside of the vehicle and filler caps shall be so designed and constructed that they cannot be dislodged by accidental operation. The vent hole, if any, shall be protected from danger of penetration by fire and shall be so designed as to prevent fuel from being splashed over.

(5) A device shall be provided by means of which the supply of fuel to any carburettor can readily be cut off and the following requirement shall be complied with in respect thereof:

(*a*) the means of operation shall at all times be readily accessible and visible from the outside of the vehicle; and

(*b*) the "off" position of the means of operation thereof shall be clearly marked on the outside of the vehicle.

Body

21. The body of every vehicle to which this regulation applies shall be securely affixed to the chassis. Every such vehicle including all body work, upholstery and fittings shall, in the opinion of a vehicle examiner, be soundly and properly constructed of suitable materials, well finished and in good and serviceable condition and of such design as to be capable of withstanding the loads and stresses likely to be met with in operation.

Destination indicator

22. Every vehicle to which this regulation applies shall be equipped at the front and rear with a device whereon the destination of the said vehicle may be displayed.

Height

23. Notwithstanding the provisions of regulation 11 of the Roads and Road Traffic (Construction, Equipment and Use) Regulations, the maximum overall height of every single-decked vehicle to which this regulation applies, measured from the ground to the highest point of the roof immediately over the rear axle, and excluding any structure for carrying luggage, shall not exceed 3,200 millimetres.

(*As amended by No.* 63 *of* 1972)

Roof and guard rail

24. (1) Every vehicle to which this regulation applies shall be fitted with a rainproof roof of rigid material and construction.

(2) No goods shall be carried on the roof of any vehicle to which this regulation applies unless the roof is provided with guard rails on all sides not less than 230 millimetres high and placed not nearer to the side of the body than 230 millimetres.

(*As amended by No.* 63 *of* 1972)

Space for goods

25. (1) In the case of any vehicle to which this regulation applies which is authorised to carry goods as well as passengers, a guard rail on the roof, or a space inside the vehicle, shall be provided for the carriage of such goods.

(2) If a space as prescribed in sub-regulation (1) is provided, it shall be a separate compartment of permanent construction with no direct communication with the passenger compartment or compartments:

Provided that a door that effectively closes the entrance to the goods compartment, and that is locked, shall not be regarded as providing direct communication between the goods and passenger compartments.

Vehicle with first and second class compartments

26. In the cause of a vehicle to which this regulation applies which is equipped with first and second class compartments, the compartments shall be divided by a solid partition which may be broken by the gangway of the said vehicle. Each compartment shall have its own entrance and emergency exit, save that where all seats are placed crosswise in relation to the vehicle, any door fitted in the partition in line with the gangway may be considered as an emergency exit for the front compartment. Such door shall have a clear width of not less than 535 millimetres, and a clear height of not less than 1,775 millimetres, provided that where the height of the inside of the vehicle is 1,775 millimetres or less the said door shall be as nearly as practicable the full height of the inside of the vehicle at the centre line of the gangway. The said door shall be hinged and shall open into the rear compartment. The locks and catches shall be in safe and efficient working order and capable of easily being operated from both sides by passengers without assistance from the driver or conductor, and without the use of a detachable key.

(*As amended by No.* 63 *of* 1972)

Steps and stairs

27. (1) In every vehicle to which this regulation applies, a step or steps shall be provided at the passenger entrances and exits, other than the emergency exit.

(2) When the vehicle is empty the lowest step shall not be more than 430 millimetres nor less than 250 millimetres from the ground.

(3) All steps, other than the steps of a spiral staircase leading to the upper deck of a double-decked vehicle, shall be at least 405 millimetres wide and 205 millimetres in depth and the riser between steps shall not be more than 230 millimetres:

Provided that steps not less than 230 millimetres in depth may be constructed to have a riser of 265 millimetres.

(4) No portion of a step shall be vertically above the step below it except the portion that may be necessary efficiently to secure the riser which portion shall not exceed 25 millimetres in width.

(5) The riser between the steps shall be closed.

(6) All steps shall be fitted with treads designed to minimise the risk of slipping.

(7) In the case of a double-decked vehicle to which this regulation applies, the steps of a spiral staircase leading to the upper deck may be less than 205 millimetres in depth, provided that the depth at the middle of each step, fixed by measurement along its front edge, shall not be less than 205 millimetres.

(*As amended by No.* 63 *of* 1972)

Number and position of entrances and exits

28. (1) The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

(*a*) a single-decked vehicle and the lower deck of a double-decked vehicle shall be provided with not less than two exits (one of which may be an emergency exit) which shall not all be situated on the same side of the vehicle;

(*b*) where access is obtained to the upper deck of a double-decked vehicle by means of an enclosed staircase, an emergency exit which need not be provided with a staircase and shall not be on the near side of the said vehicle shall be provided on the upper deck;

(*c*) every entrance of every vehicle shall be on the near side;

(*d*) (i) in the case of a single-decked vehicle there shall be fitted on one side of each entrance or exit, other than an emergency exit, a hand rail that is parallel to the rise of the steps and not less than 760 millimetres vertically above the outer edges of the steps, and on the opposite side of such entrance or exit a vertical hand rail placed towards the outside of the body:

Provided that in the case of a vehicle with seating capacity for not more than twelve passengers or when the doors open inwards, and it is not possible to fit one or other of the hand rails prescribed in this paragraph, hand rails shall be fitted to provide adequate assistance to passengers entering or leaving the vehicle;

(ii) in the case of a double-decked vehicle where the same entrance is used for access to both decks, suitable and sufficient hand rails shall be provided on the sides of the entrance;

(iii) the hand rails mentioned in the last two preceding paragraphs shall not be less than 22 millimetres in diameter and not less than 50 millimetres from the body side. Additional hand rails or grips may be provided for the safety and convenience of the passengers.

(2) It shall be sufficient compliance with paragraphs (*a*) and (*c*) of sub-regulation (1) if-

(*a*) in the case of a double-decked vehicle provided with a rear platform, that platform communicates with the lower deck by means of a doorless opening and has a doorless opening on the near side of the vehicle continuous with one at the rear serving together as a means of both entrance and exit to the vehicle; and

(*b*) in the case of a vehicle with a seating capacity for not more than twelve passengers, one means of exit and entrance is provided which is behind the rear wheels but not on the off side.

(*As amended by No.* 63 *of* 1972)

Width of entrances and exits

29. On every vehicle to which this regulation applies every entrance and exit, other than an emergency exit, shall have a clear width of not less than 535 millimetres between the hand rail parallel to the rise of the steps and the vertical hand rail, as prescribed in regulation 28 (1) (*d*):

Provided that-

(i) where in accordance with the provisions of regulation 28 (2) (*a*) one exit only is provided, the width of such exit measured along the rear of the vehicle may be less than 535 millimetres but not less than 455 millimetres if the width of the exit to the side of the said vehicle is not less than 535 millimetres;

(ii) where the same entrance is used for both the upper and the lower deck of a double-decked vehicle, no part of the entrance measured along the near side of the said vehicle shall be less than 910 millimetres in width. For the purpose of this proviso, any stanchion may be disregarded.

(*As amended by No.* 63 *of* 1972)

Doors

30. (1) Except in the case of a vehicle with a seating capacity for not more than twelve passengers, every entrance or exit door of every vehicle to which this regulation applies shall have a clear height of not less than 1,830 millimetres measured vertically from the front edge of the lowest entrance step, and, subject to the provisions of this regulation, the following conditions relating to doors shall be complied with by every such vehicle:

(*a*) every entrance and exit door shall be capable of readily being opened from inside and outside the vehicle by one operation of the locking mechanism;

(*b*) the device provided outside the vehicle for operating the locking mechanism of a door (not being an emergency exit on the upper deck of a double-decked vehicle) shall be easily accessible to persons of normal height standing at ground level outside the vehicle;

(*c*) means shall be provided for holding every entrance and exit door securely in the closed position;

(*d*) all locks and fastenings fitted to entrance and exit doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally;

(*e*) where any entrances are provided with doors which are intended to remain open when the vehicle is in motion, suitable fastenings shall be provided to hold such doors securely in the open position;

(*f*) every sliding door and every folding door fitted to an entrance or exit shall be provided with suitable fastenings to prevent it from being closed by the movement of the vehicle;

(*g*) all doors shall open so as not to obstruct clear access to any entrance or exit either from inside or from outside the vehicle;

(*h*) in the case of any door which is operated by power, a means by which the door may be opened shall be provided inside the vehicle on or adjacent to the door, and its position shall be clearly marked. The storage and transmission systems of such power shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle. The apparatus shall be so designed and constructed that in the event of the system becoming inoperative, the door shall be capable of being operated manually from both inside and outside the vehicle.

(2) A vehicle shall not be deemed to fail to comply with sub-regulation (1) (*a*) by reason only of the fact that, for the purpose of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if such lock is so designed and constructed that the door can at all times be opened by a person inside the vehicle by one operation of the ordinary locking mechanism.

(*As amended by No.* 63 *of* 1972)

Emergency exits

31. (1) Every passenger compartment on each deck of every vehicle to which this regulation applies shall have an emergency exit at the opposite end of the vehicle from the passenger entrance thereof. Such emergency exit may be at the front, off side or rear of the vehicle and may consist of either-

(*a*) a door or panel which shall be hinged at the side or bottom, and shall open outwards; or

(*b*) heat treated safety glass (also known as toughened or tempered safety glass)-that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.

(2) The following requirements shall be complied with in the case of every emergency exit:

(*a*) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;

(*b*) in the case of a door or panel it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the detachable key;

(*c*) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;

(*d*) it shall be clearly marked as such inside and outside the vehicle, and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;

(*e*) it shall be easily accessible to passengers and, save in the case of emergency exits fitted to the upper deck of a double-decked vehicle or of a motor vehicle used for gain for the teaching of driving and having accommodation for more than seven persons other than the driver, it shall be easily accessible to persons of normal height standing on the ground outside the vehicle;

(*f*) it shall not be fitted with any system of power operation for opening the door or the panel thereof;

(*g*) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area, no side of which shall be less than 455 millimetres in length.

(*As amended by No.* 63 *of* 1972)

Access to exits

32. The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

(*a*) in every such vehicle there shall be unobstructed access from every seat to at least two exits or to one exit where one exit only is required by these Regulations:

Provided that this condition shall not apply in the case of any seats beside the driver's seat, if there is access to such seats by an entrance other than the driver's entrance;

(*b*) no seats shall be fitted to any door of any vehicle.

Width of gangway

33. (1) (*a*) (i) In every vehicle to which this regulation applies, the gangway shall not be less than 405 millimetres wide below seat level, 355 millimetres wide at seat level and 405 millimetres wide above 760 millimetres from the floor. Any vertical roof supports other than any support attached to the screen or guard prescribed by regulation 35 (6) shall be placed at least 355 millimetres from the centre lines of the gangway.

(ii) In the case of a double-decked vehicle, the distance from the nearest point of the topmost riser to a vertical line passing through the rearmost point of any seat forward of such nearest point and excluding any hand rail that does not project more than 75 millimetres from the seat shall not be less than 660 millimetres.

(iii) In the case of a vehicle with a seating capacity for not more than twelve passengers, any gangway shall not be less than 305 millimetres wide up to 760 millimetres from the floor.

(*b*) A vertical line projected upwards from the centre line of any gangway at deck level shall, to the height prescribed in regulation 34 as the height of that gangway, be laterally not less than 155 millimetres from any part of the vehicle other than the roof over the gangway.

(*c*) No part of any gangway which serves as a joint means of access from any entrance to both the upper and the lower deck of a double-decked vehicle shall be less than 915 millimetres in width.

(2) For the purposes of this regulation, when any space in front of a seat is required for the accommodation of seated passengers, the space within 230 millimetres of the seat shall not be taken into account in measuring the width of a gangway.

(3) In the case of a vehicle with a seating capacity for not more than twelve passengers, sub-regulation (2) shall not apply.

(*As amended by No.* 63 *of* 1972)

Head room

34. In every vehicle to which this regulation applies, the head room clearance between the floor and the lower edge of any hoop sticks supporting the ceiling and between the floor and the ceiling shall be not less than the following dimensions:

(*a*) in every place where the carriage of standing passengers is authorised, not less than 1,775 millimetres;

(*b*) along the longitudinal line of a gangway where the carriage of standing passengers is not authorised, not less than 1,675 millimetres, provided that, in a vehicle with a seating capacity for not more than twelve passengers, the head room clearance shall be not less than 1,425 millimetres except for a horizontal distance of 305 millimetres measured along the middle line of the gangway from each entrance or exit along which distance the clear height shall be not less than 1,220 millimetres.

(*As amended by No.* 63 *of* 1972)

Seats

35. (1) The supports of all seats in a vehicle to which this regulation applies shall be securely fixed in position.

(2) (*a*) At least 380 millimetres measured in a straight line lengthwise along the front of each seat shall be allowed for each passenger:

Provided that, in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, the seat shall be measured for the purposes of this paragraph as though it was not fitted with arms if the arms are so constructed that they can be folded back or otherwise put out of use.

(*b*) The depth (i.e. distance from the backrest to the front of the seat) of each seat shall not be less than 355 millimetres.

(3) Passenger seats shall be so fitted that-

(*a*) the distance between any part of the backrest of any seat placed lengthwise and the corresponding part of the backrest of the seat facing it shall not be less than 1,370 millimetres;

(*b*) there is a clear space of at least 610 millimetres in front of the backrest of any seat measured horizontally at the centre of each complete length of at least 380 millimetres provided for each passenger in accordance with sub-regulation (2) and 205 millimetres in front of any part of such seat.

(4) There shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it.

(5) For the purposes of this regulation, "backrest" includes any part of the vehicle which is available for seated passengers to lean against.

(6) Where any seat is so placed that a passenger seated upon it is liable to be thrown through any exit or entrance or down a stairway, an effective screen or guard shall be placed so as to provide protection for any passenger occupying that seat.

(7) The shortest distance between the edge of any step well and a vertical plane passing through the front edge of a seat shall not be less than 330 millimetres.

(8) All seats shall be so placed and arranged as to afford all passengers reasonable comfort and convenience and so as to give convenient access to all seats, and adequate foot space in front of each seat. All seats shall be free from sharp corners, angles, protrusions or anything that is likely to cause damage to persons or property. No seat shall be placed in such a position as to obstruct any person entering or leaving a vehicle.

(9) Seats in a first class compartment shall be properly upholstered with spring or resilient seats, and with backrests padded. Seats and backrests in a second class compartment, unless complying with the requirements for seats in a first class compartment, shall be padded.

(*As amended by No.* 63 *of* 1972)

Guards at windows

36. In every vehicle to which this regulation applies-

(*a*) where windows open downwards to the waist rail, or by sliding the pane horizontally or where no glass is fitted, guards shall be fitted above the waist rail sufficient to prevent passengers sitting with their elbows out of the windows;

(*b*) there shall be fitted at least one window on either side of the vehicle, situated approximately centrally in the passenger compartment, so constructed as to make unnecessary the fitting of guards as prescribed by this regulation, and at such windows no guards shall be fitted.

Internal lighting

37. (1) Every vehicle to which this regulation applies shall be fitted on each deck with an efficient internal lighting system with at least one light for every 1,220 millimetres or part thereof of the length of the interior.

(2) At least one light shall be provided as near as is practicable to the top of every staircase leading to an upper deck.

(3) Adequate lighting shall be providing to eliminate any step or platform forming part of any entrance or exit other than an emergency exit.

(*As amended by No.* 63 *of* 1972)

Passengers' communication with driver

38. Every vehicle to which this regulation applies, other than a motor omnibus with a seating capacity for not more than twelve passengers, shall be fitted with an efficient bell or other means to enable passengers on any deck to signal to the driver.

Ventilation and protection against rain

39. In every vehicle to which this regulation applies, there shall be for the comfort of both passengers and driver adequate protection against rain and adequate ventilation without the necessity for opening any main window or windscreen.

Luggage racks

40. Luggage racks in every vehicle to which this regulation applies shall be so designed and constructed that there is no likelihood that any article thereon which may become dislodged whilst the vehicle is in motion would fall on the driver or interfere with his control of the said vehicle.

Driver's accommodation

41. Every vehicle to which this regulation applies shall comply with the following conditions in respect of the driver's accommodation:

(*a*) it shall be so designed that the driver can easily reach and quickly operate the controls;

(*b*) the controls shall be so placed as to allow reasonable access to the driver's seat;

(*c*) means shall be provided where necessary to prevent light from the interior of the vehicle from incommoding the driver. The means so provided in respect of any window on the off side of the centre line of the vehicle shall be capable of being operated by the driver when occupying his seat;

(*d*) direct and reasonable access shall be provided to the driver's seat;

(*e*) where there is a separate and enclosed compartment for the driver and access to the driver's seat is from the off side of the vehicle, an emergency escape window which shall be easily accessible to the driver and shall have a clear opening of not less than 530 millimetres by 450 millimetres shall be provided which shall not be on the off side of the compartment;

(*f*) there shall not be any seat directly to the right of the driver's seat;

(*g*) where the driver's seat is continuous with a seat for passengers on the left-hand side of the driver, a space of at least 455 millimetres from the centre of the steering column to the left thereof shall be reserved for the driver and shall be divided off from such passengers by means of a partition at least 230 millimetres high from seat level and extending for the whole depth of the seat.

(*As amended by No.* 63 *of* 1972)

42. Every vehicle to which this regulation applies shall comply with the following provisions: Requirements for taxicabs, etc.

(*a*) (1) A door or doors for the entrance and exit of passengers shall be provided on the near side, which doors shall be capable of readily being opened from inside or outside the vehicle by one operation of the locking mechanism. Means shall be provided for holding every door securely in the closed position. All locks and fastenings fitted to doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally.

(2) An emergency exit shall be provided in the off side or rear of the vehicle and may consist of either-

(i) a door or panel which shall open outwards; or

(ii) heat treated safety glass (also known as toughened or tempered safety glass)-that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.

(3) The following requirements shall be complied with in the case of every emergency exit:

(i) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;

(ii) in the case of a door or panel, it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the detachable key;

(iii) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;

(iv) it shall be clearly marked as such inside and outside the vehicle and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;

(v) it shall be easily accessible to passengers and to persons of normal height standing on the ground outside the vehicle;

(vi) it shall not be fitted with any system of power operation for opening the door or the panel thereof;

(vii) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area no side of which shall be less than 455 millimetres in length;

(viii) for the purposes of this paragraph, a door fitted to the off side of a vehicle, other than the door giving direct access to the driver's seat which conforms to paragraph (*a*) (1), shall be deemed to be an emergency exit.

(*b*) A roof or hood shall be provided to the satisfaction of a vehicle examiner.

(*c*) There shall be adequate ventilation for the comfort of the passengers without the necessity for opening any main window or windscreen.

(*d*) On every taxicab a taximeter in good working order shall be fitted. For the purposes of this paragraph, "taximeter" means an appliance for measuring the time or distance for which a taxicab is used, or for measuring both time and distance, and for indicating the fare chargeable in respect of both such time and distance.

(*e*) In every taxicab and hire car, other than one to which the provisions of paragraph (*a*) (3) (viii) apply, a small hand axe shall be carried in such a position as to be readily available for use at any time. The weight of the axe shall not be less than 0.91 kilograms.

(*f*) On every taxicab there shall be displayed at the front of its roof, or in the case of a taxicab equipped with a hood only, on the top of the windscreen, above the centre of the windscreen and at right-angles to the longitudinal axis of the vehicle, a sign, illuminated by an interior light at night and bearing the word "TAXI" clearly discernible from the front of the taxicab and showing up white both during the day and, when illuminated, during the night. The size and spacing of the letters constituting the word "TAXI" shall be the same as laid down in regulations 10 and 11 of the Roads and Road Traffic (Registration and Licensing) Regulations in respect of letters of registration mark on the plate.

(*As amended by No.* 140 *of* 1965
and No. 36 *of* 1969 *and S.I. No.* 23 *of* 1974)

PART IV

EXEMPTIONS

Exemption for vehicles having "foreign certificates of fitness"

43. (1) Any motor vehicle or trailer registered, licensed and ordinarily kept in any Province of the Republic of South Africa, in Southern Rhodesia, Malawi, Tanzania or Kenya or such other territory as may be notified from time to time by the Minister by statutory notice, in respect of which a valid certificate of fitness, hereinafter in this regulation referred to as a "foreign certificate of fitness", duly issued in such territory is held, is hereby exempted from the need for a certificate of fitness issued under the Act for the period of the validity of the foreign certificate of fitness held.

(2) The onus of proof of the existence of a valid foreign certificate of fitness as referred to in sub-regulation (1) shall lie upon the user of the said vehicle.

(3) It shall be sufficient compliance with these Regulations in so far as they concern the construction and equipment of motor vehicles and trailers if, in the case of motor vehicles and trailers referred to in sub-regulation (1), they comply with the requirements concerning construction and equipment in force in the territory in which they are registered, licensed and ordinarily kept and in which the valid foreign certificate of fitness was issued.

Exemptions by Commissioner

44. Subject to such conditions as he may deem fit to impose for the safety of members of the public or for any other reason, the Commissioner may grant exemptions in writing either generally or particularly in whole or in part for such periods as he may specify from any of the provisions of Part III.

FIRST SCHEDULE

PRESCRIBED FORMS

FORM C.F.1
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF CHASSIS MANUFACTURER OR REPRESENTATIVE

To the Vehicle Examiner at .....

I, ... as duly authorised representative of ..... (manufacturer) hereby certify that vehicle (insert registration mark of vehicle) ..... is constructed, warranted and guaranteed by the manufacturer in accordance with the following particulars:

1. Make and type .....
2. Year of manufacture .....
3. Weight of chassis and cab ..... (kg.)
4. Net weight (of complete vehicle) ..... (kg.)
5. Manufacturer's permitted gross weight of vehicle ..... (kg.)

Date .....

Signature .....

Address .....

.....

NOTE.-Where the chassis manufacturer or his representative is unable to furnish the particulars for item No. 4 in the above certificate, an additional certificate in Form C.F.2 must be completed by the person or firm who constructed the body, or his representative.

FORM C.F.2
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF BODYBUILDER (OR HIS REPRESENTATIVE)
OF A MOTOR VEHICLE OR TRAILER

To the Vehicle Examiner at .....

Registered Number of Motor Vehicle/Trailer .....

I certify that the body of the above vehicle was constructed by (name of firm) .....

.....

and that the following particulars in respect of the said body are correct:

1. Type of body .....
2. Weight of body ..... (kg.)

Date .....

.....
Signature

.....
Status

Address .....

.....

FORM C.F.3
(*Regulation* 9)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

COMBINED RECEIPT AND EXAMINER'S REPORT

No .....

Received from .....

the sum of kwacha (in words) .....

ngwee (in words) .....

(in figures) K
on account of

the.....*examination
of motor vehicle/trailer of the following registration
.....re-examination

mark .....

In the case of a re-examination quote the number of the Form C.F.3 issued after the examination at which this re-examination was ordered.

Date ....
Vehicle Examiner

EXAMINER'S REPORT

(Delete as applicable)

A. *The above motor vehicle/trailer was examined at the request of the licensing officer/police according to section 75 or 212 (1) (*f*) of the Act and was found fit/unfit. (Delete and initial.)

*No fee was charged because the examination was either an initial one according to section 75 (2) of the Act and no defects were discovered, or an initial one pursuant to a prohibition under section 212 (1) (*f*).

B. *The above motor vehicle/trailer was examined at the request of the licensing officer according to section 171 of the Act.

*No defects were discovered, and accordingly no fee was charged.

*The vehicle was found unfit.

C. *The examination was for a certificate of fitness.

*The motor vehicle/trailer was found unfit.

*The motor vehicle/trailer was found fit, and certificate of fitness No. .....

valid until was issued.

D. *The motor vehicle/trailer is to be produced for re-examination to .....

on or before (notified date) .....

Date ....
Vehicle Examiner

* Delete as applicable.

Original-To vehicle owner.
Duplicate-To Road Traffic Commissioner.
Triplicate-Remains in book.

(*As amended by No.* 140 *of* 1965)

FORM C.F.4
(*Regulation* 4)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF FITNESS RECORD BOOK

Details of Vehicle

Registration Mark ..... No .....

PSV/HV/HT/CC/DSV ..... Registration Mark .....

Owner ..... Address .....

.....

Make ..... Eng. No ..... Ch. No .....

Net Wt ..... Gross Wt ..... Auth. Load .....

Passengers ..... Seated ..... Standing .....

Length..... Width ..... Height .....

W/Base..... O/Hang .....

Axle loading and tyre sizes:

....

....

Record of Certificates of Fitness Issued

C. of F. No.	Expiring	Name of Examiner	Signature and Date

Record of Exemptions Granted

.....

.....

.....

.....

FORM C.F.5
(*Regulation* 4)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF FITNESS

No .....

Registration Mark of Vehicle .....

Certified that the above vehicle has this day been examined by me and has been found in all respects fit for the purpose for which it is to be used and to comply with the provisions of the Roads and Road Traffic Act and of the regulations made thereunder in respect of fitness, construction and equipment.

The following limits may not be exceeded:

Gross weight ..... Net weight ..... 500 grams

Weight of goods that may be carried ..... 500 grams

Weight of other load (passengers and crew) that may be carried ..... 500 grams

Maximum number of passengers .....

Date of expiry .....

Place ..... Date .....

.....

Vehicle Examiner

FORM C.F.6
(*Regulation* 5)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

No .....

CERTIFICATE OF EXEMPTION FROM NEED TO HOLD
CERTIFICATE OF FITNESS

This is to certify that motor vehicle / trailer No .....

has been exempted from the need to hold a certificate of fitness unti .....

..... so long as the following conditions are complied with:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Road Traffic Commissioner

Date .....

Place .....

FORM C.F.7
(*Regulation* 6)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

NOTICE BY LICENSING OFFICER PROHIBITING USE OF VEHICLE UNDER SECTION 171 OF THE ROADS AND ROAD TRAFFIC ACT

No .....

To (Name) .....

Address .....

.....

Registration Mark of Vehicle .....

Make .....

Please note that the vehicle bearing the registration mark quoted above was not produced for examination by the vehicle examiner at ..... on the ..... day of .....,19 ..... at ..... .o'clock as ordered by ..... on the ..... day of .....,19 .....

You are hereby prohibited from using the said vehicle on any road until it has been produced for examination by the vehicle examiner at .....

.....

This prohibition does not apply to the use of the said vehicle on a road solely for the purpose of going to the vehicle examiner.

Place

Date ....

Licensing Officer

NOTE.-A copy of this notice has been forwarded to the police.

FORM C.F.8
(*Regulation* 7)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

DEFECTS LIST/ORDER PROHIBITING THE USE OF MOTOR VEHICLE OR TRAILER

No .....

To .....

.....

.....

Registration Mark of Vehicle ..... Make .....

The above vehicle was examined/inspected by me at .....

or between ..... and .....

on ..... (date) and the following defects were found:

.....

.....

.....

.....

.....

.....

.....

.....

In consequence of the above I hereby order as follows:

1. Please have the above defects remedied and produce the vehicle to

..... at .....

on ..... (notified date) for re-examination.

*2. The use of the above vehicle on a road is prohibited until the above defects have been remedied to the satisfaction of the aforesaid examiner.

*3. Despite the above prohibition the vehicle may be used on a road for

the purposes of being taken to ..... on or

before ..... for the purpose of having the above defects remedied and may be used on a road for the purpose of bringing the vehicle to the place specified in 1 above for re-examination.

A copy of this order has been sent to the police.

Date ....

Road Traffic Inspector
Vehicle Examiner

* Delete as applicable.

NOTE.-In lieu of an order prohibiting the use of a vehicle or trailer a road traffic inspector or a vehicle examiner may issue such directions restricting the use of the vehicle or trailer as he may think necessary. This should be done overleaf.

SECOND SCHEDULE
(*Regulation* 4)

PRESCRIBED FEES

	Fee units
1. Examination of motor vehicle	120
2. Examination of trailer	120
3. Re-examination of motor vehicle	120
4. Re-examination of trailer	120
5. Duplicate of any document prescribed in these Regulations	60
6. Appeals to the Commissioner	200

NOTES:
(1) No fee is payable for an examination under section 171 of the Act if no defect is discovered, nor for examination under section 172.
(2) Refer to Regulation 9 for detailed provisions.

(*As amended by S.I. No.* 14 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 52 *of* 1996)

THIRD SCHEDULE
(*Regulation* 17)

FIRST AID KITS

LIST A

First aid kit required on-

a public service vehicle being a motor omnibus; a heavy vehicle being a private motor omnibus:

12 triangular bandages.
12 small wound dressings.
12 medium wound dressings.
12 large wound dressings.
1 packet of safety pins.
1 pair of scissors.
1 set of splints in sections.
1 pair of tweezers.
12 x 30 g. cotton wool.

LIST B

First aid kit required on-

a public service vehicle being a taxicab; a public service vehicle being a hire car; a motor vehicle used for gain for the teaching of driving:

4 triangular bandages.
4 small wound dressings.
4 medium wound dressings.
4 large wound dressings.
4 x 30 g. cotton wool.
1 packet of safety pins.
1 pair of scissors.
1 pair of tweezers.

(*As amended by No.* 63 *of* 1972)

SECTION 258-THE ROADS AND ROAD TRAFFIC
(BUS AND TAXICAB DRIVERS UNIFORM) REGULATIONS

Regulations by the Minister

Statutory Instrument
79 *of* 1982
88 *of* 1990
Act No.
13 *of* 1994

Title and commencement

1. (1) These Regulations may be cited as the Roads and Road Traffic (Bus and Taxicab Drivers Uniform) Regulations.

Application

(2) These Regulations shall come into effect on the expiration of a period of thirty days after the date on which they are published in the *Gazette*.

2. These Regulations shall apply to-

(*a*) members of the United Transport and Taxi Association;

(*c*) employees of Zambia Tours and Lodges Company Limited.

(*d*) Road Passenger Transporters Co-operative Society Limited;

(*e*) employees of the Post Bus for the Posts and Telecommunications Corporation Limited;

(*f*) employees of the Mulungushi Traveller Buses for the Zambia Consolidated Copper Mines Limited.

Approval of uniforms

3. Each organisation to which these Regulations apply shall recommend for the approval of the Road Traffic Commissioner uniforms to be worn by the drivers of its buses or taxicabs as the case may be.

Wearing of uniforms

4. Every driver to whom these Regulations apply shall, unless exempted under regulation 5, while driving a bus or a taxicab, wear the appropriate uniform as approved by the Road Traffic Commissioner.

Exemptions

5. The Road Traffic Commissioner may exempt any organisation to which these regulations apply or any driver for any such organisation for such period as he may consider reasonable having regard to the availability of the uniforms and public interest.

Offences

6. Any person who contravenes the provisions of Regulation 4 shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one hundred and twenty five penalty units or imprisonment not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

THE ROADS AND ROAD TRAFFIC (CONSTRUCTION,
EQUIPMENT AND USE) REGULATIONS

ARRANGEMENT OF REGULATIONS

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2. Application
3. Interpretation
4. Construction vehicle and nature of construction machinery: construction trailer.

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APPLICABLE ONLY TO CERTAIN MOTOR VEHICLES REGISTERED BEFORE 1ST JULY, 1952

5. Brakes and braking system
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PART III

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23. Brakes: general requirements
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SECTION 258-THE ROADS AND ROAD TRAFFIC
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103 *of* 1994
1 *of* 1995
40 *of* 1995
102 *of* 1995
68 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Construction, Equipment and Use) Regulations. Title

2. (1) Part II shall apply only to such motor vehicles as were registered in this or any other territory before the 1st July, 1952, and are not construction vehicles, invalid carriages, motor cycles or vehicles to which Part XI of the Act applies. Application

(2) Regulations 19, 20, 21 (3), 21 (4), 23, 24, 34 (1), 34 (2), 34 (4), 34 (5), 34 (7), 34 (8), 34 (9), 41 (1) (*c*) (i), 41 (1) (*c*) (ii), 41 (1) (*g*), 43, 47 (1) and 47 (2) shall not apply to any motor vehicle to which Part II applies.

3. In these Regulations, unless the context otherwise requires- Interpretation

"Army Commander" has the meaning assigned to it by the Defence Act; Cap. 106

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"Defence Force vehicle" means a vehicle, including a trailer, which belongs to or is under the control of the Army;

"double-decked motor vehicle" means a motor vehicle having two decks one of which is wholly or partly above the other;

"farm implement" means any implement or machinery used in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations that is not constructed or adapted for the conveyance of goods or burden of any description;

"farm tractor" means a tractor of the type commonly used for agricultural purposes;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"Priority Vehicle" means any fire engine or hospital ambulance or any vehicle belonging to the Zambia Police Force, the Military Police, the Road Traffic Commissioner or the Recovery Units of the Mechanical Services Branch;

"reflective material" means material specially designed to reflect light back to the source of such light;

"reflex reflector" means a reflector of glass specially designed to reflect light back to the source of such light, or other reflective material the reflective capacity of which remains unimpaired when the material is wet;

"Vehicle of abnormal size" means any vehicle the dimensions whereof exceed the dimensions specified in regulation 9 or 10 or 11.

(*As amended by No.* 50 *of* 1968 *and* 115 *of* 1974)

Construction vehicle and nature of construction machinery: construction trailer

4. (1) A tracked tractor is hereby declared to be a construction vehicle.

(2) Construction machinery of the following nature is hereby prescribed for the purposes of the definition of "construction vehicle" in section *two* of the Act, and "construction trailer" means a trailer incorporating construction machinery of the following nature:

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;

(iv) crushers;

(v) paving machines;

(vi) road sweepers or power brooms;

(vii) soil, concrete, tar or bitumen mixers;

(viii) welding units;

(ix) drilling and boring machinery;

(x) cranes (excluding breakdown trucks);

(xi) graders;

(xii) scrapers;

(xiii) pipelayers;

(xiv) cablelayers;

(xv) cement, lime or stone spreaders;

(xvi) excavators;

(xvii) trenchers;

(xviii) front end loading shovels;

(xix) rollers and compactors;

(xx) stabilisers;

(xxi) concrete spreaders and tampers;

(xxii) road watering bowsers;

(xxiii) powered mowers;

(xxiv) extending towers and ladders;

(xxv) compressors;

(xxvi) stone driers and heaters;

(xxvii) pumps;

(xxviii) rooters and scarifiers;

(xxix) ploughs and harrows.

PART II

APPLICABLE ONLY TO CERTAIN MOTOR VEHICLES REGISTERED BEFORE 1ST JULY, 1952

Brakes and braking system

5. (1) Every motor vehicle shall be equipped with a braking system (which may be one of the braking systems prescribed in sub-regulation (2)) so designed and constructed that it can at all times be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels one at least, of the wheels from revolving when the vehicle is not being driven or is left unattended.

(2) Every motor vehicle shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation.

(3) The braking system or systems of every motor vehicle shall be so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle, brakes sufficient to bring the vehicle safely to rest within a reasonable distance:

Provided that in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver, in the case of a motor vehicle having less than four wheels, to more than one wheel.

(4) (*a*) Every part of the braking system or braking systems and of the means of operation thereof fitted to a motor vehicle shall be maintained in good and efficient working order and be properly adjusted.

(*b*) The braking system or braking systems of every motor vehicle shall be of such efficiency as to bring the vehicle safely to rest within a reasonable distance.

Steering gear

6. The steering gear of every motor vehicle shall be maintained in good and efficient working order and be properly adjusted and shall be such that the amount of movement which the steering wheel makes before the steering gear becomes effective in changing the direction of the motor vehicle from the left to the right, or from the right to the left, shall not be more than one-eighth of the outside circumference of the steering wheel, that is to say forty-five degrees.

Tyres

7. The tyres of every motor vehicle shall be pneumatic or made of some soft and elastic material and shall be maintained in such condition as to be free from any defect which might in any way cause damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road.

Lighting equipment and reflectors

8. (1) Every motor vehicle shall be equipped with-

(*a*) at least two fixed lamps, one on each side of the motor vehicle, each capable of showing to the front a white light visible during the hours of darkness in clear weather at a reasonable distance;

(*b*) two fixed lamps one on each side of the motor vehicle, each capable of showing to the rear a red light visible during the hours of darkness in clear weather at a reasonable distance;

(*c*) a lamp fixed at the rear of the motor vehicle and capable of illuminating with a white light the registration mark required to be displayed at the rear of the said motor vehicle so that the said mark is clearly visible during the hours of darkness in clear weather at a reasonable distance;

(*d*) two red reflex reflectors fixed one on each side of the rear of the motor vehicle, each showing to the rear;

(*e*) two white reflex reflectors fixed one on each side of the front of the motor vehicle, each showing to the front:

Provided that in the case of a farm tractor the lamps prescribed by paragraphs (*a*) and (*c*) shall be required only if the said tractor is used on a road during lighting-up time and it shall be sufficient compliance with paragraph (*b*) if, instead of two fixed lamps, one such lamp is provided on the off side of the said tractor capable of showing to the rear a red light visible during the hours of darkness in clear weather at a reasonable distance.

(2) Every reflex reflector required to be fitted under the provisions of sub-regulation (1) shall have a minimum diameter of 40 millimetres and shall be fixed so that the face of the reflex reflector is at an angle of ninety degrees to the horizontal and facing squarely to the front or rear, as the case may be. Every such reflex reflector shall be kept unobscured and reasonably clean.

(3) Every headlamp fitted to the front of a motor vehicle shall be so fitted and maintained that the beam of light emitted therefrom-

(*a*) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance that 7.75 metres from the lamp whose eye-level is not less than 1.065 metres above that plane; or

(*b*) can be deflected downwards or both downwards and to the left at the will of the driver in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid; or

(*c*) can be extinguished by the operation of a device which at the same time causes a beam of light to be emitted from the lamp which complies with paragraph (*a*); or

(*d*) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid, or brings into or leaves in operation a lamp or lamps which complies or comply with paragraph (*a*).

(*As amended by No.* 65 *of* 1972)

PART III

ALL VEHICLES: OVERALL DIMENSIONS: MAXIMUM LADEN WEIGHT

Length of vehicles or of combinations thereof

9. (1) The overall length of a vehicle, other than an articulated vehicle, construction vehicle or construction trailer, shall not exceed 12.500 metres.

(2) The overall length of an articulated vehicle shall not exceed 15.500 metres.

(3) The overall length of any combination of vehicles, including their loads, shall not exceed 22 metres.

(4) No person shall use on any road any motor vehicle which is drawing more than two trailers.

(5) For the purposes of this regulation, overall length shall includes any tailboard if it is constructed to carry goods, and in the case of a trailer any drawbar, but it shall not include any starting handle or any ladder permanently fixed to the rear of a vehicle for gaining access to the roof, or any compartment designed specifically to house the motive power and transmission unit of a rear-engined vehicle, which if included would increase the overall length by not more than 460 millimetres.

(*As amended by No.* 65 *of* 1972 *and No.* 84 *of* 1990)

Width of vehicles

10. (1) The overall width of a vehicle, including any load carried thereon, other than a construction vehicle or construction trailer, shall not exceed 2.6 metres.

(2) For the purposes of sub-regulation (1), overall width shall include all fittings other than any outside rear-view mirror and the arm of any direction indicator that is fitted, provided that such arm, when not in use, does not project beyond the mirror.

(*As amended by No.* 65 *of* 1972)

Height of vehicles

11. The overall height of a vehicle, whether laden or unladen, measured from the plane on which such vehicle stands to the highest projecting point of the vehicle, or of its load, whichever is the higher, shall not exceed 4.80 metres or, in the case of a double-decked motor vehicle, 4.58 metres.

(*As amended by No.* 65 *of* 1972 *and No.* 85 *of* 1990)

Maximum laden weight and axle weight of vehicles

12. (1) (*a*) The maximum laden weight of a vehicle or trailer shall not exceed the manufacturer's permitted gross weight of such vehicle or trailer or 6,500 kilograms, whichever is less.

(*b*) The maximum weight carried on any axle of a vehicle or trailer shall not exceed the manufacturer's permitted axle weight or 4,500 kilograms, whichever is less.

(2) Any exemption granted in terms of regulation 58 shall be produced for inspection on demand being made by the Director of Roads or any public officer duly authorised by him in writing, or by any police officer or road traffic inspector.

(3) Any person who fails to produce any exemption granted in terms of regulation 58 shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units unless, within seven days thereafter or within such longer period as the officer requiring him to produce the exemption may specify, he produces the exemption to the officer who demanded its production or at such police station as may have been specified by such person at the time its production was required.

(4) Any person who contravenes any of the provisions of sub-regulation (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*No.* 243 *of* 1970 *as amended by No.* 65 *of* 1972,
No. 24 *of* 1974, *No.* 85 *of* 1990, *and Act No.* 13 *of* 1994)

Weighing of vehicles

13. (1) Every person driving a truck which has laden weight of 5,000 kilograms and above shall have the truck weighed at a weighbridge.

(2) Upon the vehicle or trailer being weighed or tested as aforesaid, and upon it being found that the laden weight and the weight carried on any axle do not exceed the limits specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of regulation 58, or upon the load being reduced or re-distributed in terms of sub-regulation (3), there shall be given to the person in charge thereof a certificate of weight in the form set out in the Schedule.

(3) If, upon a vehicle or trailer being weighed or tested as aforesaid, it is found that the laden weight of such vehicle or trailer or the weight carried on any axle thereof exceeds the limit specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of regulation 58, a police officer or road traffic inspector may direct that the load be reduced or re-distributed, as the case may be, so as to comply with such law or such exemption, and may detain such vehicle or trailer until the person in charge thereof has complied with such direction.

(4) Any person who fails to comply with a requirement or direction lawfully made in terms of this regulation, or who resists or obstructs any person duly making such a requirement or direction, shall be guilty of any offence and liable on conviction to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(5) If, when the vehicle or trailer is weighed, it is found to have a laden weight exceeding the maximum permitted weight, a fine of five penalty units per kilogram above the maximum permitted weight shall be paid.

(*No.* 243 *of* 1970, *No.* 24 *of* 1974, *No.* 103 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 102 *of* 1995)

Seating capacity of vehicles

14. The method of determining the seating capacity of any motor vehicle for the purposes of section *two hundred and seven* of the Act shall be as follows:

Each seat shall be measured along its rear length in inches and the figure obtained by such measurement shall be divided by 15. The nearest whole number to the quotient obtained by such division shall be the capacity of each seat and the sum of the capacities of each seat shall be the seating capacity of the motor vehicle.

(*No.* 116 *of* 1967)

PART IV

MOTOR VEHICLES AND TRAILERS: GENERAL PROVISIONS

Overhang of motor vehicles or trailers

15. (1) The overhang of a motor vehicle or trailer shall not exceed-

(*a*) in the case of a motor vehicle constructed primarily for the carriage of passengers-

(i) if the overall width does not exceed 2.13 metres; or

(ii) if the overall width exceeds 2.13 metres and the vehicle is fitted with more than one rear axle; seven-tenths of the wheelbase; or

(*b*) in the case of any other motor vehicle or a trailer, six-tenths of the wheelbase.

(2) For the purposes of this regulation, "wheelbase" means the distance measured horizontally between the vertical plane at right angles to the longitudinal axis of the motor vehicle or trailer which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is measured.

(3) For the purposes of this regulation, "overhang" means distance measured horizontally, and parellel to the longitudinal axis of the vehicle, between two vertical planes at right angles to such axis passing through the points specified in paragraphs (*a*) and (*b*) of this definition:

(*a*) the rearmost point of the vehicle exclusive of-

(i) any ladder permanently attached for gaining access to the roof, or any drawbar attachment for towing; and

(ii) any luggage carrier fitted to a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver;

(*b*) (i) in the case of a motor vehicle or trailer having two axles, one of which is not a steering axle, the centre point of that axle;

(ii) in the case of a motor vehicle or trailer having three axles where the front axle is the only steering axle, the point 100 millimetres in rear of the middle of a straight line joining the centre points of the rear and middle axles;

(iii) in the case of a motor vehicle or trailer having three axles, the front two of which are steering axles, the centre point of the rear axle;

(iv) in the case of a motor vehicle or trailer having four axles, the front two of which are steering axles, the point 100 millimetres in rear of the middle of a straight line joining the centre points of the third and fourth axles; or

(v) in any other case, the point approved by a vehicle examiner, and laid down in writing.

(4) The provisions of this regulation shall not apply to construction vehicles or construction trailers.

(*As amended by No.* 330 *of* 1966,
S.I. No. 65 *of* 1972 *and* 24 *of* 1974)

Weight distribution

16. No motor vehicle or trailer, other than a construction vehicle or construction trailer, shall be so constructed that with a full equally distributed load-

(*a*) less than twenty per centum of the laden weight is carried on any one axle if such vehicle has two or three axles; or

(*b*) less than thirty per centum of the laden weight is carried on any one pair of axles if the vehicle has four axles.

Wings

17. (1) Every motor vehicle, other than a construction vehicle or a farm tractor, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud, water or other substance thrown up by the rotation of the wheels, unless the body of the motor vehicle performs such functions:

Provided that this sub-regulation shall not apply in the case of a motor vehicle in an unfinished condition proceeding to a works for completion.

(2) The rear wheels, or in the case of a two-wheeled trailer the wheels, of every trailer, other than a construction trailer, shall be equipped with wings or other similar fittings to catch, as far as practicable, mud, water or other substance thrown up by the rotation of the wheels, unless the body of the trailer performs such functions:

Provided that this sub-regulation shall not apply in the case of a trailer in an unfinished condition proceeding to a works for completion, nor in the case of trailer pumps used for fire brigade purposes.

(*As amended by No.* 200 *of* 1966)

Springs

18. Every motor vehicle and trailer shall be equipped with suitable and sufficient springs or other suspension system between each wheel and the frame of the motor vehicle or trailer:

Provided that this regulation shall not apply to-

(i) an invalid carriage;

(ii) an auto-cycle;

(iii) a motor cycle;

(iv) a construction vehicle or construction trailer; or

(v) a farm tractor if all unsprung wheels of such tractors are equipped with pneumatic tyres.

Steering

19. The steering gear of every motor vehicle shall be kept in a sound and safe mechanical condition and in proper adjustment, and, in the case of a motor vehicle other than an invalid carriage, an auto-cycle, a motor cycle or a construction vehicle, shall be so constructed or adjusted that the amount of movement which the steering wheel makes before the steering gear becomes effective in changing the direction of the motor vehicle from the left to the right, or from the right to the left, shall not be more than one-eighth of the outside circumference of the steering wheel, that is to say, forty-five degrees.

19A. *Revoked by S.I. No.* 68 *of* 1996.

Parking brakes

20. Every motor vehicle and trailer, other than a light trailer that is carried on not more than two wheels, shall be equipped with a braking system (which may be one of the braking systems hereinafter prescribed) so designed and constructed that it can at all times be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels one, of the wheels from revolving when the vehicle is not being driven or is left unattended:

Provided that this regulation shall not apply to-

(i) an invalid carriage;

(ii) an auto-cycle; or

(iii) a motor cycle that is carried on two wheels only whether with or without a sidecar attached.

Service brakes on motor vehicles

21. (1) Every invalid carriage shall be equipped with an efficient braking system, the brakes of which shall act on at least two wheels of the invalid carriage, and such braking system shall be so designed and constructed that the application of the brakes shall bring the invalid carriage safely to rest within a reasonable distance.

(2) Every construction vehicle shall be equipped with an efficient braking system so designed and constructed that the application of the brakes shall bring the vehicle safely to rest within a reasonable distance.

(3) Every motor vehicle, other than an invalid carriage or a construction vehicle, shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation.

(4) The braking system or braking systems of every motor vehicle to which sub-regulation (3) applies shall be sufficient to bring the said vehicle safely to rest within a reasonable distance.

Service brakes on trailers

22. (1) Every trailer, other than a light trailer that is carried on not more than two wheels and a construction trailer, shall be equipped with an efficient braking system the brakes of which are capable of being applied when it is being drawn-

(*a*) to at least two wheels in the case of a trailer having not more than four wheels; and

(*b*) to at least half the number of wheels in the case of a trailer having more than four wheels.

(2) Every braking system required by sub-regulation (1) shall be so constructed that the brakes can be applied either by the driver of the drawing vehicle or by some other person on such vehicle or on the trailer:

Provided that this sub-regulation shall not apply in the case of a trailer, including a caravan, fitted for domestic or dwelling purposes, the gross weight of which does not exceed 1,820 kilograms if the brakes of the trailer or caravan automatically come into operation on the over-run of the said trailer or caravan.

(3) Every trailer, other than a light trailer that is carried on not more than two wheels and a construction trailer, shall be fitted with a device capable of automatically stopping the trailer if it becomes detached from its drawing vehicle whilst in motion:

Provided that this sub-regulation shall not apply to a light trailer if it is equipped in addition to the main attachment to the drawing vehicle with a secondary attachment which may be a chain or wire rope, nor to any trailer forming part of an articulated vehicle.

(*As amended by No.* 65 *of* 1972)

Brakes: general requirements

23. (1) The following requirements shall apply *mutatis mutandis* to all braking systems required by the foregoing regulations:

(*a*) Where two braking systems are required by the above regulations-

(i) they must be so constructed that failure on the part of either shall not affect the effectiveness of the other;

(ii) one of the said systems shall be operated by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device;

(iii) the same brake shoes operating within or upon the drums of the motor vehicle may be used for operating the two braking systems; and

(iv) one at least of the said systems shall be capable of acting on braking surfaces directly attached to the wheels of the motor vehicle or attached through parts not liable to failure.

(*b*) Except in the case of an air brake system, the pedal, lever or pull rod, as the case may be, by which the system is operated shall have a reserve of at least one-third of its designed distance of travel when the brakes are fully applied.

(*c*) Except in the case of a motor cycle with sidecar, every braking system shall act with approximately equal intensity on wheels or a wheel symmetrically placed in relation to the longitudinal centre line of the motor vehicle or trailer.

(*d*) Every motor vehicle or trailer which is fitted with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be provided with a warning device so placed as to be readily visible to the driver of the vehicle when in the driving seat in order to indicate any impending failure or deficiency in the vacuum or pressure system:

Provided that in the case of a motor vehicle other than a heavy motor vehicle which is propelled by an internal combustion engine and fitted with a braking system embodying a vacuum reservoir or reservoirs, the vacuum therein being derived directly from the induction system of the engine, it shall not be necessary to provide such a warning device if, in the event of a failure or deficiency in the vacuum system, the brakes of that braking system are sufficient to bring the vehicle safely to rest within a reasonable distance.

(*e*) The braking system fitted to every motor vehicle or trailer shall be so constructed that it is not rendered immediately ineffective by the non-rotation of the engine of the motor vehicle or, in the case of a trailer, the engine of the motor vehicle to which it is attached at the time.

(2) In the case of a motor vehicle propelled by steam or electricity the engine or motor, as the case may be, shall be deemed to be an efficient braking system with one means of operation if such engine or motor is capable of being reversed and is incapable of being disconnected from any driving wheels of the vehicle except by the sustained effort of the driver.

(3) In testing the braking system on a combination of vehicles, trailer brakes may be applied at the same time as the brakes of the drawing vehicle.

Brake mechanisms, steering mechanisms and axle-spring attachments

24. (1) All brake mechanisms, steering mechanisms and axle-spring attachments on every motor vehicle and trailer shall be safely secured and permanently and efficiently retained in position. Where brakes and steering connections are secured with bolts or pins, the bolts or pins shall be effectively locked. All connections made with bolts or pins shall be such that when they are in any position other than horizontal the head of the bolt or pin shall be uppermost.

(2) The steering mechanism of every vehicle shall be so constructed or arranged that no overlock shall be possible and that the wheels shall not in any circumstances foul any part of the vehicle.

(3) Dust-excluding covers fitted to any joint or connection of the steering mechanism shall be capable of being easily removed to facilitate inspection.

Safety of fuel tanks, etc.

25. The fuel tank, fuel containers and pipes of every motor vehicle shall be maintained in a sound condition and free from leaks, and the filling orifice of any fuel tank shall be fitted with a cap that effectively covers it.

Warning device

26. (1) Every motor vehicle, other than a construction vehicle, shall be equipped with an instrument capable of giving audible and sufficient warning of its approach or position.

(2) For the purposes of subsection (3) of section *two hundred and five* of the Act, it is hereby prescribed that a motor vehicle used by a road traffic inspector in the execution of his duty may be fitted with a gong, bell or siren.

Safety glass

27. (1) The windscreen of every motor vehicle shall-

(*a*) if of glass, consist wholly of safety glass manufactured from either clear plate glass or float glass, that is, a transparent glass, the surfaces of which are flat and parallel so that they provide clear undistorted vision and reflection either by grinding and polishing on both sides or by production by the float process; and

(*b*) be so constructed that if it is damaged in any manner it will remain sufficiently transparent to ensure a safe degree of visibility for the driver of such motor vehicle.

(2) All other glass fitted to windows and partitions shall be safety glass.

(3) For the purposes of this regulation, "safety glass" means glass so manufactured or treated that if fractured it does not fly into fragments capable of causing severe cuts or other injuries.

(*As amended by S.I. No.* 34 *of* 1964)

Windscreen wiper

28. Every motor vehicle, other than a construction vehicle or a motor cycle which is not fitted with a cab, which is equipped with a windscreen, shall be equipped with a windscreen wiper capable of operation by other than manual means in good and efficient working order, fitted directly in front of the driver.

Mirrors

29. (1) Every motor vehicle shall be equipped internally or externally or both internally and externally with a mirror or mirrors so constructed and fitted to the motor vehicle and so maintained as to enable the driver to be or become aware of the presence of traffic to the rear.

(2) In any case where a motor vehicle is so constructed that the driver does not have either directly or by means of the mirror or mirrors prescribed in sub-regulation (1) a full view of the traffic abreast on both sides, and on both sides rearwards, a further mirror or mirrors shall be so fitted and maintained on the motor vehicle that he may be or become aware of such traffic.

(3) The provisions of this regulation shall not apply to-

(*a*) an auto-cycle;

(*b*) a motor cycle that is carried on two wheels only with or without a sidecar attached; or

(*c*) a farm tractor.

View of driver

30. (1) Every motor vehicle shall be so designed, constructed and loaded that the driver thereof while controlling the motor vehicle has directly a full view of the road and traffic ahead and, either directly or by means of the mirrors prescribed in the preceding regulation, a full view of the traffic abreast, on both sides, on both sides rearwards and to the rear.

(2) Whenever the vision of the driver of a motor vehicle which is drawing a trailer or trailers is impaired in that, by reason of the load on or the construction of such trailer or trailers, or for any other reason, he is unable to be or become aware of the presence of traffic to the rear, a person shall be carried on one of such trailers in a position which affords an uninterrupted view to the rear and which enables him both to communicate to the driver the purport of signals given by drivers of other vehicles in the rear thereof, and to receive and communicate to the drivers of such vehicles in the rear by means of the appropriate hand signals indications of the intention of the driver of the motor vehicle to stop, slow down or change direction, and it shall be an offence to drive the said vehicle without a person in such a position.

Speed indicator

31. There shall be fitted to and maintained in good working order on every motor vehicle an instrument so constructed and in such a position as at all times readily to indicate to the driver of the motor vehicle within a margin of accuracy of plus or minus ten per centum any speed at which he may be travelling up to the maximum speed prescribed under any written law for the said motor vehicle having regard to the circumstances in which it is used:

Provided that this regulation shall not apply to-

(i) an invalid carriage;

(ii) an auto-cycle;

(iii) a farm tractor; or

(iv) a construction vehicle.

Crash bars on motor cycles

32. (1) Every motor cycle having an engine capacity of three hundred and fifty cubic centimetres or more shall be equipped with a bar or tube on each side of the forward part of the frame at approximately right angles to it, of sufficient strength to support the weight of the motor cycle should it fall on its side.

(2) Each such bar or tube shall sufficiently project laterally from the forward part of the frame to which it is attached to give adequate protection to the rider's legs against the weight of the motor cycle should it fall on its side when being ridden.

Signalling devices

33. (1) Every motor vehicle, other than a construction vehicle, which has the spindle of the steering column or equivalent means of steering control further than 610 millimetres from the right or off side of the vehicle, at its widest part, shall be equipped with an efficient direction indicator attached to each side of such vehicle:

Provided that where a trailer is being drawn and the trailer is wider than the vehicle drawing it, the right or off side of the trailer at its widest part shall be construed as the right or off side of the vehicle.

(2) When a direction indicator of the movable-arm type is fitted to a motor vehicle or trailer it shall-

(*a*) if of the non-illuminated type-

(i) in the case of a heavy vehicle, project when in use by not less than 155 millimetres nor more than 380 millimetres beyond the lateral extremity of the vehicle and the load thereon;

(ii) in the case of any other vehicle, project when in use by at least 155 millimetres beyond the lateral extremity of the body of the vehicle and the load thereon;

(iii) consist of an arm, not less than 25 millimetres wide and a disc 100 millimetres in diameter at the outer end of the arm;

(iv) have the front and rear surfaces of the arm coloured white and shall incorporate a white or amber reflex reflector fitted on the forward facing surface of the disc, and a red or amber reflex reflector fitted on the rearward facing surface of the disc.

It shall, further, have on both surfaces of the arm a red stripe extending centrally for the full length of the arm, interrupted only by the reflex reflector fitted to the disc. Every reflex reflector required to be fitted by this sub-paragraph shall not be less than 25 millimetres in diameter and shall be such that it is visible during the hours of darkness in clear weather at a distance of 30 metres when illuminated by two driving lamps as prescribed in regulation 34 (1); and

(v) when not in use be capable of being retracted out of sight or lie in a vertical position in such manner that it cannot be mistaken for a signal;

(*b*) if of the illuminated type-

(i) in the case of a heavy vehicle, project when in use by not less than 150 millimetres or more than 385 millimetres beyond the lateral extremity of the vehicle and the load thereon;

(ii) in the case of any other vehicle, project when in use by at least 150 millimetres beyond the lateral extremity of the body of the vehicle and the load thereon;

(iii) when in use show at a distance of 30 metres a steady diffused amber light both to the front and rear; and

(iv) when not in use be capable of being retracted out of sight or lie in a vertical position with the lamp extinguished in such a manner that it cannot be mistaken for a signal.

(3) When direction indicators of the flashing lamp type are fitted to a motor vehicle or trailer they shall-

(i) (*a*) be fitted at the front and rear of the vehicle on each side of and equidistant from its longitudinal centre line and not more than 410 millimetres from the outer edges of the front and rear of the vehicle respectively: Provided that a combination of such vehicles shall for the purposes of this sub-paragraph be deemed to be a vehicle; and such indicators shall be so interconnected that the front and rear indicators on either side shall operate simultaneously; or

(*b*) be fitted to each side of the vehicle in such a position that they may be seen by the driver of an approaching or overtaking vehicle and, where more than one indicator is fitted on the side of the vehicle or combination of vehicles to indicate one turning movement, they shall be interconnected so as to operate simultaneously;

(ii) each have an illuminated area which shall not be less than 2,250 square millimetres in extent; and

(iii) be fitted with bulbs of not less than fifteen watts:

Provided that in the case of vehicles fitted with combined stop lamps and direction indicators the wattage of the globes of the rear indicators shall not be less than that of the globes of the stop lamps.

(4) The colour of the lamps in direction indicators of the flashing lamp type shall be-

(*a*) those fitted to the front-white or amber;

(*b*) those fitted to the rear-red or amber; and

(*c*) those fitted to the sides-amber.

(5) Every direction indicator shall-

(*a*) be affixed at a height of not less than 455 millimetres nor more than 2,300 millimetres above ground level;

(*b*) be maintained in a clean condition and in proper working order;

(*c*) emit a diffused light when the lights thereof are in operation;

(*d*) in the case of flashing lamps, have a flashing speed of not less than sixty nor more than one hundred and twenty flashes per minute;

(*e*) unless so fitted that the lamps thereof, when in operation, are visible either directly or by reflection to the driver from the normal driving position, be connected to a device so placed within the view or hearing of the driver that a visible or audible indication that the lamps are in operation is given.

(6) On a motor vehicle no lamps, other than direction indicators, shall be flashing or blinking lamps.

(*As amended by No.* 65 *of* 1972)

PART V

MOTOR VEHICLES AND TRAILERS: LIGHTS AND REFLECTORS

Lamps to be fitted to motor vehicles and trailers

34. (1) Every motor vehicle, other than an invalid carriage, an auto-cycle, a motor cycle that is carried on two wheels only whether with or without a sidecar attached, a farm tractor and a construction vehicle, shall be equipped with two lamps, hereinafter called driving lamps, fitted in front of the vehicle at the same height, one on each side of the longitudinal centre line of the said vehicle and equidistant from such line and capable of adequately illuminating the road with a white or yellow light for a distance of 100 metres in front of the vehicle during the hours of darkness in clear weather.

(2) Every motor vehicle, other than an invalid carriage, an auto-cycle, a motor cycle that is carried on two wheels only whether with or without a sidecar attached, a farm tractor and a construction vehicle, shall be equipped with two lamps, hereinafter called passing lamps, fitted at the front of the vehicle, at the same height, one on each side of the longitudinal centre line of the said vehicle and equidistant from such line and capable of adequately illuminating the road with a white or yellow light during the hours of darkness in clear weather in front of the vehicle for a distance of 30 metres without causing glare or dazzle to other road users whatever the direction of the traffic may be.

(3) Every motor cycle that is carried on two wheels only, whether a side car is attached or not, shall be equipped with one driving lamp and one passing lamp conforming to the provisions of sub-regulations (1) and (2) and one position lamp conforming to the provisions of sub-regulation (4), and such lamp shall be capable of adequately illuminating the road with a white or yellow light in front of the vehicle during all hours of operation.

(4) Every motor vehicle, other than an auto-cycle, and a motor cycle which is carried on two wheels with or without a sidecar attached, shall be equipped with two lamps, hereinafter called position (or side) lamps at the front. These lamps shall be fitted at the same height, one on each side of the longitudinal centre line of the motor vehicle and equidistant from it, with that part of the illuminating surface of the lamps furthest from the said centre line not further than 410 millimetres from a line parallel with the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side. Position lamps shall be capable of showing a white light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the front of the vehicle and shall cause no glare or dazzle to other road users:

Provided that in the case of a farm tractor or construction vehicle the lamps prescribed by this sub-regulation shall be required only if the said tractor or construction vehicle is used on a road during lighting-up time.

(5) Every invalid carriage, every farm tractor and every construction vehicle shall be equipped with one or two lamps, which may be the lamps prescribed in sub-regulation (4), facing forward and capable during the hours of darkness of illuminating the road with a white or yellow light to a reasonable distance ahead of the said vehicle without causing glare or dazzle to other road users. If one such lamp is fitted it shall in the case of a farm tractor or construction vehicle be fitted not further than 410 millimetres from the extreme off side of the vehicle, and in the case of an invalid carriage it shall be fitted to the off side of the longitudinal centre line of the said invalid carriage. If two such lamps are fitted they shall be at equal height, and equidistant from the longitudinal centre line of the vehicle:

Provided that in the case of a farm tractor or construction vehicle the lamps prescribed by this sub-regulation shall be required only if the said tractor or construction vehicle is used on a road during lighting-up time.

(6) Every auto-cycle shall be equipped with one position lamp facing forward and conforming to the provisions of sub-regulation (4).

(7) Every auto-cycle, motor cycle and invalid carriage shall, and every farm tractor shall when used on a road during lighting-up time, be equipped at the rear with at least one rear lamp which shall be capable of showing a red light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the rear of the said vehicle. In the case of a motor cycle that is carried on three wheels, an invalid carriage and a farm tractor the rear lamp, if one only is fitted, shall be not further than 410 millimetres from the off side of the vehicle. If two such lamps are fitted they shall comply with the requirements of sub-regulation (8).

(8) (*a*) Every motor vehicle not specified in sub-regulation (7), and every trailer at the end of a combination of vehicles, shall be equipped at the rear with two rear lamps which shall be capable of showing a red light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the rear of the vehicle. The outer edges of these rear lamps must be not more than 410 millimetres from a line parallel with the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side:

Provided that the provisions of this paragraph shall apply to a construction vehicle only when used on a road during lighting-up time.

(*b*) For the purposes of paragraph (*a*), a farm implement when used on a road during lighting-up time shall comply with the requirements prescribed for a trailer.

(9) Every motor vehicle and trailer required to carry a rear registration plate and to be equipped with a rear lamp or lamps shall be equipped with a lamp or lamps so arranged that during the times the said rear lamp or lamps are required to be illuminated-

(*a*) the said rear registration plate shall be illuminated with a white light in such a way that it can be read during the hours of darkness in clear weather at a distance of 19 metres; and

(*b*) none of the rays from the lamp or lamps illuminating the said registration plate, except those reflected from or transmitted through the said registration plate, shall be directed rearwards from the vehicle.

(10) All lamps required to be carried by this regulation shall at all times when they are required to be so carried be maintained in an efficient working condition.

(11) Nothing in this regulation shall require a motor vehicle or trailer to carry separate lamps for different purposes if it carries a lamp satisfying all the requirements which would be applicable to separate lamps carried by it for those purposes.

(*As amended by S.I. No.* 65 *of* 1972 *and No.* 157 *of* 1986)

Use of lights on vehicles

35. (1) When any motor vehicle, including in the case of a motor cycle any sidecar attached thereto, or any trailer is on a road during lighting-up time, there shall be illuminated thereon the position lamps required by the provisions of regulation 34 to be carried at the front thereof and the rear lamps required to be carried at the rear thereof, or, in the case of a motor vehicle to which Part II applies, the lamps prescribed by regulation 8 (1):

Provided that the provisions of this sub-regulation shall not apply when any such vehicle is left stationary-

(i) in a parking place where vehicles are authorised to be parked without lights; or

(ii) in a place which is, or was at the time the vehicle was so left, adequately lighted by a street lamp, being part of the public system of street lighting.

(2) No person shall at any time leave a motor vehicle stationary on a road with illuminated driving lamps as prescribed by regulation 34 (1), or, in the case of a motor vehicle to which Part II applies, any illuminated headlamp fitted in accordance with regulation 8 (3).

(*As amended by S.I. No.* 34 *of* 1964)

Lamps on vehicles with projecting loads

36. (1) Where a motor vehicle or trailer on a road during lighting-up time carries a load overhanging laterally on any side more than 305 millimetres from the lateral extremity of the motor vehicle or trailer on that side, the vehicle shall carry-

(*a*) in substitution for or in addition to the position lamp required to be carried on that side of the motor vehicle or trailer, a position lamp showing to the front a white light visible during the hours of darkness in clear weather at a distance of 150 metres from the front of the said motor vehicle or trailer and in such a position that no part of the load overhangs laterally more than 410 millimetres beyond a vertical line through the centre of the substituted or additional lamp; and

(*b*) in addition to the rear lamp or lamps required to be carried, a rear lamp showing to the rear a red light visible at a distance of 150 metres during the hours of darkness in clear weather and in such a position that no part of the load overhangs laterally more than 410 millimetres beyond a vertical line through the centre of the additional lamp.

(2) In any case where a trailer or farm implement being drawn on a road during lighting-up time projects laterally 410 or more millimetres on either side beyond the lateral extremity of the drawing vehicle, there shall be carried on the said trailer or farm implement on such projecting side or sides a position lamp or lamps showing to the front a white light visible during the hours of darkness at a reasonable distance and in such position that no part of the trailer or farm implement projects laterally more than 410 millimetres beyond a vertical line through the centre of the said lamp.

(3) Where a motor vehicle, trailer or farm implement on a road during lighting-up time carries a load projecting to the rear behind its rear lamp or lamps the motor vehicle, trailer or farm implement shall carry an additional rear lamp showing to the rear a red light visible during the hours of darkness in clear weather at a distance of 150 metres from the rear and in such a position that no part of the load projects to the rear behind the said additional lamp.

(*As amended by No.* 65 *of* 1972)

Spot lamps

37. (1) A lamp, other than a lamp prescribed by regulation 34, having a movable beam of substantially white light shall for the purposes of this regulation be known as a spot lamp.

(2) Not more than one spot lamp may be carried on any motor vehicle.

(3) No person shall use or cause or permit to be used any spot lamp during lighting-up time-

(*a*) on any motor vehicle in motion within the area of a local authority;

(*b*) in such a manner as to interfere with the vision of any person on the road; or

(*c*) in such a manner as to cause annoyance to any person, whether on a road or not:

Provided that the provisions of this sub-regulation shall not apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of the said provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

(4) No person shall, except in the case of an accident, use or cause or permit to be used during lighting-up time any spot lamp in substitution for any of the lamps prescribed by regulation 34.

Fog lamps

38. (1) A lamp, other than a lamp prescribed by regulation 34, so fitted that the lowest portion of the illuminating surfaces thereof is not more than 610 millimetres above ground level, shall for the purposes of this regulation be known as a fog lamp.

(2) Not more than two fog lamps may be carried on any motor vehicle.

(3) Every fog lamp shall-

(*a*) be fitted to the front of the motor vehicle; and

(*b*) be so arranged, adjusted and maintained that it shows to the front a white or yellow light without causing glare or dazzle to other road users whatever the direction of the traffic may be.

(4) No fog lamp may be illuminated when the driving lamps or passing lamps as prescribed in regulation 34 (1) and (2) are illuminated.

(*As amended by No.* 65 *of* 1972)

Reversing lamps

39. (1) In addition to the lamps prescribed by regulation 34, a motor vehicle may be equipped with a reversing lamp, that is to say, a lamp illuminating the road to the rear of or under the vehicle. Such a lamp shall be under the direct control of the driver and shall either be so fitted as to operate only when the motor vehicle is placed in reverse gear or be connected with a device by which the driver shall be made aware that the lamp is in operation. Not more than two such lamps shall be fitted to any vehicle and no light shall be emitted therefrom except when the vehicle is reversing or about to reverse.

(2) A reversing lamp shall not exceed a capacity of fifteen watts.

Saving for interior lamps

40. Nothing in these Regulations contained shall be deemed to prohibit the installation or use in any motor vehicle or trailer of lamps the sole purpose of which is the illumination of the interior of such vehicle or of the instruments of control thereof.

Reflectors at front and back of motor vehicles and trailers

41. (1) Every motor vehicle and trailer shall be equipped with reflex reflectors and warning signs as follows:

(*a*) an auto-cycle or a motor cycle that is carried on two wheels without a sidecar attached-one red reflex reflector fitted on the rear thereof in such a position as to be clearly visible directly rearwards;

(*b*) a motor cycle that is carried on two wheels with a sidecar attached-the reflector prescribed by paragraph (*a*) and in addition one red reflex reflector fitted on the rear of the sidecar within 410 millimetres of the lateral extremity thereof furthest from the side intended to adjoin the motor cycle and in such a position as to be clearly visible directly rearwards;

(*c*) a motor cycle that is carried on three wheels, a construction vehicle, a farm tractor, any motor vehicle not otherwise specified in this regulation-

(i) at the front-two white reflex reflectors facing in a forward direction, fitted respectively not more than 410 millimetres from a line parallel to the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side and placed at the same height, being not less than 305 millimetres and not more than 1,220 millimetres above ground level; and

(ii) at the rear-two red reflex reflectors facing directly rearwards of the vehicle, fitted respectively not more than 410 millimetres from a line parallel to the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side and placed at the same height, being not less than 305 millimetres and not more than 1,220 millimetres above ground level;

(*d*) a heavy vehicle not being a construction vehicle or a farm tractor-

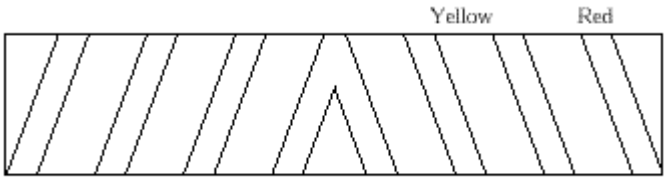
(i) at the front-a white reflex reflector comprising a continuous strip of white reflective material not less than 50 millimetres wide, facing in a forward direction and extending horizontally for such distance as is necessary to indicate the overall width of such vehicle to within 410 millimetres on either side thereof. Such reflex reflector shall be maintained in a reasonably clean condition and shall be so placed that the lower edge thereof is not less than 305 millimetres and the upper edge not more than 1,220 millimetres above ground level:

Provided that if the structure of the vehicle is such that it is not possible to comply with the provisions of this sub-paragraph, white reflective material shall be so fitted as to comply therewith as far as reasonably possible; and

(ii) at the rear-a warning sign facing directly rearwards which conforms with the dimensions and details set out in sub-paragraph (iii). Such warning sign shall be maintained in a reasonably clean condition and shall be so placed that the lower edge thereof is not less than 610 millimetres and the upper edge not more than 1,525 millimetres above ground level, and shall extend horizontally for such distance as is necessary to indicate the overall width of the vehicle to which it relates to within 410 millimetres of either side thereof, and it shall not be obscured in any way:

Provided that if the structure of the vehicle is such that it is not possible to comply with the provisions of this sub-paragraph, the warning sign shall be so fitted as to comply therewith as far as reasonably possible;

(iii) The warning sign referred to in sub-regulation (ii) shall be a reflex reflector comprising of alternative diagonal strips of red reflective material and yellow reflective material in the form of a chevron pattern as illustrated in the diagram and in accordance with the dimensions set out below:



Form of Warning Sign—(Chevron Pattern)

Vertical dimension-not less than 200 and not more than 460 millimetres;

(*e*) a trailer constructed to carry goods not being a light trailer-a warning sign fitted in accordance with sub-paragraph (*d*) (ii) and complying with the provisions of sub-paragraph (*d*) (iii);

(*f*) a light trailer or a trailer not constructed to carry goods-two red reflex reflectors fitted in accordance with the provisions of sub-paragraph (*c*) (ii);

(*g*) a commercial motor vehicle-

(i) at the front-two white reflex reflectors fitted in accordance with the provisions of sub-paragraph (*c*) (i); and

(ii) at the rear either-

a warning sign fitted in accordance with sub-paragraph (*d*) (ii) and complying with the provisions of sub-paragraph (*d*) (iii); or

a red reflex reflector comprising a continuous strip of red reflective material, not less than 50 millimetres wide extending horizontally for such distance as is necessary to indicate the overall width of such vehicle to within 410 millimetres on either side thereof. Such reflex reflector shall be maintained in a reasonably clean condition and shall be so placed that the lower edge thereof is not less than 305 millimetres and the upper edge not more than 1,525 millimetres above ground level:

Provided that if the structure of the vehicle is such that it is not possible to comply with the provisions of this sub-paragraph, red reflective material shall be so fitted as to comply therewith as far as reasonably possible;

(iii) for the purposes of this paragraph, "commercial motor vehicle" means a motor lorry, truck, van (including a vehicle commonly known as a "pick-up"), breakdown van or like motor vehicle, not being a heavy vehicle, but does not include vehicles commonly known as "coupe-imps" or "station-wagons".

(2) A construction vehicle or farm tractor which, owing to its structure, cannot be equipped with reflex reflectors in accordance with the provisions of paragraph (*c*) of sub-regulation (1) shall be fitted with reflective material of white or red, as the case may be, so as to comply with the provisions of that paragraph as far as is reasonably possible.

(*As amended by S.I. No.* 34 *of* 1964, *No.* 65 *of* 1972, 115 *of* 1974 *and No.* 40 *of* 1995)

Reflectors at sides of motor vehicles and trailers

42. Every motor vehicle or combination of vehicles, other than a motor omnibus or a motor vehicle towing a disabled vehicle, the overall length of which exceeds 7.350 metres, shall be equipped with amber reflex reflectors fitted to each side thereof facing directly sideways and at the same height, so placed that-

(*a*) there is a reflex reflector within 410 millimetres of each end of the body of each vehicle; and

(*b*) the distance between each successive reflex reflector on any motor vehicle or combination of vehicles is not more than 3.70 metres:

Provided that if the structure of the body of the vehicle is such that it is not possible to fit such reflex reflectors at the same height, the reflex reflectors shall be fitted as nearly as possible at the same height.

(*As amended by No.* 65 *of* 1972)

General requirements concerning reflectors

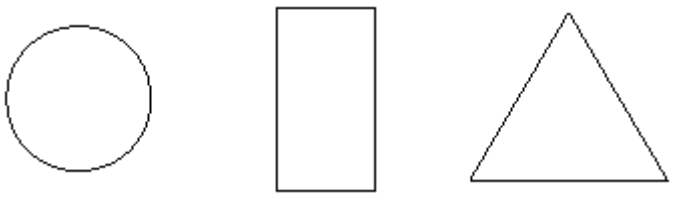
43. (1) Each reflex reflector fitted in terms of these Regulations shall, unless otherwise provided, be circular, rectangular or triangular in shape and-

(*a*) in the case of those fitted to the front and rear of a motor vehicle other than a farm tractor or a construction vehicle-

(i) if circular, be not less than 35 millimetres in diameter, or if not circular be of an area of not less than the area of a circle of 35 millimetres in diameter and be of such shape that a circle of 25 millimetres in diameter may be inscribed therein; and

(ii) be visible in clear weather during the hours of darkness at a distance of at least 30 metres when directly illuminated by two driving lights as prescribed by regulation 34 (1); and

NOTE.-The following shapes and dimensions ensure compliance with regulation 43 (1) (*a*).



Circle
Diameter 35 mm.

Rectangle
Sides 50 mm. x 25 mm.

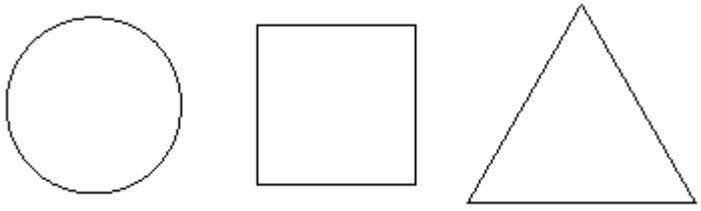
Triangle
Each side 50 mm.

(*b*) in the case of those fitted to a trailer, a farm tractor or a construction vehicle, and in the case of those fitted to the side of a motor vehicle or combination of vehicles-

(i) if circular, be not less than 60 millimetres in diameter, or if not circular be of an area of not less than the area of a circle of 60 millimetres in diameter and be of such shape that a circle of 50 millimetres in diameter may be inscribed therein; and

(ii) be visible in clear weather during the hours of darkness at a distance of at least 45 metres when directly illuminated by two driving lights as prescribed by regulation 34 (1); and

Note.-The following shapes and dimensions ensure compliance with regulation 43 (1) (b).



Circle	Square	Triangle
Diameter 60 mm.	Sides 55 mm.	Each side 80 mm.

(*c*) be kept unobscured and reasonably clean.

(2) No reflex reflector or reflective material required to be fitted in accordance with the provisions of these Regulations shall incorporate any words, figures or symbols other than those prescribed in these Regulations.

(*As amended by No.* 65 *of* 1972)

Reflective "T" to be fitted on trailers

44. Every trailer, other than a construction trailer, shall be equipped in a conspicuous position at a height not exceeding 1,220 millimetres above ground level, on the extreme right front and extreme right rear of such trailer with a reflex reflector comprising a white and red "T" respectively. The letter "T" shall not be less than 150 millimetres high and 125 millimetres wide, and not less than 35 millimetres broad, and shall be placed on a black background of not less than 200 millimetres in height and 175 millimetres in width.

(*As amended by No.* 65 *of* 1972)

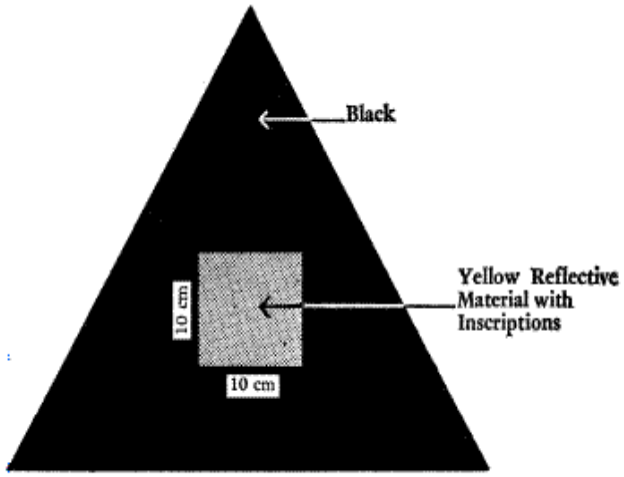
Combined lamps and reflectors

45. Where a vehicle's rear light is so constructed that, when not showing a light, it is an efficient red reflex reflector facing to the rear and complying with the provisions of these Regulations which apply to the vehicle, it shall be treated as being such a reflector when it is, as well as when it is not, showing a light.

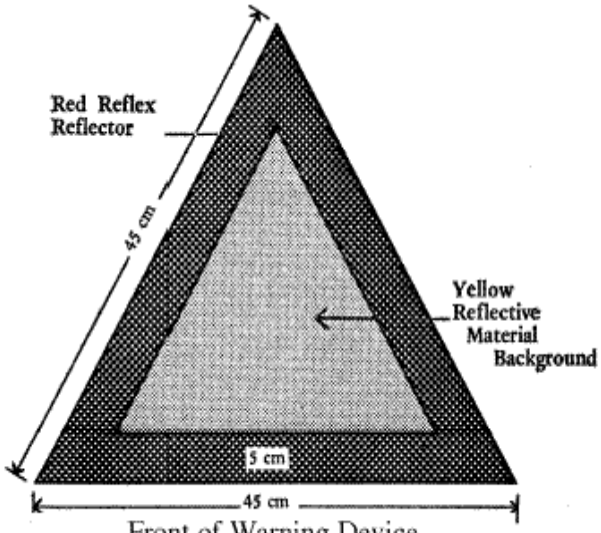
Warning devices

46. (1) Every vehicle other than a bicycle, tricycle or motor cycle shall be equipped by the owner thereof with two or more warning devices which shall be carried with such vehicle at all times. Each warning device shall consist of a red reflex reflector not less than five centimetres wide comprising an equilateral triangle the background whereof shall be of yellow reflective material and having sides of not less than forty-five centimetres. The back of each such warning device shall have a ten centimetre square of yellow reflective material upon which shall be written or impressed the words "Government approved reflective triangle", the address of the manufacturer, the vehicle registration letters or such trade letters or trade marks of the company or organisation which owns the vehicle as may be approved by the Commissioner and the price fixed by the Price Controller. Each warning device shall be so constructed that when it is put into position as prescribed in sub-regulation (3) it will not readily be dislodged by the wind.

NOTE:-The following shapes and dimensions ensure compliance with regulation 46 (1).



Back of Warning Device



Front of Warning Device

(2) When a vehicle is used to draw a trailer or trailers, there shall be carried in addition such warning devices as are referred to in sub-regulation (1) in respect of each such trailer.

(3) If a vehicle or trailer is stationary on any part of a road which is not set aside for the parking or stopping of vehicles, the driver of any such vehicle or trailer shall place upon the carriageway on the side of the road occupied by such vehicle or trailer one warning device prescribed by sub-regulation (1) to the rear of the vehicle or trailer and shall in like manner place one other such device to the front of such vehicle or trailer at a distance of not less than forty metres and not more than fifty metres from the rearmost and frontmost points, respectively, of such vehicle or trailer, in such a way that both the two devices are facing away from the vehicle or trailer and are standing in a vertical position or as nearly vertical a position as possible:

Provided that the provisions of this sub-regulation shall not apply in any case where a vehicle stops in obedience to the requirements of a traffic sign or a person regulating traffic, or to give way to other traffic, and the driver remains at the controls of such vehicle.

(4) If a trailer drawn by a vehicle is detached from such vehicle and is stationary in the circumstances mentioned in sub-regulation (3), the provisions of sub-regulation (3) shall apply in respect of such trailer.

(5) (*a*) Any owner of a vehicle or trailer who permits such vehicle or trailer to be used on any road without the warning devices prescribed under this regulation shall be guilty of an offence.

(*b*) Any driver of a vehicle who fails to use warning devices as prescribed under this regulation shall be guilty of an offence unless he is prevented by circumstances beyond his control from using such warning devices in accordance with the provisions of this regulation.

(6) (*a*) Any person who makes, manufactures or sells any warning device referred to in sub-regulation (1) without the written authority of the Commissioner shall be guilty of an offence:

Provided that any owner of a vehicle which has been boarded or written off may sell or otherwise dispose of the warning devices relating to such vehicle.

(*b*) Any person who sells any vehicle other than a bicycle, tricycle or motor cycle without the warning devices referred to in sub-regulation (1) shall be guilty of an offence.

(7) (*a*) Any authorised manufacturer or dealer of the warning devices referred to in sub-regulation (1) shall keep a register of and issue receipts for all sales made by him.

(*b*) Any police officer who is in uniform or has in his possession a police identity card may inspect and examine any registers or receipts referred to in paragraph (*a*).

(*c*) Any manufacturer of or dealer in warning devices referred to in sub-regulation (1), who contravenes this regulation shall be guilty of an offence.

(*As amended by S.I. No.* 93 *of* 1975)

Turret lights and sirens

46A. (1) Every priority vehicle and every vehicle of abnormal size shall, with the permission of the Road Traffic Commissioner, be fitted with flashing turret lights of the appropriate colour as indicated in the Second Schedule.

(2) Every priority vehicle shall be fitted with a warning siren which may be used when necessary but not so as to cause undue alarm to any person.

(3) Save as provided in this regulation, no person shall use flashing turret lights or sirens on a vehicle.

(4) There shall be fitted on every priority vehicle and every vehicle of abnormal size a flashing turret light on the top of the vehicle towards the front side and in addition thereto every vehicle of abnormal size shall be fitted with amber flashing lights not more than one metre apart from one another along the whole length of the left and right flanks of the vehicle.

(*As amended by S.I. No.* 115 *of* 1974)

PART VI

VEHICLES, MOTOR VEHICLES AND TRAILERS: MISCELLANEOUS PROVISIONS: EXEMPTIONS

Wheels and tyres

47. (1) Every vehicle shall when used on any road where the use of other tyres is prohibited be equipped with tyres that are pneumatic or that are made of rubber or some other soft and elastic material.

(2) The tyres of every vehicle shall be maintained in such condition as to be free from any defect which might in any way cause damage to the surface of the road, or danger to persons in or on the vehicle, or to other persons using the road.

(3) No vehicle of the track-laying type may be driven on a road without the written consent of the highway authority concerned:

Provided that any such vehicle being a construction vehicle engaged on road works may be used at the site of and in the execution of such works without such written consent.

Backward propulsion

48. Every motor vehicle the net weight of which exceeds 320 kilograms, and which is carried on more than two wheels, shall be capable of being driven backwards under its own power:

Provided that this regulation shall not apply to a motor cycle which is carried on two wheels only, and which has a sidecar, or similar attachment attached.

(*As amended by No.* 65 *of* 1972)

Motor vehicle drawing other vehicles

49. When any motor vehicle is drawing any other vehicle or vehicles, the space between any two vehicles shall not exceed 3.70 metres, and the vehicle or vehicles being drawn shall be so attached to each other as to be under proper control.

(*As amended by No.* 65 *of* 1972)

Projecting loads and loading of vehicles

50. (1) Subject to the provisions of regulations 9 (3), 10 and 11, no vehicle shall be so loaded that its load-

(*a*) extends further forward than a point 1,000 millimetres in front of the foremost extremity of such vehicle; or

(*b*) extends further than a distance of 1,220 millimetres behind the rearmost extremity of such vehicle; or

(*c*) projects more than 610 millimetres beyond the lateral extremities of such vehicle; or

(*d*) is of such height that it is likely to interfere with or damage any overbridge, wires or other construction lawfully existing above the road surface:

Provided that in any special case exemption may be granted from the provisions of this regulation by written authority obtained from a police officer of or above the rank of Assistant Inspector. Such officer when giving such authority may impose such conditions including a condition that one or more bright red flags not less than 610 millimetres square shall be affixed as near as possible to the lateral extremity of the load at such point or points as the officer may direct, and make such escort arrangements as he may deem necessary, and the person driving the said vehicle shall comply with all conditions so imposed.

(2) In any case where the load on a vehicle extends beyond the rearmost extremity of the vehicle, there shall be attached to the load during the day-time a bright red flag at least 610 millimetres square.

(3) The load on every vehicle shall-

(*a*) be safely contained within the body of the vehicle or else securely fastened to the same;

(*b*) be carried and arranged in such a way that the driver's view of traffic abreast on either side and ahead of him is not obstructed; and

(*c*) not be likely to cause damage to any person on the vehicle or to any member of the public owing to its weight, distribution, packing or adjustment.

(4) In the case of a motor cycle, with or without sidecar, paragraphs (*a*), (*b*) and (*c*) of sub-regulation (1) shall apply as if the figures therein were 610 millimetres, 1,000 millimetres and 305 millimetres respectively.

(5) Any person who fails to comply with any conditions imposed in accordance with the proviso to sub-regulation (1) shall be guilty of an offence.

(*As amended by No.* 92 *of* 1965 *and No.* 65 *of* 1972)

51. No load shall be carried on the roof of a double-decked motor vehicle.

Load on roof of double-decked motor vehicle prohibited

52. (1) Every motor vehicle or trailer used for conveyance of persons shall be so constructed or adapted as to provide such safeguards as may reasonably be expected to prevent any person from slipping from or being shaken off such a motor vehicle or trailer.

Safety of persons carried

(2) The driver of any motor vehicle or trailer shall not permit any person to travel upon the top of any loads thereon-

(*a*) unless there are sufficient means whereby such person can reasonably prevent himself from slipping or being shaken off such loads while so travelling; or

(*b*) in such manner that there is any danger of such person, while so travelling, coming in contact with the branches of trees, overhead wires, overbridges or other constructions lawfully existing above the road surface.

53. No person shall use or permit to be used any motor vehicle or trailer which-

Prohibition of nuisances

(*a*) causes excessive noise either directly or indirectly as a result of any defect (including a defect in design or construction), lack of repair or faulty adjustment in the motor vehicle or trailer or any part or accessory of such motor vehicle or trailer, or as the result of the faulty packing or adjustment of the load of such motor vehicle or trailer:

Provided that it shall be a good defence to proceedings taken under this paragraph-

(i) to prove that the noise or continuance of the noise in respect of which proceedings are taken was due to some temporary or accidental cause and could not have been prevented by the exercise of due diligence and care on the part of the owner or driver of the motor vehicle; or

(ii) in the case of proceedings against the driver or person in charge of the motor vehicle who is not the owner thereof, to prove that the noise arose through a defect in design or construction of the motor vehicle or trailer or through the negligence or fault of some other person, whose duty it was to keep the motor vehicle or trailer in proper condition or in a proper state of repair or adjustment or properly to pack or adjust the load of such motor vehicle or trailer, as the case may be, and could not have been prevented by the exercise of reasonable diligence and care on the part of such driver or other person in charge of the motor vehicle;

(*b*) causes excessive noise which could have been avoided by the exercise of reasonable care on the part of the driver;

(*c*) raises dust from the road surface by reason of the exhaust gases of the engine being directed downwards;

(*d*) carries any mascot or emblem in any position where it is likely to strike any person with whom the vehicle may collide unless such mascot or emblem is not liable to cause injury to such person by reason of any projection thereon;

(*e*) carries inside it or outside it any mascot, emblem or device of any kind that is likely to be a source of distraction to the drive of the motor vehicle or to the drivers of other vehicles on the road; or

(*f*) carries a tarpaulin or other sheet unless such tarpaulin or sheet is adequately secured to the motor vehicle or trailer to prevent flapping.

General requirements for bicycles

54. (1) Every bicycle shall be equipped with a suitable warning device in good working order.

(2) Every bicycle shall be equipped with efficient brakes in good working order operating on each wheel.

Lamps and reflectors on bicycles

55. (1) Subject to the provisions of this regulation-

(*a*) a bicycle with one rear wheel shall be equipped with a rear mudguard, the rear end of which shall be visible from the rear and to which there shall be attached a red reflex reflector;

(*b*) a bicycle with two rear wheels shall be equipped with a rear mudguard on the off rear wheel, the rear end of which shall be visible from the rear and to which there shall be attached a red reflex reflector;

(*c*) a bicycle shall be equipped with a lamp facing forwards which shall be capable of showing a bright white light, the intense part of the beam of which shall be capable of striking the road at a distance of not less than 3 metres and not more than 30 metres ahead of such bicycle.

(2) A red reflex reflector attached to a mudguard in accordance with sub-regulation (1) shall comply with the following provisions, that is to say:

(*a*) it shall consist of a rectangular strip of red reflective material not less than 35 millimetres wide and of such length that, subject to the provisions of paragraph (*d*), not less than 3,870 square millimetres of uninterrupted reflective surface is provided;

(*b*) it may incorporate words, figures or symbols by way of advertisement, if-

(i) the advertisement is contained within a rectangular area not exceeding 35 millimetres square; and

(ii) only the colour red, if any, contained in the advertisement is of reflective material;

(*c*) it shall be visible from directly to the rear in clear weather during the hours of darkness at a distance of at least 30 metres when directly illuminated by two driving lamps fitted to a motor vehicle in accordance with regulation 34 (1);

(*d*) it shall be so positioned that the lower edge thereof and the lower edge of the mudguard correspond and, if a red glass reflector is attached to the mudguard in such a position that the reflective material cannot be fitted in one piece, it may be divided by such reflector in such a manner that the portion of the mudguard from the lowest edge extending upwards to the lower edge of the reflector shall be fitted with red reflective material;

(*e*) it shall be kept unobscured and reasonably clean.

(3) Any person who sells or lets on hire a bicycle not complying with the provisions of sub-regulation (1) or (2) shall be guilty of an offence.

(4) Any bicycle on a road during lighting-up time shall have lighted the lamp required by the provisions of sub-regulation (1) (*c*).

(5) The provisions of sub-regulation (3) shall not apply to a bicycle, the diameter of the wheels of which is less than 660 millimetres, and the provisions of the remaining sub-regulations of this regulation shall not apply to any such bicycle unless it is used on a road during lighting-up time.

(*As amended by S.I. No.* 34 *of* 1964 *and No.* 65 *of* 1972)

Requirements for animal-drawn vehicles

56. (1) When on a road during lighting-up time every vehicle drawn by an animal or animals shall be equipped with two lamps which shall show a white light clearly visible at a reasonable distance from in front of such vehicle and one lamp at the rear of such vehicle which shall show a red light clearly visible at a reasonable distance from behind:

Provided that the provisions of this sub-regulation shall not apply-

(i) in any place which is adequately lighted by a street lamp being a part of a public system of street lighting or would, but for some unforeseen failure of such street lamp or street lighting occurring after the vehicle was left in such place, have been adequately lighted; or

(ii) in any parking place where vehicles are authorised to be parked without lights.

(2) Every animal-drawn vehicle shall be equipped with-

(*a*) two efficient red reflex reflectors fixed one on each side of the rear of the vehicle, showing to the rear; and

(*b*) two efficient white reflex reflectors fixed one on each side of the front of the vehicle showing forwards.

(3) Every reflex reflector required to be fitted under this regulation shall have a minimum diameter of 35 millimetres, and shall be fixed so that the face of the reflector is at an angle of approximately ninety degrees to the horizontal when the vehicle is being drawn and facing squarely to the front or rear, as the case may be.

(4) Every reflex reflector required to be fitted under the provisions of this regulation shall be kept clear and unobscured so as to be plainly visible from the front or the rear, as the case may be.

(*As amended by No.* 65 *of* 1972)

Requirements for other vehicles

57. When on a road during lighting-up time every vehicle not otherwise specified in these Regulations shall be equipped with one lamp which shall show a white light clearly visible at a reasonable distance from in front of such vehicle.

Exemptions

58. (1) Subject to such conditions as he may deem fit to impose for the safety of members of the public or for any other reason, the Commissioner may grant exemptions in writing either generally or particularly from any of the provisions of these Regulations other than regulations 9, 10, 11, 12 and 18. The Director of Roads may, subject to such conditions as he may deem fit to impose for the purposes aforesaid, grant exemptions in writing either generally or particularly from any of the provisions of regulations 9, 10, 11, 12 and 18. The Army Commander may, subject to such conditions as he may deem fit to impose for the purposes aforesaid, grant exemptions in writing, in respect of Defence Force vehicles, generally or particularly from any of the provisions of Part V:

Provided that in any case where the Army Commander grants exemption to Defence Force vehicles from complying with the requirements of Part V, he shall arrange for, or cause to be arranged, an advance publicity of the fact of exemption in the local press covering the area concerned, and shall cause to be erected at all normal road entrances to the area in which the exemption is to apply, suitably inscribed notices.

(2) It shall be sufficient compliance with these Regulations in so far as they concern the construction and equipment of motor vehicles and trailers, if, in the case of motor vehicles and trailers brought temporarily into Zambia by visitors, they comply with the requirements concerning construction and equipment that are contained in the Roads and Road Traffic (International Circulation) Regulations, or, in the case of motor vehicles and trailers registered, licensed and ordinarily kept in Southern Rhodesia or Malawi, with the requirements of the territory in which they are registered, licensed and ordinarily kept.

(*As amended by S.I. No.* 34 *of* 1964 *and No.* 50 *of* 1968)

Penalties

59. Any person who is guilty of an offence against these Regulations for which no special penalty is provided shall be liable on conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

FIRST SCHEDULE
(*Regulation* 13)

CERTIFICATE OF WEIGHT

This is to certify that the vehicle described below has this day been weighed, with the following result:

Registration number of vehicle .....

Name of owner .....

Journey from ..... to .....

Description of load .....

.....

.....

.....

.....

	Recorded Weight	*No. of Wheels on Axle*
Axle 1	.....	.....
Axle 2	.....	.....
Axle 3	.....	.....
Axle 4	.....	.....
Axle 5	.....	.....
Axle 6	.....	.....
Axle 7	.....	.....
Axle 8	.....	.....
Axle 9	.....	.....
TOTAL	_____	_____

NOTE.- Axles forming part of a group to be bracketed together.

Place weighed .....

Date .....

Signature and designation of
Officer issuing Certificate

(*No.* 243 *of* 1970)

SECOND SCHEDULE
(*Regulation* 46*A*)

COLOURS OF FLASHING TURRET LIGHTS

	Column 1 *Category*	*Column* 2 *Colour*
A.	Zambia Police Force	Blue
	Road Traffic Commission	Amber
	Fire engine	Red
	Hospital ambulance	Red
	Military Police	Red
	Recovery Units of the Mechanical Services Branch	Red
B.	General haulage vehicle	Red

(*As amended by S.I. No.* 115 *of* 1974 *and No.* 212 *of* 1986)

SECTION 258-THE ROADS AND ROAD TRAFFIC
(CITY OF NDOLA: PROHIBITION OF TRAFFIC) REGULATIONS

Statutory Instrument
174 *of* 1970
Act No.
13 *of* 1994

Regulations by the Minister

Title

1. These Regulations may be cited as the Roads and Road Traffic (City of Ndola: Prohibition of Traffic) Regulations.

Prohibition of certain traffic on roads

2. The description of traffic specified in column 1 of the Schedule is prohibited from using all roads in the City of Ndola save the roads specified in column 2 of the Schedule.

Penalties

3. Any person contravening the provisions of these Regulations shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

SCHEDULE
(*Regulation* 2)

Column 1	*Column* 2
Any motor vehicle or trailer used or constructed or adapted for use primarily for the carriage of petroleum products in bulk.	Broken Hill Road; Bwana Mkubwa Road; Nkana Road; Kwacha Road (between Luanshya Road and King Horner Road); Luanshya Road; King Horner Road; Makoli Avenue; Livingstone Road; Chisokone Avenue; St. David's Road; St. George's Road; Buteko Avenue (between St. David's Road and St. George's Road); President Avenue; Moffat Road; Broadway; Second Street; Third Street; Kabelenga Avenue (between Second Street and Third Street); Savoy Street (between Mill Hill and Small Street); Richmond Smith Drive; Depot Road; New Airport Road; Airport Road; all public roads in the Skyways Industrial Area.

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE)
REGULATIONS

ARRANGEMENT OF REGULATIONS

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SECTION 258-THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

Regulations by the Minister

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12 *of* 1994
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53 *of* 1996
19 *of* 1997
43 *of* 1997
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Driving Licence) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"articulated goods vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage or haulage of goods;

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"driving licence" means a licence in Form D.L.7 of the Second Schedule;

"endorsement" means an endorsement of a driving licence under section *one hundred and fifteen* of the Act extending the validity of such licence to any other class of motor vehicle;

"farm tractor" means a tractor of the type commonly used for agricultural purposes;

"medical certificate" means a medical certificate in Form D.L.6 of the Second Schedule completed and signed by a registered medical practitioner not more than two months before the date of issue of the licence in respect of which it is produced;

"old licence" means a driving licence issued under the provisions of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and valid at the commencement of these Regulations;

"pass certificate" means a certificate in Form D.L.4 of the Second Schedule;

"public service vehicle driving licence" means a driving licence that is valid for the driving of public service vehicles;

"public service vehicle endorsement" means an endorsement extending the validity of a driving licence to any class or any other class of public service vehicles.

3. A tracked tractor is hereby declared to be a construction vehicle for the purposes of section *two* of the Act. Declaration of construction vehicle

4. Construction machinery of the following nature is hereby prescribed for the purposes of the definition of "construction vehicle" in section *two* of the Act: Nature of construction machinery

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;

(iv) crushers;

(v) paving machines;

(vi) road sweepers or power brooms;

(vii) soil, concrete, tar or bitumen mixers;

(viii) welding units;

(ix) drilling and boring machinery;

(x) cranes (excluding breakdown trucks);

(xi) graders;

(xii) scrapers;

(xiii) pipelayers;

(xiv) cablelayers;

(xv) cement, lime or stone spreaders;

(xvi) excavators;

(xvii) trenchers;

(xviii) front-end loading shovels;

(xix) rollers and compactors;

(xx) stabilisers;

(xxi) concrete spreaders and tampers;

(xxii) road watering bowsers;

(xxiii) powered mowers;

(xxiv) extending towers and ladders;

(xxv) compressors;

(xxvi) stone driers and heaters;

(xxvii) pumps;

(xxviii) rooters and scarifiers;

(xxix) ploughs and harrows.

PART II

PRESCRIBED FORMS: APPLICATIONS: RECORDS

Prescribed forms

5. The forms set forth in the Second Schedule are hereby prescribed as the forms to be used in all cases to which they are respectively applicable for the purposes of the Act.

Applications to be made to Commissioner

6. It is hereby prescribed in accordance with the provisions of subsection (2) of section *one hundred and eleven* of the Act that applications for duplicate driving licences and for public service vehicle driving licences issued in accordance with regulation 19 shall be made to the Commissioner.

Copy of applications, etc., to be sent to Commissioner

7. Upon the issue of a provisional driving licence, or of a driving licence, or upon the making of an endorsement thereon, or upon the renewal of a public service vehicle driving licence, the licensing officer shall enter in the appropriate place on the application form particulars of the licence issued or endorsement or renewal made, as the case may be, and shall forward the form to the Commissioner. The licensing officer shall also send to the Commissioner, as applicable, one copy of the applicant's photograph endorsed in accordance with regulation 15, his pass certificate, and his medical certificate.

Register of licences

8. The Commissioner shall keep a register of all driving licences issued, and of endorsements and renewals made, and shall record in such register the particulars of any order of a court or variation thereof transmitted to him under section *one hundred and two* of the Act.

Duplicates

9. (1) Any person who has lost his driving licence or whose licence has been destroyed or so mutilated as to be illegible may apply to the Commissioner on Form D.L.5 of the Second Schedule for a duplicate thereof, and he shall send with his application two copies of a recent photograph of himself, complying with the requirements specified on the said form.

(2) The Commissioner may, if satisfied that the original licence has been lost, destroyed or so mutilated or defaced as to be illegible, thereupon authorise the issue of a duplicate driving licence, so marked, by a licensing officer. Before authorising the issue of a duplicate licence, the Commissioner may require the applicant to submit such evidence in support of his application as he may think necessary.

(3) Any person aggrieved by the refusal of the Commissioner to authorise the issue of a duplicate licence may, on payment of the fee specified in the Third Schedule, appeal to the Minister within fourteen days of the refusal.

(4) In any case of appeal the Commissioner shall, if so requested, supply to the person aggrieved the reasons in writing for his refusal to authorise the issue of a duplicate licence.

Change of name

10. (1) When the name of the holder of a driving licence is changed (whether by marriage or any other means) the holder, if in Zambia at the time, shall, within thirty days of the change, notify a licensing officer in writing of the change, and shall submit his licence for amendment. If the holder is not in Zambia at the time, he shall notify a licensing officer of the change, and submit his licence for amendment, within thirty days of his return thereto.

(2) Upon receiving such notification the licensing officer shall-

(*a*) amend the licence and return it to the holder;

(*b*) notify the Commissioner of the change.

(3) Any person who fails to comply with any of the provisions of sub-regulation (1) shall be guilty of an offence, and liable upon conviction to a fine not exceeding one hundred and fifty penalty units.

PART III

CLASSES OF MOTOR VEHICLE: DRIVING TESTS AND LICENCES

Classes of motor vehicle

11. (1) For the purposes of section *one hundred and fifteen* of the Act, motor vehicles shall be classified as shown in the First Schedule. It is hereby prescribed that a motor vehicle that is on hire to a person for use by that person otherwise than for the conveyance of passengers or goods or both for hire or reward shall be classified as a private motor vehicle.

(2) Any person who passes or is exempted from passing a test to drive a motor vehicle specified in column 2 of the First Schedule shall be entitled, subject to his compliance with the provisions of the Act and these Regulations, to have issued to him a driving licence authorising him to drive motor vehicles of that class and of the other classes covered thereby as specified in the third column of the said Schedule.

Evidence of medical fitness

12. (1) No licence or endorsement thereof to authorise the driving of public service vehicles shall be authorised or issued unless the applicant produces to the licensing officer, or where it is so provided in these Regulations, to the Commissioner, a medical certificate:

Provided that unless the licensing officer otherwise directs in any particular case no such medical certificate shall be required in the case of-

(i) an applicant who holds a licence to drive public service vehicles who is applying for an endorsement to drive a further class or classes of public service vehicles; or

(ii) an applicant for the renewal of a public service vehicle driving licence.

(2) A licensing officer may in his discretion before issuing any licence or endorsement not otherwise specified in sub-regulation (1) require the applicant to produce a medical certificate.

(3) Any medical certificate that is required to be produced to a licensing officer or to the Commissioner under the provisions of this regulation shall also be produced to the driving examiner at the time of any driving test required to be taken in connection with the issue of the licence, endorsement or renewal applied for.

Need to pass driving test

13. (1) Subject to the following provisions of this regulation, no driving licence shall be issued or endorsement thereof made unless the applicant produces to the licensing officer a valid pass certificate, that is to say, a pass certificate issued within the period of thirty days immediately before application for the said licence or endorsement is made:

Provided that, except in cases where a person is an applicant for a licence or endorsement to drive public service vehicles, the licensing officer may, subject to the general directions of the Commissioner, dispense with the production of such pass certificate if otherwise satisfied of an applicant's driving ability.

(2) In any case of application for the renewal of a public service vehicle driving licence, the licensing officer may in his discretion before renewing the said licence require the production of a valid pass certificate as defined in sub-regulation (1).

(3) In any case of application for a duplicate of a driving licence or for a public service vehicle driving licence in lieu of an expired licence as provided for in regulation 19, the Commissioner may before authorising the issue of the said licence or a licensing officer may before issuing such licence require the production of a valid pass certificate, as aforesaid.

(4) In any case where an applicant fails to produce a pass certificate required under sub-regulation (2) or (3), any renewal, duplicate or fresh licence issued to him shall not be marked as valid for the driving of any class or classes of motor vehicle in respect of which the applicant has failed to produce the said pass certificate.

(5) No fee shall be payable for any driving test taken as a result of any requirement made under sub-regulation (2) or (3).

(*As amended by No.* 405 *of* 1969)

Driving tests procedure

14. (1) Every applicant for a driving test shall apply to a driving examiner who may either arrange to carry out the test himself, or direct the applicant to another driving examiner.

(2) Where the driving examiner is an officer of the Government, the fee specified in the Third Schedule for a driving test shall be paid into the general revenues of the Republic, and where the driving examiner is not such an officer, such portion of the fee as the Minister may from time to time direct shall be paid to the examiner, and the remainder shall be paid into the general revenues of the Republic. Driving examiners shall render to the Commissioner such records and accounts of fees collected as the Commissioner may direct, and shall issue receipts for fees received in Form D.L.3 of the Second Schedule.

(3) Every applicant presenting himself for a driving test shall produce to the driving examiner-

(*a*) any driving licence held by him;

(*b*) a valid provisional driving licence authorising the driving of motor vehicles of the class for which he is to be tested;

(*c*) a vehicle in a fit and proper state of repair and of the class for which he is to be tested;

(*d*) two copies of a recent photograph of himself which shall-

(i) be taken full face showing the head and shoulders with the head uncovered;

(ii) be unmounted and printed on normal thin photographic paper;

(iii) be of dimensions not more than 65 millimetres by 50 millimetres and not less than 50 millimetres by 35 millimetres:

Provided that if the applicant holds and produces to the driving examiner a valid driving licence, and if such driving licence contains the applicant's photograph, it shall not be necessary to produce the photographs specified in this paragraph;

(*e*) where required by the provisions of regulation 12, a medical certificate.

(*As amended by No.* 203 *of* 1963
and No. 54 *of* 1972)

Further test to drive a public service vehicle

14A. Any person who fails a test to drive a public service vehicle authorised to carry passengers shall not be entitled to apply for a further test to drive a vehicle of the same class until ninety days have elapsed since the date of the last test.

(*No.* 53 *of* 1972)

Procedure after test

15. (1) Every applicant who has passed a driving test shall be supplied by the driving examiner with a pass certificate in Form D.L.4 of the Second Schedule giving the result thereof. Every such applicant shall sign or affix his thumb mark on his pass certificate in the presence of the driving examiner, who shall also hand to him the documents produced in accordance with the provisions of regulation 14 (3) and both copies of his photograph where such are required by the provisions of the said sub-regulation, of which one shall duly have been endorsed on the reverse by the driving examiner as follows:

"True likeness of .....

Dated ..... Signed ....."

(2) Where a person has failed the test to drive a public service vehicle authorised to carry passengers, any driving licence produced to the driving examiner in accordance with the provisions of regulation 14 (3) (*a*) shall be endorsed in a suitable place by the examiner as follows:

"Failed test for P.S.V. Class on .....

Dated ..... Signed ....."

(*As amended by No.* 53 *of* 1972)

Issue of driving licence or making of endorsement

16. (1) A person who has passed a driving test may present to the licensing officer his application for a driving licence or endorsement, his pass certificate and, where such are required by the provisions of regulation 12 or 14, the endorsed and unendorsed copies of his photograph and his medical certificate.

(2) If the licensing officer is satisfied with the documents so produced to him and if the other requirements of these Regulations are complied with, he shall upon payment of the prescribed fee issue a driving licence or make an endorsement, as the case may be.

(*As amended by No.* 203 *of* 1963)

Signature or thumbprint on driving licences and affixing photograph

17. (1) The signature or thumbprint required to be affixed to every driving licence in accordance with subsection (3) of section *one hundred and eighteen* of the Act shall be affixed in the space provided on page 1 thereof.

(2) It is hereby prescribed that a photograph of the holder of every driving licence issued under these Regulations shall be affixed to the said driving licence on page 2 thereof. It shall be stamped by a licensing officer with his office stamp in such a manner as to cover part of the photograph and part of the page to which it is affixed. Every photograph required by these Regulations shall comply with the requirements of regulation 14 (3) (*d*).

Surrender of driving licence

17A. (1) Any person who has been issued with a driving licence, under the Act, shall, after the commencement of these Regulations, surrender such driving licence to the licensing officer who shall, upon payment by such person of a fee of three hundred and thirty-three fee units, issue that person with a new driving licence.

(2) A person who surrenders a driving licence in compliance with sub-regulation (1) shall not be subjected to a driving text.

(3) A licence issued under this regulation shall on payment of the prescribed fee set out in the Second Schedule of these Regulations, to be renewed by way of endorsement after each five year period from the date of such issue.

(4) A driving licence issued before the commencement of this regulation shall after 31st December, cease to be valid.

(5) Sub-regulations (1), (2), (3) and (4) shall apply with the necessary modifications to a duplicate driving licence.

(*As amended by S.I. Nos.* 19 *and* 43 *of* 1997)

Duration and renewal of public service vehicle driving licence

18. (1) A public service vehicle driving licence shall be valid for a period of twelve months from the date of issue as appearing on such public service vehicle driving licence or public service vehicle endorsement but may be renewed for further periods of twelve months if application is made therefor in accordance with these Regulations within six months of its expiry, subject to a maximum period of five years from such date of issue. In any case where a person applies for the renewal of his public service vehicle driving licence after the expiry of the said period of six months, the application shall be treated as an application for a public service vehicle driving licence.

(2) A renewal of a public service vehicle driving licence shall be in Form D.L.12 of the Second Schedule and shall be attached by the licensing officer to page 6 of such licence in the manner marked thereon.

Expiry of public service vehicle driving licence

19. (1) Every public service vehicle driving licence shall expire on, and shall not be renewed beyond, a date, hereinafter referred to as the "final expiry date", five years after the date of issue of the driving licence referred to in regulation 18 (I). Where a public service vehicle driving licence has expired, the holder may apply direct to the Commissioner on the appropriate application form for a public service vehicle driving licence in substitution for the licence so expired, and shall send with his application two copies of a recent photograph conforming with the requirements of regulation 14 (3) (*d*) and a medical certificate.

(2) If the Commissioner is satisfied with the documents so sent to him, he shall authorise a licensing officer to issue a public service vehicle driving licence to the applicant in lieu of the expired licence.

(3) Upon receipt of the Commissioner's authorisation and of the prescribed fees for a driving licence and for the extension of a licence by endorsement, the licensing officer shall issue a public service vehicle driving licence accordingly.

(4) If on the final expiry date of an existing public service vehicle driving licence an application has been made by the holder thereof under this regulation for the issue of a licence in lieu thereof, the existing public service vehicle driving licence shall be deemed to continue in force until the new one is issued or refused, as the case may be.

Possession of a driving licence

19A. Every motorist shall have in his possession a driving licence whenever he is driving a motor vehicle.

(*As amended by S.I. No.* 101 *of* 1995)

PART IV

MISCELLANEOUS

Military driving licence

20. For the purpose of driving a motor vehicle belonging to the Defence Force, a valid driving licence or provisional driving licence or the equivalent of such licence duly issued for use by members of the Defence Force and valid for the said vehicle is hereby deemed to have effect as though it were a driving licence or provisional driving licence issued under section *one hundred and eleven* or *one hundred and thirteen* of the Act, as the case may be.

(*As amended by S.I. No.* 122 *of* 1965)

Recognition of foreign licences

21. (1) A valid driving licence or the equivalent thereof duly issued under any law in force in any of the countries specified in the Fifth Schedule is hereby deemed to have effect within Zambia during the currency of such licence as though it were a driving licence issued under section *one hundred and eleven* of the Act:

Provided that-

(i) such licence shall have effect within Zambia only in respect of those classes of motor vehicle for which it is valid in the country of issue;

(ii) the provisions of this regulation shall not apply in the case of a person to whom such driving licence was issued in a country specified in the Fifth Schedule while he was normally resident in Zambia;

(iii) the provisions of this regulation shall not apply for a period exceeding ninety days after a person becomes resident in Zambia.

(2) A driving licence referred to in sub-regulation (1) shall be produced for inspection in like manner as if it were a driving licence issued under the Act and the provisions of the Act, relating to driving licences, shall apply *mutatis mutandis* to such a driving licence.

(*As amended by No.* 157 *of* 1970)

Prescribed fees

22. (1) The fees specified in the second column of the Third Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) The fee paid on any appeal made to the Minister or to the Commissioner under Part VII of the Act or these Regulations shall be refunded if the appeal is successful.

23. (1) Every old licence shall be valid for such of the following classes of motor vehicles as are marked therein: Validity of "old licences"

Private Vehicles:

(*a*) motor cycles;

(*b*) steam-driven vehicles;

(*c*) heavy vehicles;

(*d*) motor vehicles other than those in classes (*a*), (*b*) and (*c*).

Public Service Vehicles:

(*e*) hiring cars;

(*f*) steam-driven vehicles;

(*g*) articulated vehicles;

(*h*) vehicles, other than those in classes (*f*) and (*g*), used for the carriage of goods only;

(*i*) public service vehicles, other than those in classes (*e*), (*f*), (*g*) and (*h*).

(2) For the purposes of sub-regulation (1)-

"heavy vehicle" means a motor vehicle exceeding 3,650 kilograms gross weight;

"hiring car" means a motor vehicle, having seating accommodation for not more than seven passengers, used for the carriage of passengers for hire or reward otherwise than at separate fares;

"motor cycle" means a mechanically propelled vehicle (not being a vehicle classified as an invalid carriage) with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means any mechanically propelled vehicle intended or adapted for use on roads;

"public service vehicle" means a motor vehicle used for carrying passengers or goods or both for hire or reward whether under contract to any person or plying for hire generally, and includes any trailer when being drawn by such motor vehicle.

(3) Every old licence shall remain valid until the date (if any) upon which it or any endorsement therein is expressed to expire, or the 31st December, 1970, whichever is the earlier. In any case where the holder of an old licence applies for a duplicate, or for its extension by endorsement to permit the driving of additional classes of motor vehicles, or for a licence free from endorsement in accordance with section *one hundred and thirty-one* of the Act, his old licence shall thereupon expire.

(4) Upon the expiry of any old licence or upon such licence ceasing to be valid, any licence subsequently issued to the holder of the said old licence shall be issued in accordance with the provisions of these Regulations and shall be in Form D.L.7 of the Second Schedule. Such a licence shall be marked as valid for the driving of the class or classes of motor vehicle as correspond to the class or classes of motor vehicle for which the old licence was valid, in accordance with the provisions of the Fourth Schedule:

Provided that if the holder of an old licence establishes to the satisfaction of the licensing officer that, by virtue of his old licence, he was accustomed to drive motor vehicles other than those contained in the corresponding class or classes shown in column 2 of the Fourth Schedule, the licensing officer may mark the new licence as valid for the class or classes of motor vehicle corresponding to the class or classes that the holder was accustomed to drive.

(*As amended by Nos.* 86 *and* 212 *of* 1970 *and No.* 54 *of* 1972)

FIRST SCHEDULE

(*Regulation* 2)

CLASSES OF MOTOR VEHICLES

Class	*Type of Motor Vehicle*	*Other Classes Covered*
C	Motor cycle	Nil
D	Construction vehicle	Nil
E	Farm tractor	Nil
G	Heavy goods vehicle	Nil
I	Any private motor vehicle	Nil
J	P.S.V. articulated goods vehicle and heavy goods vehicle with trailer	Nil
M	P.S.V. motor omnibus and taxis	Nil

(*As amended by S.I. No.* 39 *of* 1995)

SECOND SCHEDULE
(*Regulation* 5)

PRESCRIBED FORMS

FORM D.L.1
(*Regulation* 5)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

APPLICATION FOR A PROVISIONAL DRIVING LICENCE, A DRIVING LICENCE, AN ENDORSEMENT OF A DRIVING LICENCE, THE RENEWAL OF A PUBLIC SERVICE VEHICLE DRIVING LICENCE OR A PUBLIC SERVICE VEHICLE DRIVING LICENCE IN SUBSTITUTION FOR AN EXPIRED PUBLIC SERVICE VEHICLE DRIVING LICENCE

1. 1 (*surname*) .....

(*other names*) .....

of (*present address*) .....

.....

and (*permanent address*) .....

.....

hereby apply for* (i) a provisional driving licence.

(ii) a driving licence.

(iii) an endorsement of my driving licence No .....

(iv) the renewal for a period of twelve months of my public service vehicle driving licence No .....

(v) a public service vehicle driving licence in substitution for expired public service vehicle driving licence No .....

to drive motor vehicles of the classes hereinafter marked and, in the case of items (ii) and (iii), the other classes covered by the driving test that I have passed, or have been exempted from passing.

(NOTE.-Applications in respect of items (i)-(iv) should be made to a licensing officer. Applications in respect of item (v) should be made to the Road Traffic Commissioner, P.O. Box RW.66, Lusaka, and in these cases applicants MUST FILL IN THE FOLLOWING:

I wish the public service vehicle driving licence issued in substitution of my expired one to be issued to me by the licensing officer at .....)

2. I CERTIFY THAT-

(*a*) My physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of the licence/endorsement for which I am applying;

(*b*) I do not suffer from epilepsy, nor have I been subject to fits;

(*c*) (*Applicable to applications for provisional driving licences only*.) I am aware that I am not allowed to be issued with more than three provisional driving licences in any period of two years in respect of any one class of motor vehicle, and I certify that the issue to me of the provisional driving licence applied for now will not cause this number to be exceeded.

I FURTHER CERTIFY THAT, with the exceptions set forth below-

(*d*) I am not disqualified from obtaining or holding the licence or endorsement for which I am now applying;

(*e*) No driving licence held by me bears a subsisting criminal endorsement;

(*f*) (*Applicable only to applications for driving licences or for endorsements thereof*.) I am not the holder of any valid driving licence that entitles me to drive in Zambia motor vehicles of the class(es) for which I am applying now and I understand that, if the licence or endorsement applied for now is granted, any driving licence previously issued to me, whether inside or outside Zambia, will become void in so far as it authorises me to drive in Zambia motor vehicles of the class(es) forming the subject of this application;

(*g*) (*Applicable only to applications for the renewal of public service vehicle driving licences, or for public service vehicle driving licences in substitution of expired ones*.) Apart from the driving licence for (*the renewal of) which I am now applying I am not the holder of any driving licence that authorises me to drive in Zambia public service vehicles of the same class, and I understand that, if the licence/renewal now applied for is granted, any driving licence previously issued to me, whether inside or outside Zambia, will become void so far as it authorises me to drive public service vehicles of the class(es) forming the subject of this application.

Exceptions .....

.....

.....

.....

3. My age is ..... years ..... months.

CLASSES OF MOTOR VEHICLE

(Tick in the column headed "Class" the class for which you are applying. There is no need to mark the columns headed "Other classes covered". Except in the case of provisional driving licences, your licence will automatically cover these.)

Column 1 *Class*:	*Column* 2	*Column* 3 *Other Classes Covered* :
	Private Vehicles:	
A.	Invalid carriage	Nil.
B.	Auto-cycle	Nil.
C.	Motor cycle	B.
D.	Construction vehicle of the following nature:	Nil.
E.	Farm tractor	Nil.
F.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	G, I.
G.	Heavy goods vehicle	I.
H.	Private motor omnibus used otherwise than for private or domestic purposes	I.
I.	Any private motor vehicle not included in Classes A-H above	Nil.
	Public Service Vehicles:	
J.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	F, G, I, K, N.
K.	Heavy goods vehicle	G, I, N.
L.	Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car	I, N.
M.	Motor omnibus having seating accommodation for more than twelve passengers	H, L, I, K, G, N.
N.	Any public service goods vehicle not included in Classes J or K above	I.

Date ....

Signature/Thumb impression of Applicant

FOR USE BY LICENSING OFFICER (*Delete as applicable*).

Provisional driving licence No ..... issued.

Driving licence No ..... issued.

Endorsement *private/p.s.v. (Form D.L.9/Form D.L.10/Form D.L.11)

No ..... issued.

Public service vehicle driving licence renewed for twelve months from the date of expiry, or until the final expiry date, whichever is earlier:

Form D.L.12 No ..... issued.

As applied for unless otherwise amended by me.

Fee paid .....

Photograph
(to be pinned to and
not permanently affixed
to this form).

*No. of P.S.V. Badge issued .....

Date and place:

....

Licensing Officer

* Delete as applicable.

Original -To Central Driving Licence Registry.

FOR USE BY COMMISSIONER.

Public service vehicle driving licence No. ..... issued in lieu of expired licence No. ..... and P.S.V. Endorsement (Form D.L.10) No. ..... issued.

(*As amended by No.* 203 *of* 1963)

Fee units paid 15 IMPORTANT FORM D.L.2
(*Regulation* 5)

NOTE TO APPLICANT.-Make a note of the number of this provisional driving licence and of its date of issue and expiry. In every application for a provisional driving licence you have to certify that you have not held more than three such licences in any period of two years, in respect of any one class of motor vehicle.

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

PROVISIONAL DRIVING LICENCE

No. .....

Licence is hereby granted to .....
(*full name in block capitals*)

(*address*) .....

.....

.....

for a period of *three months from the date of issue hereof, to drive upon any road motor
one month
vehicles of the class(es) *hereafter set out, subject to the conditions of the Roads and Road Traffic Act and of the Regulations made thereunder.

* Delete particular classes as necessary.

Column 1 *Class*:	*Column* 2 *Private Vehicles*:
A.	Invalid carriage.
B.	Auto-cycle.
C.	Motor cycle.
D.	Construction vehicle of the following nature: .....
E.	Farm tractor.
F.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer.
G.	Heavy goods vehicle.
H.	Private motor omnibus used otherwise than for private or domestic purposes.
I.	Any private motor vehicle not included in Classes A-H above.

Public Service Vehicles:

J. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer.

K. Heavy goods vehicle.

L. Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car.

M. Motor omnibus having seating accommodation for more than twelve passengers.

N. Any public service goods vehicle not included in Classes J-K above.

Date of expiry ....

Signature/Thumbprint of Holder

Original-To Applicant.
Duplicate-To be retained by licensing officer.

.....

Licensing Officer

Date and place of issue:

.....

.....

(*As amended by No.* 203 *of* 1963)

FORM D.L.3
(*Regulation* 14)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No. .....

RECEIPT FOR FEE PAID ON APPLICATION FOR DRIVING TEST

Received from .....

the sum of fee units (*in words*) .....

fee units (*in words*) ..... (*in figures*) fee units .....

being the fee paid on application for a driving test.

Date ..... Signed .....
Examiner

Original-To Payer.
Duplicate-To Road Traffic Commissioner.
Triplicate-To remain in book.

IMPORTANT

NOTE TO PAYER.-If your driving test has been arranged for a later date than today, keep this receipt to show to the Examiner at the time of the test. This fee may not be refunded unless the Examiner is given at least 48 hours' notice of the cancellation of a driving test appointment.

FORM D.L.4
(*Regulation* 15)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No .....

PASS CERTIFICATE

Name of successful applicant .....

The above named, whose address is .....

.....

whose signature/thumb impression has been placed below in my presence, has been tested and found competent to drive motor vehicles of the following class(es) *hereafter set out, subject to the special conditions noted below:

*I have endorsed a photograph of the applicant with my opinion that it is a true likeness; or

*The applicant produced to me valid driving licence No ..... bearing a photograph which, in my opinion, is a true likeness of the applicant.

*Delete particular classes as necessary.

Special conditions .....

.....

.....

CLASSES OF MOTOR VEHICLES

Column 1 *Class*:	*Column* 2 *Private Vehicles*:	*Column* 3 *Other Classes Covered*:
A.	Invalid carriage	Nil.
B.	Auto-cycle	Nil.
C.	Motor cycle	B.
D.	Construction vehicle of the following nature:	Nil.
E.	Farm tractor..	Nil.
F.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	G, I.
G.	Heavy goods vehicle..	I.
H.	Private motor omnibus used otherwise than for private or domestic purposes	I.
I.	Any private motor vehicle not included in Classes A-H above ..	Nil.

Public Service Vehicles:

J. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer .. .. F, G, I, K, N.

K. Heavy goods vehicle.. .. .. G, I, N.

L. Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car .. .. .. I, N.

M. Motor omnibus having seating accommodation for more than twelve passengers .. .. H, L, I, K, ... G, N.

N. Any public service goods vehicle not included in Classes J-K above .. .. I.

Date .....

.....
Signature/Thumb mark of Applicant

.....
Signature of Driving Examiner

Original-To Applicant.
Duplicate-To Road Traffic Commissioner.
Triplicate-To remain in book.

(*As amended by No.* 203 *of* 1963)

FORM D.L.5
(*Regulation* 9)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

APPLICATION FOR A DUPLICATE DRIVING LICENCE

I, ...

(FULL NAME IN BLOCK CAPITALS)

of (*present address*) .....

.....

and (*permanent address*) .....

.....

hereby apply for a duplicate driving licence to drive motor vehicles of the class(es) indicated below.

My original licence was No. ..... and was issued at

..... on the ..... day of ..... 19 .....

to drive motor vehicles of class(es) .....

No. of P.S.V. driver's badge (where applicable) .....

My original licence has been lost/destroyed/defaced in the following circumstances

.....

.....

I CERTIFY THAT-

(*a*) my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of the duplicate driving licence for which I am applying;

(*b*) I do not suffer from epilepsy, nor have I been subject to fits;

I FURTHER CERTIFY THAT, with the exceptions set out below:

(*c*) I am not disqualified from obtaining or holding the duplicate driving licence for which I am applying;

(*d*) my original licence did not bear a subsisting criminal endorsement;

(*e*) apart from my original licence, I hold no driving licence that authorises me to drive motor vehicles in Zambia and I understand that, if the duplicate for which I am now applying is granted to me, every driving licence previously issued to me (whether inside or outside Zambia and including my original licence) will become void so far as it authorises me to drive motor vehicles in Zambia.

Exceptions: .....

.....

If my original licence is found by me, I undertake to surrender it to a licensing officer.

I wish my duplicate driving licence to be issued to me by the licensing officer

at .....

Date ....

Signature/Thumb mark of Applicant

Applicants should indicate the class(es) of motor vehicle for which their original licence was valid

CLASSES OF MOTOR VEHICLES

Column 1		*Column* 2	*Column* 3
Class:		*Private Vehicles*:	*Other Classes Covered*:
A.	Invalid carriage	.. ..	Nil.
B.	Auto-cycle	.. ..	Nil.
C.	Motor cycle	.. ..	B.
D.	Construction vehicle of the following nature:	.. .. ..	Nil.
E.	Farm tractor..	.. ..	Nil.
F.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	.. ..	G, I.
G.	Heavy goods vehicle	.. ..	I.
H.	Private motor omnibus used otherwise than for private or domestic purposes	.. ..	I.
I.	Any private motor vehicle not included in Classes A-H above..	..	Nil.
		Public Service Vehicles:	
J.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	.. ..	F, G, I, K, N.
K.	Heavy goods vehicle	.. ..	G, I, N.
L.	Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car	.. .. ..	I, N.
M.	Motor omnibus having seating accommodation for more than twelve passengers	.. ..	H, L, I, K, G, N.
N.	Any public service goods vehicle not included in Classes J or K above	.. ..	I.

NOTES

1. The issue of a duplicate driving licence depends upon the Commissioner's discretion. It is therefore necessary for you to satisfy him that your original licence has in fact been lost, destroyed or defaced.

2. Send this application to the Road Traffic Commissioner, P.O. Box RW.66, Lusaka. *With it you must also send two copies of a recent photograph* of yourself which conform with the following:

(i) they must be taken full face showing the head and shoulders with the head uncovered;

(ii) they must be unmounted and printed on normal thin photographic paper;

(iii) they must not be larger than 2 1/2" x 2" and not smaller than 2" x 1 1/2".

3. Do not attach your photographs permanently to this application form. They should be pinned to it, or sent loose.

4. A duplicate driving licence, if authorised by the Commissioner, will be issued by a licensing officer. Please check that you have filled in the entry on this application form specifying the licensing officer whom you wish to issue your duplicate licence.

(*As amended by No.* 203 *of* 1963)

FORM D.L.6
(*Regulation* 2)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

MEDICAL CERTIFICATE

APPLICANT FOR PUBLIC SERVICE VEHICLE DRIVING LICENCE

I CERTIFY THAT I, ...

of (*address*) .....

(*qualifications*) .....

have today personally examined .....

of (*address*) .....

an applicant for a licence to drive a public service vehicle, with the results noted below. I further certify that I have explained the contents of the subjoined "Declaration by Applicant" to the applicant and that his signature/thumb mark thereto has been affixed in my presence.

(*a*) Apparent age .....

(*b*) Vision without glasses R ..... L .....

With glasses (if worn) R ..... L .....

(*c*) Colour perception:

(1) State whether normal by ishihara pseudo-isochromatic plate test.

(2) If not, test for signal red, signal green and amber by a suitable lantern.

1 .....

2 .....

(*d*) Hearing .....

(*e*) Limbs (state whether unrestricted use of all limbs or otherwise) .....

.....

(*f*) Is he free from suspicions of being intemperate or addicted to drugs?

.....

(*g*) General health (state whether reactions normal, and whether free of any disease, temporary or otherwise, which would induce faintness or undue fatigue when

driving long distances) .....

.....

.....

.....

As a result of my examination I am/am not* satisfied that the applicant is a medically fit person to drive a public service vehicle.

Date ....

Registered Medical Practitioner

NOTE.-A registered medical practitioner may alter the certificate to meet special circumstances.

DECLARATION BY APPLICANT

I declare that I do not suffer from epilepsy, that I have not been subject to fits, and that my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of a public service vehicle driving licence.

I further declare that the answers to the questions put to me by the Medical Practitioner are true and complete, and I understand that if any statement made by me is to my knowledge false or in any material respect misleading, I am liable to a fine not exceeding seven hundred and fifty penalty units in the case of a first offence and to a fine not exceeding one thousand five hundred penalty units in the case of a second or subsequent offence.

Date ....

Signature/Thumb mark of Applicant

*Delete as necessary.

(*As amended by Act No.* 13 *of* 1994)

FORM D.L.7
(*Regulation* 23)

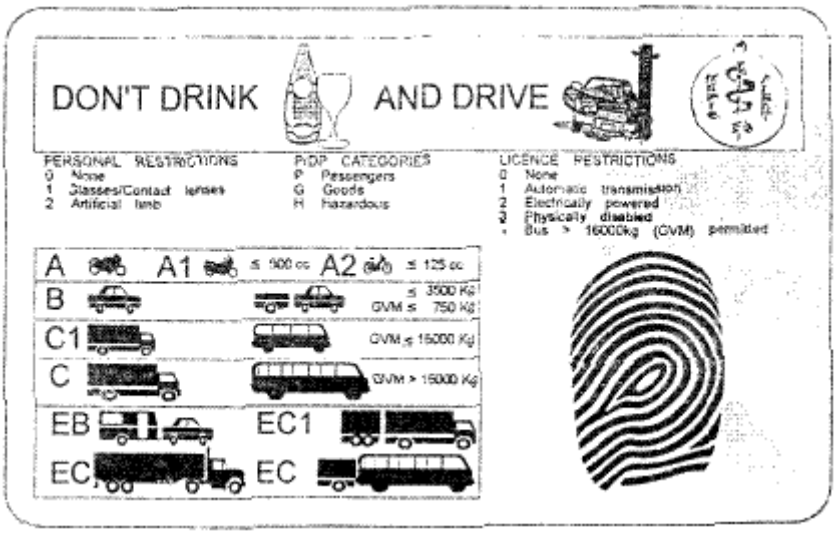
GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

DRIVING LICENCE

(FRONT)



(BACK)

(*As amended by No.* 203 *of* 1963, *Act No.* 13 *of* 1994 *and S.I. No.* 19 *of* 1997)

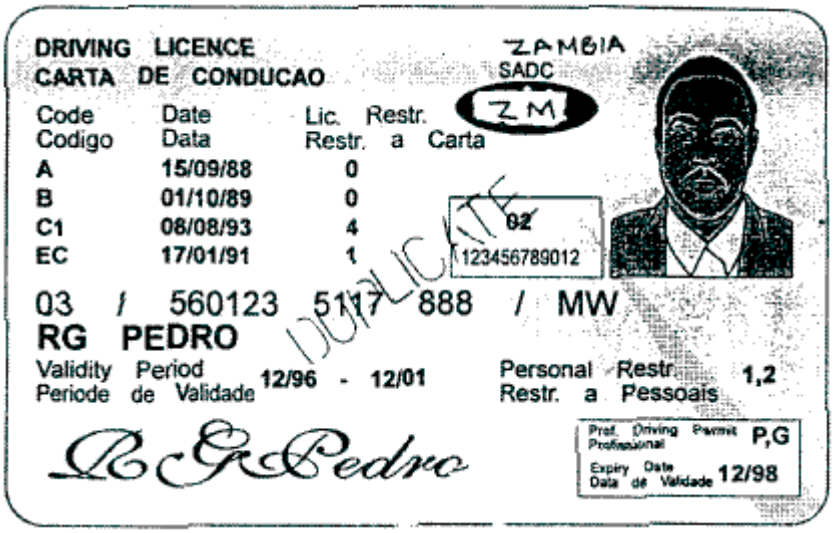
FORM D.L.8
(*Regulation* 5)

GOVERNMENT OF ZAMBIA

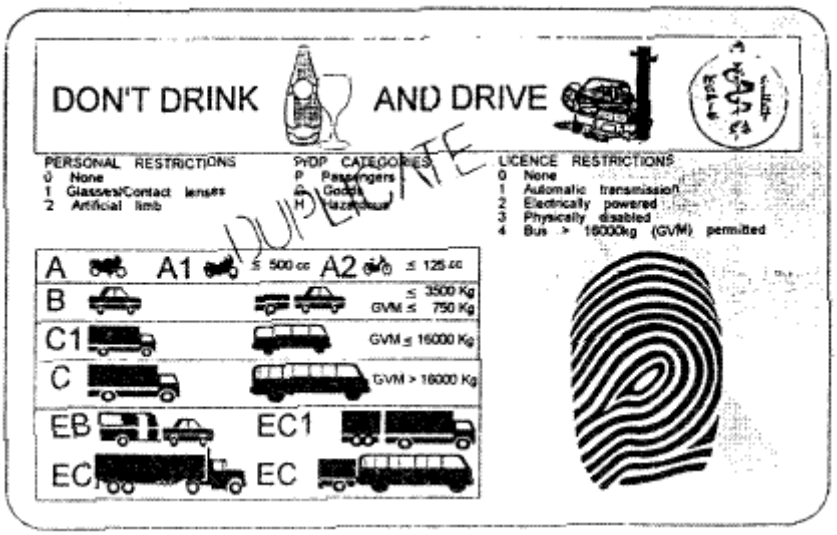
THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

DUPLICATE DRIVING LICENCE



(FRONT)



(BACK)

(*As amended by No.* 203 *of* 1963 *and S.I. No.* 19 *of* 1997)

FORM D.L.9
(*Regulation* 5)

Fee paid 4

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No .....

ENDORSEMENT OF A DRIVING LICENCE TO DRIVE (AN)
ADDITIONAL CLASS(ES) OF PRIVATE MOTOR VEHICLE

The holder of driving licence No ..... is hereby licensed to drive motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered" in addition to those already authorised.

CLASSES OF MOTOR VEHICLES

Column 1 *Class*:	*Column* 2 *Private Vehicles*:	*Column* 3 *Other Classes Covered*:
A.	Invalid carriage	Nil.
B.	Auto-cycle	Nil.
C.	Motor cycle	B.
D.	Construction vehicle of the following nature:	Nil.
E.	Farm tractor	Nil.
F.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	G, I.
G.	Heavy goods vehicle	I.
H.	Private motor omnibus used otherwise than for private or domestic purposes	I.
I.	Any private motor vehicle not included in Classes A-H above ..	Nil.

Date and place:

.....

....
Licensing Officer

(To be attached by gumming to page 4 of the driving licence)

*Delete particular classes as necessary.

FORM D.L.10
(*Regulation* 5)

Fee Units 4

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No .....

PUBLIC SERVICE VEHICLE ENDORSEMENT

The holder of driving licence No ..... is hereby licensed to drive for a period of twelve months from the date hereof motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered".

CLASSES OF MOTOR VEHICLES

Column 1 *Class*:	*Column* 2 *Public Service Vehicles*:	*Column* 3 *Other Classes Covered*:
J.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	F, G, I, K, N.
K.	Heavy goods vehicle	G, I, N.
L.	Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car	I, N.
M.	Motor omnibus having seating accommodation for more than twelve passengers	H, L, I, K, G, N.
N.	Any public service goods vehicle not included in Classes J or K above	I.

Date and place:

.....

....
Licensing Officer

Final expiry date of this public service vehicle driving licence (the day before the fifth anniversary of the issue of this endorsement) .....

.....

(NOTE.-To remain valid for the driving of public service vehicles this licence must be renewed annually. Its validity may not continue beyond the final expiry date save in the circumstances of regulation 19 (4).)

(To be attached wholly over page 5 of the driving licence.)

* Delete particular classes as necessary.

Fee Units 4

FORM D.L.11
(*Regulation* 5)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No .....

ENDORSEMENT OF A DRIVING LICENCE TO DRIVE (AN)
ADDITIONAL CLASS(ES) OF PUBLIC SERVICE VEHICLE

The holder of driving licence No. ..... is hereby licensed to drive motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered", in addition to those already authorised.

CLASSES OF MOTOR VEHICLES

Column 1 *Class*:	*Column* 2 *Private Vehicles*:	*Column* 3 *Other Classes Covered*:
J.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	F, G, I, K, N.
K.	Heavy goods vehicle	G, I, N.
L.	Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car	I, N.
M.	Motor omnibus having seating accommodation for more than twelve passengers	H, L, I, K, G, N.
N.	Any public service goods vehicle not included in Classes J or K above	I.

Date and place:

....

.....*Licensing Officer*

.....

(To be attached by gumming to page 6 of the driving licence)

* Delete particular classes as necessary.

Fee Units 4

FORM D.L. 12
(*Regulation* 18)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No .....

RENEWAL OF PUBLIC SERVICE VEHICLE DRIVING LICENCE

The holder of driving licence No. ..... is hereby licensed to drive for a period of twelve months from the date hereof or until its final expiry date, whichever is earlier, motor vehicles of the following class(es)*, including those in the column headed "Other Classes Covered".

CLASSES OF MOTOR VEHICLES

Column 1 *Class*:	*Column* 2 *Public Service Vehicles*:	*Column* 3 *Other Classes Covered*:
J.	Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer	F, G, I, K, N.
K.	Heavy goods vehicle	G, I, N.
L.	Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car	I, N.
M.	Motor omnibus having seating accommodation for more than twelve passengers	H, L, I, K, G, N.
N.	Any public service goods vehicle not included in Classes J or K above	I.

Date and place:

....

.....*Licensing Officer*

.....

(To be attached by gumming to page 6 of the driving licence.)

* Delete particular classes as necessary.

THIRD SCHEDULE
(*Regulation* 2)

PRESCRIBED FEES

		Fee Units
1.	Driving licence (original)	333
2.	Duplicate driving licence	333
3.	Renewal of driving licence	278
4.	Renewal of duplicate driving licence	278
5.	Driving test	200
6.	Public service vehicle licence (original)	333
7.	Renewal of public service vehicle licence	278
8.	Appeal to the Commissioner	200
9.	Appeal to the Minister	250

(*As amended by S.I. No.* 12 *of* 1994,
Act No. 13 *of* 1994 *and S.I. Nos.* 19 *and* 43 *of* 1997)

FOURTH SCHEDULE
(*Regulation* 23)

CLASSES OF VEHICLE WHICH MAY BE SHOWN ON DRIVING LICENCES ISSUED UNDER THESE REGULATIONS IN PLACE OF OLD LICENCES

	Column 1 *Classes of Existing Licence:*	*Column* 2 *Classes Covered*:
	Private Vehicles:	
(*a*)	Motor cycles	C.
(*b*)	Steam-driven vehicles	Nil.
(*c*)	Heavy vehicles	G.
(*d*)	Motor vehicles other than those in classes (*a*), (*b*) and (*c*)..	I.
	Public Service Vehicles:	
(*e*)	Hiring cars	L.
(*f*)	Steam-driven vehicles	Nil.
(*g*)	Articulated vehicles	J.
(*h*)	Vehicles other than those in classes (*f*) and (*g*) and for the carriage of goods only	K.
(*i*)	Public service vehicles other than those in classes (*e*), (*f*), (*g*) and (*h*)	M.

FIFTH SCHEDULE
(*Regulation* 21)

SPECIFIED COUNTRIES

United Kingdom.
Any province in the Republic of South Africa.
South-West Africa.
Swaziland.
Botswana.
Lesotho.
Zambia.
Malawi.
Mocambique.
Angola.
Zaire.
Kenya.
Tanzania.
Uganda.
Italy.

(*As amended by No.* 93 *of* 1970)

SECTION 258-THE ROADS AND ROAD TRAFFIC (EXEMPTION FROM LICENSING) REGULATIONS

Regulations by the Minister

Government Notice
236 *of* 1960
Statutory Instruments
34 *of* 1965
318 *of* 1969

Title

1. These Regulations may be cited as the Roads and Road Traffic (Exemption from Licensing) Regulations.

Exemption

2. The vehicles set out in the Schedule shall be exempt from the need to be licensed under the provisions of section *eighty-three* of the Act.

SCHEDULE
(*Regulation* 2)

EXEMPTED VEHICLES

(*a*) A motor vehicle of the following description: tracked tractor.

(*b*) A motor vehicle or a trailer incorporating machinery, plant or equipment of the following nature:

(i) bitumen or tar heaters;
(ii) bitumen, tar or water sprayers or distributors;
(iii) continuous belt or bucket loaders or conveyors;
(iv) crushers;
(v) paving machines;
(vi) road sweepers or power brooms;
(vii) soil, concrete, tar or bitumen mixers;
(viii) welding units;
(ix) drilling and boring machinery;
(x) cranes (excluding breakdown trucks);
(xi) graders;
(xii) scrapers;
(xiii) pipelayers;
(xiv) cablelayers;
(xv) cement, lime or stone spreaders;
(xvi) excavators;
(xvii) trenchers;
(xviii) front-end loading shovels;
(xix) rollers and compactors;
(xx) stabilisers;
(xxi) concrete spreaders and tampers;
(xxii) road watering bowsers;
(xxiii) powered mowers;
(xxiv) extending towers and ladders;
(xxv) compressors;
(xxvi) stone driers and heaters;
(xxvii) pumps;
(xxviii) rooters and scarifiers;
(xxix) ploughs and harrows;
(xxx) combine harvesters.

(*c*) Any registered motor vehicle or trailer to which the letters "CD" have been lawfully assigned.

(*d*) Any motor vehicle or trailer registered by the Netherlands Volunteer Organisation.

(*As amended by No.* 34 *of* 1965 *and No.* 318 *of* 1969 *and S.I. No.* 60 *of* 1974)

SECTION 258-THE ROADS AND ROAD TRAFFIC (EXEMPTION FROM REGISTRATION AND LICENSING) REGULATIONS

Regulations by the Minister

Government Notices
84 *of* 1963
497 *of* 1964
Statutory Instrument
58 *of* 1972

1. These Regulations may be cited as the Roads and Road Traffic (Exemption from Registration and Licensing) Regulations. Title

2. With effect from the 1st July, 1963, the following public service vehicles shall be exempted from the need to be registered and licensed under sections *sixty-six* and *eighty-three* respectively of the Act: Exemption from need to be registered and licensed

any public service vehicle registered, licensed and ordinarily kept in Zimbabwe which is only used in Zambia within a radius of not more than 16 kilometres of the international border at the Victoria Falls Bridge, the Kariba Dam wall or the Otto Beit Bridge at Chirundu.

(*As amended by No.* 58 *of* 1972)

SECTION 258-THE ROADS AND ROAD TRAFFIC (FORM OF CERTIFICATE OF SECURITY) REGULATIONS

Government Notice 197 *of* 1960

Regulations by the Minister

1. These Regulations may be cited as the Roads and Road Traffic (Form of Certificate of Security) Regulations. Title

2. The form set forth in the Schedule is prescribed to be the form of a Certificate of Security for the purposes of section *one hundred and thirty-six* of the Act. Form of Certificate of Security

SCHEDULE
(*Regulation* 2)

CERTIFICATE OF SECURITY

(*Section* 136 *of the Roads and Road Traffic Act*)

This is to certify that there is in force in relation to the motor vehicles and trailers set forth in the Schedule owned by .....

.....

(name of owner of scheduled motor vehicles and trailers) of .....

..... (postal address of owner) such security in respect of Third Party Risks as complies with the requirements of Part IX of the Roads and Road Traffic Act.

Name(s) of Giver(s) of Security	*Postal Address*
.....	.....
.....	.....
.....	.....

Duration of security: From ..... (date of commencement) to ..... (date of expiry).

Particulars of conditions:

.....
Minister of Power, Transport and Works

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation
3. Prescribed fees

PART II

THE 1926 AND 1949 CONVENTION COUNTRIES

4. International driving permits for drivers going outside Zambia
5. Driving test
6. Validity of international driving permits
7. International distinguishing mark for Zambia

PART III

THE 1926 CONVENTION COUNTRIES

8. Form of international driving permit under the 1926 Convention
9. Age limit for obtaining international driving permit under the 1926 Convention
10. International certificates for vehicles being taken outside Zambia under the 1926 Convention
11. Period of validity of international certificates

PART IV

THE 1949 CONVENTION

12. Form of international driving permit under the 1949 Convention
13. Age limit for obtaining international driving permit under the 1949 Convention

PART V

REQUIREMENTS FOR VISITING DRIVERS AND MOTOR VEHICLES

Regulation

14. Visitors holding international driving permits
15. Provisions of the Act to apply to international driving permits
16. Visiting motor vehicles
17. Conditions to be fulfilled by visiting motor vehicles under the 1926 Convention
18. Conditions to be fulfilled by visiting motor vehicles under the 1949 Convention

PART VI

MISCELLANEOUS

19. Issue of documents by authorised association
20. Penalties

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Article 3 of the 1926 Convention

THIRD SCHEDULE-Articles 21 and 22 of the 1949 Convention

FOURTH SCHEDULE-Distinctive letters for the different States and Territories

FIFTH SCHEDULE-Countries which ratified or acceded to the 1926 Convention or the 1949 Convention

SIXTH SCHEDULE-Prescribed fees

SECTION 258-THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

Regulations by the Minister

Government Notices
10 *of* 1962
293 *of* 1964
473 *of* 1964
497 *of* 1964
Statutory Instruments
61 *of* 1972
59 *of* 1982
21 *of* 1988
134 *of* 1989
21 *of* 1993
9 *of* 1994
48 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (International Circulation) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"the 1926 Convention" means the International Convention Relative to Motor Traffic concluded at Paris on the 24th April, 1926;

"the 1949 Convention" means the International Convention on Road Traffic concluded at Geneva on the 19th September, 1949;

"1926 Convention country" means any country set forth in Part A of the Fifth Schedule;

"1949 Convention country" means any country set forth in Part B of the Fifth Schedule;

"international certificate" means a certificate in Form 4 in the First Schedule;

"international driving permit" means a permit in either of the Forms 1 or 2 in the First Schedule;

"registration certificate" means a certificate that complies with Article 18 of the 1949 Convention;

"resident in Zambia" means any person who is lawfully within Zambia otherwise than for the purpose of-

(*a*) journeying through Zambia in direct transit from one country to another; or

(*b*) making a temporary visit.

Prescribed fees

3. (1) The fees specified in the second column of the Sixth Schedule are prescribed for and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) Subject to the provisions of regulation 19, all fees payable as aforesaid shall be paid into the general revenues of the Republic.

PART II

THE 1926 AND 1949 CONVENTION COUNTRIES

International driving permits for drivers going outside Zambia

4. (1) Any licensing officer may issue for use outside Zambia an international driving permit to a person who satisfies the licensing officer-

(*a*) that he is competent to drive motor vehicles of the classes or descriptions for which the permit is to be issued; and

(*b*) that he is resident in Zambia.

(2) Applications for an international driving permit shall be made to a licensing officer in Form 3 of the First Schedule and shall be accompanied by any driving licence issued in Zambia held by the applicant, and by two copies of a recent photograph taken full face showing the head and shoulders with the head uncovered and of dimensions not more than 65 millimetres by 50 millimetres and not less than 50 millimetres by 35 millimetres.

(3) Before issuing an international driving permit the licensing officer shall affix one copy of the photograph in the space provided and shall apply his office stamp in such a manner as to cover part of the photograph and part of the page of the permit to which the photograph is affixed.

(*As amended by No.* 473 *of* 1964 *and No.* 61 *of* 1972)

Driving test

5. A licensing officer receiving an application for an international driving permit shall cause the applicant to be tested by a driving examiner regarding his competence to drive motor vehicles of the classes or descriptions contained in his application, and if the applicant is found competent the licensing officer shall, subject to the provisions of regulation 4, upon the payment of the prescribed fee, issue him with an international driving permit:

Provided that if an applicant satisfies the licensing officer that he holds a driving licence issued in Zambia, entitling him to drive motor vehicles of the classes or descriptions contained in his application, he shall not be required to undergo a driving test in respect of such motor vehicles.

6. International driving permits shall, unless suspended by a court, remain in effect for twelve months from the date of issue.

Validity of international driving permits

7. In addition to the vehicle's registration mark required to be fixed and maintained in accordance with the provisions of section *eighty-one* of the Act, every motor vehicle registered and licensed in Zambia proceeding from Zambia shall display at the back inscribed on a plate or on the motor vehicle itself, the international distinguishing mark for Zambia consisting of the letter "Z". Every such plate shall be oval in shape, at least 175 millimetres wide by at least 115 millimetres high, and shall bear the letter "Z" in black on a white ground. The letter shall be formed of a capital Latin character of a height of at least 80 millimetres, and its strokes of a width of at least 10 millimetres. In the case of any such motor vehicle drawing one or more trailers, the international distinguishing mark shall also be displayed at the back of the trailer or of the last trailer.

International distinguishing mark for Zambia

(*As amended by Nos.* 293 *and* 473 *of* 1964)

PART III

THE 1926 CONVENTION COUNTRIES

8. International driving permits issued for use in a 1926 Convention country shall be in Form 2 of the First Schedule.

Form of international driving permit under the 1926 Convention

9. (1) No person shall obtain or attempt to obtain an international driving permit in Form 2 of the First Schedule unless he has attained the age of eighteen years.

Age limit for obtaining international driving permit under the 1926

(2) Any person who acts in contravention of the provisions of this regulation shall be guilty of an offence.

10. (1) Any licensing officer may issue for use in any 1926 Convention country an international certificate, in Form 4 in the First Schedule for any motor vehicle registered under the Act.

International certificates for vehicles being taken outside Zambia under the 1926 Convention

(2) Application for an international certificate shall be made in Form 5 in the First Schedule.

(3) The licensing officer may, if he deems it necessary, before issuing an international certificate, cause the vehicle in respect of which such certificate is applied for to be examined by a vehicle examiner to ascertain that it is suitable for use on the roads of a foreign country, and in particular that it complies with Article 3 of the 1926 Convention set forth in the Second Schedule.

(4) Upon being satisfied that the vehicle complies with the requirements of sub-regulation (3), the licensing officer shall, upon payment of the appropriate fee specified in the Sixth Schedule, issue an international certificate in respect thereof.

Period of validity of international certificates

11. International certificates shall be valid for twelve months from the date of issue.

PART IV

THE 1949 CONVENTION

Form of international driving permit under the 1949 Convention

12. International driving permits issued for use in a 1949 Convention country shall be in Form 1 of the First Schedule.

Age limit for obtaining international driving permit under the 1949 Convention

13. (1) No person shall obtain or attempt to obtain a driving permit in Form 1 of the First Schedule-

(*a*) to drive an auto-cycle or invalid carriage unless he has attained the age of sixteen years; or

(*b*) to drive a motor cycle unless he has attained the age of seventeen years; or

(*c*) to drive any other motor vehicle specified in the said Form 1 unless he has attained the age of eighteen years.

(2) Any person who acts in contravention of the provisions of this regulation shall be guilty of an offence.

PART V

REQUIREMENTS FOR VISITING DRIVERS AND MOTOR VEHICLES

Visitors holding international driving permits

14. An international driving permit issued elsewhere than in Zambia to a person not resident in Zambia shall, during the currency of such permit, be deemed to have effect within Zambia as though it were a driving licence issued under section *one hundred and eleven* of the Act:

Provided that such permit shall have effect within Zambia only in respect of those classes of motor vehicles the driving of which is authorised by such permit.

Provisions of the Act to apply to international driving permits

15. An international driving permit shall be produced for inspection in like manner as if it were a driving licence issued under the Act, and the provisions of the Act, relating to driving licences, shall apply *mutatis mutandis* to international driving permits.

Visiting motor vehicles

16. (1) Any motor vehicle, not being a public service vehicle, brought into Zambia under the authority of an international certificate issued elsewhere than in Zambia or of a registration certificate issued elsewhere than in Zambia may be used in Zambia-

(*a*) in the case of a motor vehicle brought into Zambia by a person resident in Zambia, for a period not in excess of fourteen days; or

(*b*) in the case of a motor vehicle brought into Zambia by a person not resident in Zambia, for a period not in excess of three hundred and sixty-five days, or, until the expiry of its international certificate or registration certificate, as the case may be, or until the date when such person becomes resident in Zambia, whichever is the shortest;

without the need to be registered or licensed subject to the vehicle's compliance regarding construction and equipment with the requirements of regulation 17 or 18, as the case may be, and subject to its compliance in other respects with the provisions of the Act and of any regulations made thereunder:

Provided that the exemption conferred by paragraph (*b*) shall not cease prior to the expiry of fourteen days from the date when such non-resident brought such motor vehicle into Zambia.

(2) No motor vehicle may be used in Zambia under the authority of an international certificate or registration certificate unless and until there shall be affixed to such motor vehicle, in addition to the identification marks required in the country in which the international certificate or registration certificate was issued, a distinctive plate displaying the appropriate letter or letters prescribed in the Fourth Schedule for such country which conforms with the provisions of Annex 4 to the 1949 Convention or Annex C to the 1926 Convention, as the case may be. In the case of a motor vehicle drawing one or more trailers, the distinctive plate shall also be displayed at the back of the trailer or of the last trailer.

(3) The holder of an international certificate or registration certificate shall produce such certificate at any time on demand made by any police officer in uniform, or who, if not in uniform, produces his identity card.

(4) All the requirements of the Act and of regulations made thereunder in connection with the visibility of the registration marks of motor vehicles or trailers shall, during such time as the motor vehicle or trailer is in Zambia, apply in all respects to the identification marks and distinctive plate required by sub-regulation (2).

17. Any motor vehicle or trailer brought into Zambia under the provisions of the 1926 Convention shall comply, with regard to construction and equipment, with the requirements of Article 3 thereof as set forth in the Second Schedule.

Conditions to be fulfilled by visiting motor vehicles under the 1926 Convention

18. Any motor vehicle or trailer brought into Zambia under the provisions of the 1949 Convention shall comply, with regard to construction and equipment, with the requirements of Articles 21 and 22 thereof as set forth in the Third Schedule.

Conditions to be fulfilled by visiting motor vehicles under the 1949 Convention

PART VI

MISCELLANEOUS

19. (1) The Minister may authorise, subject to such conditions as he may think fit, the issue by any motoring association of any document referred to in these Regulations, power to issue which is vested in a licensing officer.

Issue of documents by authorised association

(2) Any motoring association authorised to issue documents pursuant to sub-regulation (1) shall retain one-third of the fees specified in the Sixth Schedule in respect of each document issued.

20. Any person guilty of an offence against either regulation 9 or 13 shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a term not exceeding three months.

Penalties

(*As amended by Act No.* 13 *of* 1994)

FIRST SCHEDULE

PRESCRIBED FORMS

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

Page 1

FORM 1
(*Regulation* 12)

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL DRIVING PERMIT

Convention of International Road Traffic of 1949

Issued at .....

Date .....

Seal or stamp of authority

Signature or seal of issuing authority

Page 2

This permit is valid in the territory of all the contracting States, with the exception of the territory of the contracting State where issued, for the period of one year from the date of issue, for the driving of vehicles included in the category or categories mentioned on the last page of this permit.

List of contracting States (optional)

It is understood that this permit shall in no way affect the obligations of the holder to conform strictly to the laws and regulations relating to residence or to the exercise of a profession which are in force in each country through which he travels.

Form of International Driving Permit under Convention of 1949

Part I

Particulars concerning the driver:	Surname	1
	Other names*	2
	Place of birth**	3
	Date of birth***	4
	Permanent place of residence	5

Vehicles for which the permit is valid:

Motor cycles, with or without sidecar, invalid carriages and three- wheeled motor vehicles with an unladen weight not exceeding 400 kilos (900 lb.).	A
Motor vehicles used for the transport of passengers and comprising, in addition to the driver's seat, at most eight seats, or those used for the transport of goods and having a permissible maximum weight not exceeding 3,500 kilos (7,700 lb.). Vehicles in this category may be coupled with a light trailer.	B
Motor vehicles used for the transport of goods and of which the permissible maximum weight exceeds 3,500 kilos (7,700 lb.). Vehicles in this category may be coupled with a light trailer.	C
Motor vehicles used for the transport of passengers and comprising, in addition to the driver's seat, more than eight seats. Vehicles in this category may be coupled with a light trailer.	D
Motor vehicles of categories B, C or D, as authorised above, with other than a light trailer.	E

"Permissible maximum weight" of a vehicle means the weight of the vehicle and its maximum load when the vehicle is ready for the road.

"Maximum load" means the weight of the load declared permissible by the competent authority of the country of registration of the vehicle.

"Light trailers" shall be those of a permissible maximum weight not exceeding 750 kilos (1,650 lb.).

EXCLUSION	
Holder of this permit is deprived of the right to drive in (country) ..... by reason .... Seal or stamp of authority — Place ..... Date ..... Signature	Exclusions: (countries I-VIII)

Should the above space be already filled use any other space provided for "Exclusion".

The entire last page (Parts I and II) shall be drawn up in French. Additional pages shall repeat in other languages the text of Part I of the last page. They shall be drawn up in English, Russian, Chinese and Spanish, and other languages may be added.

PART II

Page

1. .....

2. .....

3. .....

4. .....

5. .....

A	Seal or stamp of authority
B	Seal or stamp of authority
C	Seal or stamp of authority
D	Seal or stamp of authority
E	Seal or stamp of authority

Photograph

Seal or stamp of authority

.....

*Signature of holder*****

Exclusions
(*Countries*)

I ..... V .....
II ..... VI .....
III ..... VII .....
IV ..... VIII .....

* Father's name or husband's name may be inserted.

** If known.

*** Or approximate age on date of issue.

**** Or thumb impression.

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 2
(*Regulation* 8)

INTERNATIONAL DRIVING PERMIT UNDER
CONVENTION OF 1926

Page 1

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL DRIVING PERMIT

(International Convention of 24th April, 1926)

_____

ISSUE OF PERMIT

Issued at .....

Date .....

Seal of
authority

.....
(Signature of issuing authority)

Page 2

This should be a reference
to the last page of the permit.

The present permit is valid in the territory of all the undermentioned contracting States for the period of one year from the date of issue for the driving of vehicles included in the category or categories mentioned on page.*
Here insert list of contracting States.

It is understood that this permit in no way diminishes the obligation of the holder to conform strictly to the laws and regulations relating to residence or to the exercise of a profession which are in force in each country through which he travels.

Page 3

PARTICULARS CONCERNING THE DRIVER

Photograph

Seal of

authority

Surname ..... (1)

Other names ..... (2)

Place of birth ..... (3)

Date of birth ..... (4)

Home address ..... (5)

Note.-The above particulars concerning the driver, except the photograph, should be repeated in as many languages as may be necessary to enable the International Permit to be used in all contracting States mentioned above.

Page 4

(Name of Country)

EXCLUSION

M. (surname and other names) .....

authorised as above by the authority of (country) .....

is deprived of the right to drive in (country) .....

by reason of .....

.....

.....

Seal or authority

Place .....

Date .....

Signature .....

Page 5 and following pages should repeat the particulars given on page 3 translated into as many languages as may be necessary to enable the International Permit to be used in all the contracting States mentioned on page 2.
Here begin last page.

A(1)	B(2)	C(3)
Seal of authority	Seal of authority	Seal of authority

(1) A.-Motor vehicles of which the laden weight does not exceed- 3,500 kilos. (In all languages.)
(2) B.-Motor vehicles of which the laden weight exceeds-3,500 kilos. (In all languages.)
(3) C.-Motor cycles, with or without sidecar. (In all languages.)

(1) .....

(2) .....

(3) .....

(4) .....

(5) .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 3
(*Regulation* 4)

APPLICATION FOR AN INTERNATIONAL DRIVING PERMIT

To the Licensing Officer at .....

I, * ..... of .....

**(*a*) being the holder of Driving Licence No ..... herewith enclosed, apply for an International Driving Permit to drive the same class of motor vehicle to which my driving licence relates.

**(*b*) apply for an International Driving Permit to drive a motor vehicle of (state type).

I enclose two copies of my photograph.

I wish the permit to apply to the undermentioned States, adherents to the International Convention of 1926/1949 relative to Motor Traffic.

.....

.....

.....

Dated at ..... this ..... day of ..... 19 .....

.....

Signature of Applicant

* Give full names and postal address.
** Strike out whichever is inapplicable.

For official use only.

No. of international driving permit issued .....

Date of expiry .....

Date and place ....

Licensing Officer

.....

Original-To Central Driving Licence Registry.

_____-

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 4
(*Regulation* 10)

INTERNATIONAL CERTIFICATE FOR MOTOR VEHICLES
UNDER CONVENTION OF 1926

Page 1

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL CERTIFICATE FOR MOTOR VEHICLES

International Convention of 24th April, 1926

ISSUE OF CERTIFICATE

Place .....

Date .....

Seal of authority ..... *Signature of authority*

Page 2

This certificate is valid, in the territory of all the undermentioned contracting States, for the period of one year from the date of issue.

Here insert list of contracting States.

Page 3

Owner or Holder {
Surname 1
Other names 2
Home address 3

Class of vehicle 4

Name and maker of chassis 5

Type of chassis 6

Serial number of type or maker's number of chassis 7

Engine {
Number of cylinders 8
Engine number 9
Stroke 10

Engine { Bore 11
Horse-power 12

Body { Shape..... 13
Colour 14
Number of seats 15

Weight of car unladen (in kilos)..... 16

Weight of car fully laden (in kilos) if exceeding 3,500 kilos 17

Identification mark on the plates 18

Additional pages should repeat the particulars on page 3 translated into as many languages as may be necessary to enable the certificate to be used in all the contracting States mentioned on page 2 and these should be followed by pages for entrance and exit visas.

_____-

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 5
(*Regulation* 10)

APPLICATION FOR AN INTERNATIONAL CERTIFICATE FOR A MOTOR VEHICLE

To the Licensing Officer at .....

I, * ..... of .....

being the registered owner of motor vehicle **..... enclose the registration book issued for the said motor vehicle, and hereby apply for an International Certificate in respect of the said motor vehicle.

The particulars of the motor vehicle stated on the registration book are correct.

The motor vehicle is registered in .....

The motor vehicle is ordinarily used and/or kept in ..... and not elsewhere.

Dated at ..... this ..... day of ....., 19 .....

.....
Signature of Applicant

* Name and postal and residential address in full.
** Registration mark.

For official use only

Number of international certificate .....

Issued .....

Date of expiry .....

Date and place ....

Licensing Officer

Original -To Central Motor Registry.

SECOND SCHEDULE
(*Regulations* 10 *and* 17)

ARTICLE 3 OF THE 1926 CONVENTION

Every motor vehicle, in order to receive international authorisation to travel on any road to which the public have access, must either have been recognised as suitable for use on any road to which the public have access after an examination by the competent authority or by an association authorised by that authority or must conform to a type approved in the same manner. The vehicle must, in any case, fulfil the following conditions:

I. The motor vehicle must be equipped with the following:

(*a*) A strong steering apparatus which will allow the vehicle to be turned easily and with certainty.

(*b*) Either two systems of brakes, independent of each other, or one system of brakes with two independent means of operation, of which one means of operation will function, even if the other fails to function, provided that in all cases the system used is really effective and rapid in action.

(*c*) If the weight of the motor vehicle when empty exceeds 350 kilos, a mechanism by means of which the vehicle can from the driver's seat be made to move backwards under its own power.

(*d*) When the combined weight of the empty motor vehicle and the weight of the maximum load which it is officially declared to be capable of carrying exceeds 3,500 kilos, a special mechanism, such as can prevent, in all circumstances, the vehicle from running backwards, and in addition a reflecting mirror.

The controls and steering apparatus must be so placed that the driver can manage them with certainty and at the same time have a clear view of the road.

The machinery must be such as to work with certainty and disposed in such a way as to avoid, as far as possible, all danger of fire or explosion; as not to constitute any sort of danger to traffic and so as not to frighten or seriously inconvenience by noise, smoke or smell. The vehicle must be equipped with a silencer.

The wheels of motor vehicles and trailers drawn by them must be fitted with rubber tyres or with some other tyres of equivalent elasticity.

The distance between the ends of the hub-caps must not exceed the maximum width of the remainder of the vehicle.

II. The motor vehicle must carry:

1. At the front and back, marked on plates or on the vehicle itself, the registration number which has been allotted to it by the competent authority. The registration number placed at the back as well as the distinctive mark referred to in Article 5 must be lit up as soon as they cease to be visible by the light of day.

In the case of a vehicle followed by a trailer the registration number and the distinctive mark referred to in Article 5 are repeated behind the trailer, and the regulation regarding the lighting of these marks applies to the trailer.

2. In an easily accessible position and in a form easily legible, the following particulars:

Name of maker of chassis.

Maker's chassis number.

Maker's engine number.

III. Every motor vehicle must be fitted with an audible warning device of sufficient strength.

IV. Every motor vehicle travelling alone must, during the night and from sunset, be fitted in front with at least two white lights placed one on the right and the other on the left, and, at the back, with a red light.

For motor bicycles unaccompanied by a sidecar, the number of lights in front may be reduced to one.

V. Every motor vehicle must also be equipped with one or more devices capable of effectively illuminating the road for a sufficient distance ahead unless the two white lights prescribed above already fulfil this condition.

If the vehicle is capable of proceeding at a speed greater than 30 kilometres an hour this distance must not be less than 100 metres.

VI. Lamps which may produce a dazzling effect must be provided with means for eliminating the dazzling effect when other users of the road are met, or on any occasion when such elimination would be useful. The elimination of the dazzling effect must, however, leave sufficient light to illuminate the road clearly for at least 25 metres.

VII. Motor vehicles drawing trailers are subject to the same regulations as separate motor vehicles in so far as forward lighting is concerned; the rear red light is to be carried on the back of the trailers.

VIII. In so far as the limits regarding weight and dimensions are concerned, motor vehicles and trailers must satisfy the general regulations in force in the countries in which they travel.

THIRD SCHEDULE
(*Regulation* 18)

ARTICLES 21 AND 22 OF THE 1949 CONVENTION

CONDITIONS TO BE FULFILLED BY MOTOR VEHICLES BROUGHT INTO ZAMBIA BY VISITORS

ARTICLE 21

Every motor vehicle and trailer shall carry the identification marks set out in Annex 5.

ARTICLE 22

1. Every motor vehicle and trailer shall be in good working order and in such safe mechanical condition as not to endanger the driver, other occupants of the vehicle or any person upon the road, or cause damage to public or private property.

2. In addition, every motor vehicle, or trailer, and its equipment shall conform to the provisions of Annex 6 and the driver of every motor vehicle shall observe the rules set out therein.

ANNEX 5

IDENTIFICATION MARKS OF VEHICLES IN INTERNATIONAL TRAFFIC

1. The identification marks shall comprise-

(*a*) in the case of a motor vehicle:

(i) the name or the trade mark of the maker of the vehicle;

(ii) on the chassis or, in the absence of a chassis, on the body the maker's identification or serial number;

(iii) on the engine, the maker's engine number if such a number is placed thereon by the maker;

(*b*) in the case of a trailer, either the information referred to in (i) and (ii) above or an identification mark issued for the trailer by the competent authority.

2. The marks mentioned above shall be placed in accessible positions and shall be in a form easily legible and not capable of being easily removed or altered.

ANNEX 6

TECHNICAL CONDITIONS CONCERNING THE EQUIPMENT OF
MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC

1. BRAKING

(*a*) *Braking of motor vehicles other than motor cycles with or without sidecars*

Every motor vehicle shall be equipped with brakes capable of controlling the movement of and of stopping the vehicle in an efficient, safe and rapid way under any conditions of loading on any up or down gradient on which the vehicle is operated.

The braking shall be operated by means of two devices so constructed that, in the event of failure of one of the braking devices, the other shall be capable of stopping the vehicle within a reasonable distance.

For the purpose of this Annex, one of these braking devices will be called the "service brake" and the other one the "parking brake".

The parking brake shall be capable of being secured, even in the absence of the driver, by direct mechanical action.

Either means of operation shall be capable of applying braking force to the wheels symmetrically placed on each side of the longitudinal axis of the vehicle.

The braking surfaces shall always be connected with the wheels of the vehicle in such a way that it is not possible to disconnect them otherwise than momentarily by means of a clutch, gear box or free wheel.

One at least of the braking devices shall be capable of acting on braking surfaces directly attached to the wheels of the vehicle or attached through parts not liable to failure.

(*b*) *Braking of trailers*

Every trailer having a permissible maximum weight exceeding 750 kilos (1,650 lb.) shall be equipped with at least one braking device acting on wheels placed symmetrically on each side of the longitudinal axis of the vehicle and acting on at least half the number of wheels.

The provisions of the preceding paragraph shall not be required, however, in respect of trailers if the permissible maximum weight does not exceed 750 kilos (1,650 lb.) but exceeds one-half of the unladen weight of the drawing vehicle.

The braking device of trailers with a permissible maximum weight exceeding 3,500 kilos (7,700 lb.) shall be capable of being operated by applying the service brake from the drawing vehicle. When the permissible maximum weight of the trailer does not exceed 3,500 kilos (7,700 lb.) its braking device may be brought into action merely by the trailer moving upon the drawing vehicle (overrun braking).

The braking device of the trailer shall be capable of preventing the rotation of the wheels when the trailer is uncoupled.

Any trailer equipped with a brake shall be fitted with a device capable of automatically stopping the trailer if it becomes detached whilst in motion. This provision shall not apply to two-wheeled camping trailers or light luggage trailers whose weight exceeds 750 kilos (1,650 lb.) provided that they are equipped in addition to the main attachment with a secondary attachment which may be a chain or a wire rope.

(*c*) *Braking of articulated vehicles and combinations of motor vehicles and trailers*

(i) *Articulated vehicles*

The provisions of paragraph (*a*) of this Part shall apply to every articulated vehicle. A semi-trailer having a permissible maximum weight exceeding 750 kilos (1,650 lb.) shall be equipped with at least one braking device capable of being operated by applying the service brake from the drawing vehicle.

The braking device of the semi-trailer shall, in addition, be capable of preventing the rotation of the wheels when the semi-trailer is uncoupled.

When required by domestic regulations a semi-trailer equipped with a brake shall be fitted with a device capable of stopping automatically the semi-trailer if it becomes detached whilst in motion.

(ii) *Combinations of motor vehicles and trailers*

Every combination of a motor vehicle and one or more trailers shall be equipped with brakes capable of controlling the movement of and of stopping the combination in an efficient, safe and rapid way under any conditions of loading on any up or down gradient on which it is operated.

(*d*) *Braking of motor cycles with or without sidecars*

Every motor cycle shall be equipped with two braking devices which may be operated by hand or foot, capable of controlling the movement of and of stopping the motor cycle in an efficient, safe and rapid way.

II. LIGHTING

(*a*) Every motor vehicle other than a motor cycle with or without sidecar and capable of exceeding 20 km. (12 miles)

(*i*) Every motor cycle without sidecar shall be equipped with a red reflex reflector preferably of other than triangular form, fitted at the rear of the vehicle, either incorporated in, or separate from, the rear red lamp and shall comply with the conditions of visibility mentioned under paragraph (*h*) of this Part.

(*j*) Every trailer and every articulated vehicle shall be equipped with two red reflex reflectors, preferably triangular in shape, fitted symmetrically at the rear and on opposite sides of the vehicle. These reflectors shall be visible at night time in clear weather from a distance of at least 100m. (325 feet) when illuminated by means of two driving lights.

When reflectors are triangular in shape, the triangle shall be equilateral, with sides of at least 150 mm. (6 in.) and shall be upright in position. The outer corner of each of these reflectors shall be as near as possible to and in no case further than 400 mm. (16 in.) from the extreme outer edges of the vehicle.

(*k*) With the exception of motor cycles, every motor vehicle and every trailer at the end of a combination of vehicles shall be equipped with at least one stop-light at the rear showing a red or amber light. This light shall be actuated upon application of the service brake of the motor vehicle. If the stop-light is red in colour and is either incorporated in, or associated with, the rear red light, its intensity shall be greater than that of the rear red light. The stop-light shall not be required on trailers and semi-trailers when their dimensions are such that the stop-light of the drawing vehicle remains visible from the rear.

(*l*) When a motor vehicle is equipped with direction indicators, such indicators shall be one of the following:

(i) a movable arm protruding beyond each side of the vehicle and illuminated by a steady amber light when the arm is in a horizontal position;

(ii) a constantly blinking or flashing amber light affixed to each side of the vehicle;

(iii) a constantly blinking or flashing light placed at each side of the front and rear of the vehicle. The colour of such lights shall be white or orange towards the front and red or orange towards the rear.

(*m*) No lights, with the exception of direction indicators, shall be flashing or blinking lights.

(*n*) If a vehicle is equipped with several lights of the same kind, they shall be of the same colour and, except in the case of motor cycles with sidecars, two of these lights shall be placed symmetrically to the longitudinal axis of the vehicle.

(*o*) Several lights may be incorporated in the same lighting device provided each of these lights complies with the appropriate provision of this Part.

III. OTHER CONDITIONS

(*a*) *Steering apparatus*. Every motor vehicle shall be equipped with a strong steering apparatus which will allow the vehicle to be turned easily, quickly and with certainty.

(*b*) *Driving mirror*. Every motor vehicle shall be equipped with at least one driving mirror of adequate dimensions so placed as to enable the driver to view from his seat the road to the rear of the vehicle. However, this provision shall not be compulsory for motor cycles with or without sidecar.

(*c*) *Warning devices*. Every motor vehicle shall be equipped with at least one audible warning device of sufficient strength which shall not be a bell, gong, siren or other strident toned device.

(*d*) *Windscreen wiper*. Every motor vehicle fitted with a windscreen shall have at least one efficient windscreen wiper functioning without requiring constant control by the driver. However, this provision shall not be compulsory for motor cycles with or without sidecars.

(*e*) *Windscreens*. Windscreens shall be made of a stable substance, transparent and not likely to produce sharp splinters if broken. The objects seen through this substance shall not appear distorted.

(*f*) *Reversing device*. Every motor vehicle shall be equipped with a reversing device controlled from the driver's seat if the weight of the motor vehicle when empty exceeds 400 kilos (900 lb.).

(*g*) *Exhaust silencer*. Every motor vehicle shall have an exhaust silencer in constant operation to prevent excessive or unusual noise, the working of which cannot be interrupted by the driver while on the road.

(*h*) *Tyres*. The wheels of motor vehicles and their trailers shall be fitted with pneumatic tyres, or with some other tyres of equivalent elasticity.

(*i*) *Device to prevent a vehicle from running down a gradient*. When travelling in a mountainous region of a country where it is required by domestic regulations, any motor vehicle of which the permissible maximum weight exceeds 3,500 kilos (7,700 lb.) shall carry a device, such as a scotch or chock, which can prevent the vehicle from running backwards or forwards.

(*j*) *General provisions*

(i) In so far as possible the machinery or accessory equipment of any motor vehicle shall not entail a risk of fire or explosion, nor cause the emission of noxious gases or offensive odours or produce disturbing noises, nor be a source of danger in case of collision.

(ii) Every motor vehicle shall be so constructed that the driver shall be able to see ahead, to the right and to the left, clearly enough to enable him to drive safely.

(iii) The provisions relating to braking and lighting shall not apply to invalid carriages which comply with the domestic regulations in the country of registration as regards brakes, lights and reflectors. For the purpose of this paragraph "invalid carriage" shall mean a motor vehicle whose unladen weight does not exceed 300 kilos (700 lb.), whose speed does not exceed 30 km. (19 miles) per hour, and which is specially designed and constructed (and not merely adapted) for the use of a person suffering from some physical defect or disability and is normally used by such person.

IV. COMBINATION OF VEHICLES

(*a*) A "combination of vehicles" may be composed of a drawing vehicle and one or two trailers. An articulated vehicle may draw a trailer, but if such articulated vehicle is used for the carriage of passengers, the trailer shall have not more than one axle and shall not carry passengers.

(*b*) Any contracting State may, however, indicate that it will only permit that one trailer be drawn by a vehicle and that it will not permit an articulated vehicle to draw a trailer. It may also indicate that it will not permit articulated vehicles for the transport of passengers.

For the purpose of this Schedule-

"articulated vehicle" means a motor vehicle with a trailer having no front axle and so attached that part of the trailer is superimposed upon the motor vehicle and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle. Such a trailer shall be called a "semi-trailer".

FOURTH SCHEDULE
(*Regulation* 16)

DISTINCTIVE LETTERS FOR THE DIFFERENT
STATES AND TERRITORIES

The distinctive letters for the different States and Territories are as follows, as established by the Conventions of 1926 and 1949:

A	Austria.	BDS	Barbados.
ADN	Aden.	BG	Bulgaria.
AL	Albania.	BH	British Honduras.
AL	Algeria.	BL	Lesotho.
AND	Andorra.	BP	Botswana.
AUS	Australia, Norfolk Islands.	BR	Brazil.
B	Belgium.		
BRG	British Guiana.	JA	Jamaica, Cayman Islands,
BRN	Bahrain.		Turks and Caicos Islands.
BRU	Brunei.	JOR	Jordan.
BS	Bahamas.	K	Cambodia.
BUR	Burma (also BA).	KWT	Kuwait.
C	Cuba.	L	Luxembourg.
CB	Congo.	LAO	Laos.
CDN	Canada.	MA	Morocco.
CH	Switzerland.	MC	Monaco.
CL	SriLanka	MEX	Mexico.
CNB	British North Borneo,Labuan.	MS	Mauritius.
CO	Colombia.	MW	Malawi.
CR	Costa Rica.	N	Norway.
CS	Czech Republic	NA	Netherlands Antilles.
CY	Cyprus.	NGN	Netherlands New Guinea.
D	Germany.	NIC	Nicaragua.
DK	Denmark,Faroe Islands.	NL	Netherlands(Holland).
DOM	Dominican Republic.	NZ	New Zealand.
E	Spain, Balcaric Islands,	P	Portugal.
	Canary Islands, Spanish	PA	Panama.
	Guinea, Spanish Sahara.	PAK	Pakistan.
EAK	Kenya.	PE	Peru.
EAT	Tanzania.	PI	Phillipine Islands.
EAU	Uganda.	PL	Poland.
EIR	Republic of Ireland.	PTM	Federation of Malaya (Johore,
EQ	Ecuador.		Kedah, Kelantan, Malacca,
ET	Egypt.		Negri-Sembilan, Pahang,
F	France.		Penang, Perlis, Perak,
FL	Liechtenstein.		Province Wellesley, Selangor,
GB	Great Britain and Northern		Trengganu).
	Ireland.		
GBA	Alderney.	PY	Paraguay.
GBG	Guernsey.	R	Roumania.
GBJ	Jersey.	RA	Argentina.
GBM	Isle of Man.	RC	Formosa.
GBY	Malta,Gozo.	RCH	Chile.
GBZ	Gibraltar.	RH	Haiti.
GCA	Guatemala (also G).	RI	Indonesia.
GH	Ghana.	RL	Lebanon.
GR	Greece, Crete, Dodecanese	RSM	San Marino.
	Islands.		
H	Hungary.	RU	Rwanda.
HK	Hong Kong.	S	Sweden.
I	Italy,Sardinia,Sicily.	SD	Swaziland.
IL	Israel	SF	Finland

FIFTH SCHEDULE

(*Regulation* 2)

COUNTRIES WHICH RATIFIED OR ACCEDED TO THE
1926 CONVENTION OR THE 1949 CONVENTION

A. *The* 1926 *Convention Countries*

Albania.
Germany.

Argentina.
Brazil.
Bulgaria.

Chile.
China.
Colombia.
Danzig.
Estonia.
Algeria, French Equatorial Africa, French West Africa, French Somaliland, French Possessions in Australasia, Guadaloupe, Madagascar, Martinique, New Caledonia, Reunion, Mandated Territories in Cameroon, in Togo, Indo-China, French India, French Guiana.
Colony and Protectorate of Kenya.
Tanzania.
Basutoland.
Bechuanaland.
Swaziland.
Gold Coast and Ashanti Colonies, Northern Territories and British Togoland.

Nigeria (British Cameroon Protectorate).
Sierra Leone.
British Somaliland.
British North Borneo.
Tobago.
Hong Kong.
India.
Burma.
Windward Islands:
Grenada.
St. Vincent.
Straits Settlements.
Confederated Malay States:
Negri-Sembilan, Pahang, Parak and Selangor.
Non-Confederated Malay States:
Johor.
Kedah.
Kelantan.
Perlis.
Trengganu.
Hungary.
Iran.
Iraq.

Ireland.
Iceland.
Italian Colonies and Possessions.
Latvia.
Liechtenstein.
Lithuania.
Mexico.
Netherlands Indies.
Netherlands Guyana.
Curacao.
Romania.
San Marino.
Saar.
Siam.
Syria and Lebanon.
Tangiers (International Zone).
Czechoslovakia.
Uruguay.

B. *The* 1949 *Convention Countries*

Australia.
Austria.
Belgium (including Belgian Congo and Ruanda Urundi).
Cambodia.
Sri Lanka.
China (National Republic).
Cuba.
Czechoslovakia.
Denmark.
Dominican Republic.
Egypt.
Spain.
Sweden.
Syria (U.A.R.)
Tunisia.
Turkey.
Namibia

United Kingdom:
Isle of Man.
Guernsey (excluding Sark).
Jersey.
Gibraltar.

SIXTH SCHEDULE
(*Regulation* 3)

PRESCRIBED FEES

	Fee units
1. International driving permit	150
2. Driving test	200

(*As amended by S.I. No.* 9 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 48 *of* 1996)

SECTION 258-THE ROADS AND ROAD TRAFFIC
(VICTORIA FALLS BRIDGE) REGULATIONS

Regulations by the Minister

Statutory Instruments
18 *of* 1965
3 *of* 1973
Act No.
13 *of* 1994

Title

1. These Regulations may be cited as the Roads and Road Traffic (Victoria Falls Bridge) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"the approach" means that portion of International Road No. 1 (Victoria Falls-Kafue Bridge) between the end of the bridge in Zambia and a point 100 metres from the bridge;

"the bridge" means the bridge carrying International Road No. 1 (Victoria Falls-Kafue Bridge) over the Zambezi River;

"spotlamp" means a lamp, other than a lamp prescribed by or under the Act, having a movable beam of substantially white light.

(*As amended by No.* 3 *of* 1973)

Speed limit on the bridge

3. No person shall drive any vehicle on the approach or the bridge at a speed in excess of 15 kilometres per hour.

(*As amended by No.* 3 *of* 1973)

Lamps not to dazzle

4. (1) Every person driving a vehicle on the approach or the bridge during lighting-up time shall cause the lamps on the vehicle to be dipped or dimmed or otherwise controlled in such manner as to avoid dazzling persons approaching in any manner from the opposite direction.

(2) No person shall use a spotlamp on the approach or the bridge.

5. Any person contravening any of the provisions of regulation 3 or 4 shall be guilty of an offence and liable on conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months. Penalty

(*As amended by Act No.* 13 *of* 1994)

SECTION 258-THE ROADS AND ROAD TRAFFIC (PONTOON) REGULATIONS

Government Notices
346 *of* 1960
275 *of* 1964
Statutory Instrument
62 *of* 1972

Regulations by the Minister

1. These Regulations may be cited as the Roads and Road Traffic (Pontoon) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"pontoon" means a pontoon or ferry provided for use on any river by the Government;

"pontoon crossing" means the floating pontoon, the ramps whether fixed or movable, and the roadway approaches;

"pontoon operator" means a person in the employ of the Government duly authorised to operate the pontoon;

"roadway approaches" means that part of the road on each side of the river within 100 metres of the edge of the river at the point from which the pontoon is operating.

(*As amended by No.* 275 *of* 1964 *and No.* 62 *of* 1972)

3. The operation of a pontoon will be made as weather and other conditions permit and no person shall be entitled to demand the use of a pontoon at any time. Use of pontoon

4. The person in charge of any vehicle using a pontoon crossing shall enter such traffic information as may be required by the Director of Roads in a book or on a sheet of paper provided for that purpose by the pontoon operator. Entry of particulars required

5. The person in charge of any vehicle using a pontoon crossing shall ensure that the vehicle is brought to a standstill and that the brakes are applied before the vehicle descends on to a pontoon. The person in charge of any vehicle shall further ensure that, once on board a pontoon, the engine of such vehicle is stopped, the brakes applied and chocks inserted before the front and behind the rear wheels. Embarkation must not be undertaken in the absence of the pontoon operator.

Brakes to be applied, etc.

6. On arrival at a pontoon crossing, convoys of more than five vehicles shall separate into groups not exceeding five vehicles. After any one group has crossed on the pontoon, any other waiting vehicle or vehicles to a number not exceeding five shall have the right to cross on the pontoon before the next group of the convoy.

Control of convoys

7. No vehicle shall be driven while embarking or disembarking from a pontoon at a speed exceeding 5 kilometres per hour nor be driven on the roadway approaches at a speed exceeding 10 kilometres per hour.

(*As amended by No.* 62 *of* 1972)

Speed limit on pontoon crossings

8. The permissible total load on and the operating times of a pontoon crossing shall be displayed on a notice-board erected on each approach road of the pontoon crossing and no person shall contravene the terms of such notice.

Permissible loading and time of operation to be displayed

9. A pontoon operator may refuse to allow a vehicle to embark if in his opinion the permissible load on the pontoon will be exceeded or the operation of the pontoon endangered.

Permission to embark

10. Any person using or attempting to use a pontoon otherwise than in accordance with regulations 3 to 9, and any person interfering or attempting to interfere with a pontoon, or its crew or tackle, or obstructing or attempting to obstruct the pontoon operator in the performance of his duties, shall be guilty of an offence, and shall on conviction be liable to the penalties prescribed in section *two hundred and forty-one* of the Act.

Penalty for using pontoon contrary to these Regulations

SECTION 258-THE ROADS AND ROAD TRAFFIC (PROHIBITION OF LOADING AND UNLOADING IN KABWE MUNICIPALITY) REGULATIONS

Statutory Instrument 165 *of* 1971

Regulations by the Minister

1. These Regulations may be cited as the Roads and Road Traffic (Prohibition of Loading and Unloading in Kabwe Municipality) Regulations.

Title

2. The loading or unloading of any commercial goods from a vehicle or the parking of a motor vehicle of gross weight of 3,628.729 kilograms or over is hereby prohibited on the roads in Kabwe Municipality mentioned in the First Schedule between the hours specified in the Second Schedule.

Prohibition of loading, unloading or parking

3. Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence. Offence

FIRST SCHEDULE
(*Regulation* 2)

PROHIBITED ROADS

(i) That part of Freedom Way which lies between its junction with Pauling Street and its junction with Mulungushi Street.

(ii) That part of Independence Way which lies between Pauling Street and Marshall Avenue.

(iii) That part of Pauling Street which lies between Freedom Way and Marshall Avenue.

(iv) That part of Katebo-Chilufya Street which lies between Munkoya Street and Marshall Avenue.

(v) That part of Buntungwa Street which lies between Mumba Crescent and Marshall Avenue.

(vi) That part of Lubuto Street which lies between Freedom Way and Marshall Avenue.

(vii) That part of Great North Road which lies between its junction with Independence Way and Freedom Way and its junction with Luapula Street.

(viii) That part of Machile Street which lies between Freedom Way and Marshall Avenue.

(ix) That part of Mulungushi Street which lies between Independence Way and Marshall Avenue.

SECOND SCHEDULE
(*Regulation* 2)

SPECIFIED HOURS

0700 to 1800 (Monday to Friday)

0700 to 1400 (Saturday)

SECTION 62-THE ROADS AND ROAD TRAFFIC (NATIONAL ROADS BOARD) (POWERS AND FUNCTIONS) ORDER

Statutory Instrument
42 *of* 1994
64 *of* 1997
93 *of* 1997

Order by the Minister

1. This Order may be cited as the Roads and Road Traffic (National Roads Board) (Powers and Functions) Order. Title

2. In this Order, unless the context otherwise requires- Interpretation

"Board" means the National Roads Board constituted by the Minister under section *fifty-five* of the Act;

"highway authority" shall have the same meaning as contained in the Act;

"Ministers" means the Ministers responsible for Communications and Transport, Works and Supply and Local Government and Housing and Energy and Water Development.

(*As amended by S.I. No.* 64 *of* 1997)

The Road Fund
Cap. 347

3. (1) The Fund styled the Road Fund established by the Permanent Secretary of the Ministry of Finance under paragraph (*c*) of subsection (1) of section *eight* of the Finance (Control and Management) Act shall be vested in the Board for the purpose of road maintenance and rehabilitation.

(2) The Road Fund shall consist of-

(*a*) fuel levy;

(*b*) such sums as may be appropriated by Parliament for the purposes of the Board;

(*c*) donor funding;

(*d*) SAP road fund; and

(*e*) road user levies including tariffs, taxes and tolls as may be recommended by the Board.

(3) There shall be paid from the Road Fund the salaries, allowances and loans of the staff of the Board:

Provided that such costs shall not exceed five percent of the annual revenue derived from the charges specified in items (*a*) and (*e*) of sub-paragraph (2).

(*As amended by S.I. No.* 93 *of* 1997)

Powers of the Board

4. For the purpose of performing its functions, the Board shall have the power to-

(*a*) classify, reclassify, close or divert any road;

(*b*) accept or reject proposals and programmes from road agencies;

(*c*) construct, maintain and control storm-water drains;

(*d*) control roads and traffic in the country during maintenance and construction of roads;

(*e*) place temporary and permanent traffic signs;

(*f*) remove and alter road advertisements;

(*g*) enter upon land to carry out investigations connected with siting, diverting, maintenance and construction of roads;

(*h*) recommend the reservation of land for proposed roads;

(*i*) prohibit any unauthorised acts that may lead to damage of existing roads in State Lands and Reserves;

(*j*) park vehicles, erect huts on private land during construction, maintenance and investigation;

(*k*) regulate undertakers' work across, on and within road reserves;

(*l*) prevent damage to roads;

(*m*) provide footpaths, cycle tracks and similar passageways;

(*n*) undertake ancillary works;

(*o*) appoint an Executive Secretary and such other members of staff as it may consider necessary on such terms and conditions as the Board may, with the approval of the Minister, determine.

(*As amended by Act No.* 93 *of* 1997)

Functions of the Board

5. The functions of the Board shall be to-

(*a*) administer and manage the Road Fund;

(*b*) prepare and publish audited annual accounts of the Road Fund;

(*c*) recommend, to the Ministers, additional fuel levy and other road user charges and tariffs as required;

(*d*) recommend projects for donor funding to the Ministers;

(*e*) allocate resources for road maintenance and rehabilitation for various classes of roads as may be determined, by the Ministers;

(*f*) recommend funding for development of new roads;

(*g*) provide guidance and technical assistance to various road agencies;

(*h*) receive and consider reports from road agencies on their activities and prepare quarterly and consolidated annual reports;

(*i*) prepare and award contracts, certification and payments, and advise the Ministers accordingly;

(*j*) review design standards and classification of roads and traffic signs for approval by the Ministers;

(*k*) prepare and review terms of reference and guidelines for the various Road Authorities and budget guidelines;

(*l*) recommend to the Ministers the granting of highway authorityship to any person or institution;

(*m*) plan, manage and co-ordinate the road network in the country;

(*n*) review from time to time the status of roads agencies and recommend appropriate action to the Ministers; and

(*o*) make recommendations in relation to the siting of buildings on road-sides.

SECTION 258-THE ROADS AND ROAD TRAFFIC (SEAT BELTS AND CHILD SEAT) REGULATIONS

Statutory Instrument
67 *of* 1995
42 *of* 1997

Regulations by the Minister

1. (1) These Regulations may be cited as the Roads and Road Traffic (Seat Belts and Child Seat) Regulations.

Title and commencement

(2) These Regulations shall come into force on the expiration of a period of thirty days after the date on which they are published in the *Gazette*.

2. In these Regulations, unless the context otherwise requires - Interpretation

"seat belt" means a strap securing a person to a seat, for safety in a vehicle;

"child seat" means a seat used by a child in a vehicle for safety.

3. (1) A person shall not travel in a vehicle without fastening the seat belt. Fastening and fitting of seat belt

(2) Any vehicle which is not fitted with a seat belt shall be fitted with a seat belt within a period of six months after the coming into force of these Regulations.

4. (1) Any person carrying in his vehicle a child who is less than three years old shall ensure that the child sits on a child seat while travelling in the vehicle. Child seat and safety

(2) Any person carrying in his vehicle a child who is less than ten years old shall not allow that child to occupy the front passager seat.

(*As amended by S.I. No.* 42 *of* 1997)

5. A person shall not import into the country a motor vehicle that is not fitted with a seat belt. Prohibition of importation of cars not fitted with seat belts

6. Any person who contravenes these Regulations shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one hundred penalty units. Penalty

(*As amended by S.I. No.* 42 *of* 1997)

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

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PART II

PRESCRIBED FORMS AND FEES

3. Prescribed forms
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PART III

LICENSING OF PUBLIC SERVICE VEHICLES

5. Applications for road service licences and for variations of terms or conditions thereof
6. Written representations or objections
7. Fees
8. Replacement of authorised vehicles
9. Interchangeability of omnibuses used partly under a concession and partly under a road service licence
10. Road services not to be suspended by operator without permission
11. Death, bankruptcy, etc., of holder of road service licence or short-term road service licence
12. Returns and records

PART IV

USE OF PUBLIC SERVICE VEHICLES

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21. Use of taximeter
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22A. Uniform to be worn by taxicab drivers

PART V

MISCELLANEOUS

23. Exemption from need to hold road service licence
24. Appeals
25. Power of exemption
26. Penalties

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Prescribed fees

THIRD SCHEDULE-Notice of objection

SECTION 258-THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

Regulations by the Minister

Government Notices
336 *of* 1961
497 *of* 1964
Statutory Instruments
158 *of* 1970
55 *of* 1972
56 *of* 1972
59 *of* 1974
9 *of* 1991
33 *of* 1992
26 *of* 1993
89 *of* 1994
99 *of* 1995
51 *of* 1996
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Public Service Vehicles, Licensing and Use) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"composite vehicle" means a motor omnibus in which the carrying of goods in addition to passengers is authorised;

"double-decked motor omnibus" means a motor omnibus having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

"single-decked motor omnibus" means a motor omnibus upon which no part of a deck or gangway is vertically above another deck or gangway.

PART II

PRESCRIBED FORMS AND FEES

Prescribed forms

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.

Prescribed fees

4. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) In any case where an appeal to the Road Service Appeal Tribunal appointed under section *one hundred and fifty-eight* of the Act is successful, the whole of the fee paid, or such other portion of it as the Tribunal may direct, shall be refunded to the appellant.

PART III

LICENSING OF PUBLIC SERVICE VEHICLES

Applications for road service licences and for variations of terms or conditions thereof

5. (1) Every application for a road service licence or for a variation of the terms or conditions of any licence held by the applicant shall be signed by the person requiring such licence or variation, or, if made by any corporate body or partnership firm, shall be signed by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

(2) Every application for the variation of a road service licence, made by any person who is not the holder thereof, shall be in writing and signed by the applicant. A copy of every such application shall at the same time be sent by the applicant to the holder of the said licence.

(3) No application for a road service licence shall be entertained and no road service licence shall be granted where the motor vehicle proposed to be used as a taxicab is a station wagon.

(*As amended by S.I. No.* 37 *of* 1973)

Written representations or objections

6. (1) Written notice of objections or other representations made under the provisions of subsection (5) of section *one hundred and fifty-five* of the Act shall be in the form prescribed in the Third Schedule and shall be sent to the Commissioner so as to reach him not later than thirty days after the notice of application required by such subsection has appeared in the *Gazette*.

(2) A copy of such written representations or objections shall be sent by the person making them to the applicant at the same time as it is sent to the Commissioner.

(3) The Commissioner may, at his discretion, consider written representations or objections made under the provisions of subsection (5) of section *one hundred and fifty-five* of the Act, notwithstanding that the requirements of this regulation have not been complied with.

(4) Every application for a road service licence or for a variation thereof, other than any or all of the information which may have been given in response to the last five items thereof and which the applicant has requested be kept confidential, shall be available for public inspection free of charge at the office of the Commissioner during normal office hours until the application is finally disposed of.

Fees

7. (1) The Commissioner shall, upon payment of the prescribed fee, issue in respect of each vehicle that is an authorised vehicle in a road service licence or short-term road service licence or that is a substituted vehicle as provided for in regulation 8 (1) a certificate hereinafter referred to as an "identity certificate":

Provided that not more than one valid identity certificate shall be required by any one person in respect of any one vehicle.

(2) An identity certificate shall be valid until whichever of the following shall last ensue:

(*a*) the date of expiry of any road service licence or short-term road service licence in which the vehicle described in the said certificate is an authorised vehicle; or

(*b*) in the case of a vehicle that is a substituted vehicle the day upon which permission to use the vehicle as a substituted vehicle ends:

Provided that no identity certificate shall be valid beyond the last day of the twelfth month following the date of issue.

(3) When any vehicle referred to in sub-regulation (1) is in use on a road there shall be displayed conspicuously upon the vehicle so as to be visible from the front or left front of the said vehicle the identity certificate referred to in the said sub-regulation:

Provided that, in the case of a trailer, the certificate may be carried on the trailer or in or on the vehicle drawing it at the time.

(4) Any person who uses on a road any vehicle referred to in sub-regulation (1) upon which there is not displayed in accordance with the provisions of sub-regulation (3) the relevant identity certificate shall be guilty of an offence and liable upon conviction to a fine not exceeding twenty kwacha.

(*As amended by S.I. No.* 89 *of* 1994)

Replacement of authorised vehicles

8. (1) Where a vehicle specified in a road service licence (hereinafter referred to as "the specified vehicle") has been destroyed, rendered unfit for service or withdrawn from service for overhaul or repair, and the holder of the licence desires permission until such vehicle is replaced or rendered fit for service again for the temporary use in its place of another vehicle (hereinafter referred to as "the substituted vehicle"), which vehicle he is not authorised to use under his existing licence, and the carrying capacity of which does not exceed by more than ten per centum the carrying capacity of the specified vehicle, he may apply by letter or any other means to the Commissioner requesting permission to use the substituted vehicle in place of the specified vehicle and he shall, if the Commissioner so requires, send to the Commissioner the identity certificate of the specified vehicle.

(2) If the Commissioner decides to grant such permission he shall, if he thinks necessary, retain the identity certificate of the specified vehicle so long as the substituted vehicle remains in use. Upon the return to the Commissioner of the identity certificate of the substituted vehicle, the Commissioner shall return to the licence holder the identity certificate of the specified vehicle if it has been in his possession.

(3) No permission granted according to the provisions of this regulation shall be valid for a longer period than three months.

(*As amended by S.I. No.* 59 *of* 1974)

Interchangeability of omnibuses used partly under a concession and partly under a road service licence

9. Where any motor omnibus service provided by a concession holder operates partly on a concession route or in a concession area, and partly on a free road or in a free area, it shall be lawful for the concession holder to use in substitution for any motor omnibus specified in the road service licence held by him in relation to the free road or area any of the omnibuses used by him in providing the service on the concession road or in the concession area, so long as neither the maximum number of omnibuses which he is by his road service licence permitted to use, nor the total number of passengers which he is so permitted to carry, is exceeded.

Road services not to be suspended by operator without permission

10. (1) In any case where the holder of a road service licence wishes to suspend the operation of any service authorised in any such licence held by him otherwise than for reasons outside his control, he shall obtain the prior permission of the Commissioner. In requesting such permission he shall state his reasons, and the period for which he wishes it to remain in force.

(2) In any case where a service is suspended for reasons outside the control of the holder of the licence and where the duration of such suspension exceeds three days, the holder of the licence shall forthwith send notification thereof to the Commissioner.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Death, bankruptcy, etc., of holder of road service licence or short-term road service licence

11. Where owing to the death, incapacity, bankruptcy or liquidation of the holder of a road service licence or short-term road service licence or to the appointment of a receiver or manager or trustee in relation to his business he ceases to be the user of the vehicles authorised to be used by him under such licence, the person carrying on the business of the holder shall be deemed to be the holder of such licence if-

(*a*) within one month notice that the holder has ceased to be the user of those vehicles and the reason therefor, and the name of the person by whom the business is being carried on, be sent to the Commissioner; and

(*b*) within one month of the sending of the notice an application for a new licence be duly made:

Provided that the period during which such person shall be deemed to be the holder of the licence shall in no case extend beyond the date on which the licence would have expired but for the occurrence of the said event and shall terminate immediately the application is disposed of.

Returns and records

12. (1) Every person who is the holder of a road service licence or of a short-term road service licence shall, in accordance with section *one hundred and sixty* of the Act, make to the Commissioner or other person nominated by him a return in Form PSV.6 of the First Schedule, hereinafter referred to as a "monthly return", and every person who is the holder of a road service licence shall, in accordance with the said section *one hundred and sixty*, make in like manner a return in Form PSV.7 of the First Schedule, hereinafter referred to as an "annual return", in respect of each month or year during any part of which he was the holder of such a licence. Every return shall be made in accordance with the following provisions and the instructions given thereon:

(*a*) the annual return shall be in respect of the period of twelve months ending on the 31st December, and shall be rendered so as to reach the Commissioner not later than three months after the expiry of the period to which it relates;

(*b*) the monthly return shall be rendered so as to reach the Commissioner not later than the last day of the month following that to which it relates.

(2) Every person referred to in sub-regulation (1) shall keep or cause to be kept records in such form and in accordance with such provisions as the Commissioner may, if he thinks necessary, determine, to show the daily movements of every public service vehicle, other than a public service vehicle used by virtue of a concession, used by him. The records shall show, in respect of each day of the week, and in respect of each vehicle separately, the places between which, or the areas within which, the vehicle was used, and the period of such use, and the work in connection with which it was so used.

PART IV

USE OF PUBLIC SERVICE VEHICLES

Trailers and passenger vehicles

13. (1) No motor omnibus, hire care or taxicab while towing a trailer may be used for carrying passengers without the permission of the Commissioner.

(2) Any person who uses or who permits or causes to be used a motor omnibus, hire car or taxicab in contravention of sub-regulation (1) shall be guilty of an offence.

Duties of driver or conductor

14. Any conductor or, where there is no conductor, any driver of any motor omnibus who shall-

(*a*) allow passengers to sit in any place in or on such omnibus other than upon the seats provided for passengers; or

(*b*) except in omnibuses where standing passengers are allowed, permit any passenger to stand in or on such omnibus when it is in motion; or

(*c*) allow any luggage or any other article to be placed in or near an entrance or exit for passengers in such a position as to cause any obstruction or danger to persons entering or leaving the omnibus or, in the case of a double-decked motor omnibus, on the stairs of such omnibus; or

(*d*) in the case of a single-decked motor omnibus, allow the total height of any luggage or other loads placed on the roof of the omnibus to exceed a height equal to one-fifth of the maximum overall height of the omnibus measured from the ground to the highest point of the roof:

Provided that in no case shall any portion of the baggage be more than 3.81 metres above the ground; or

(*e*) in the case of a double-decked motor omnibus, allow any luggage or other loads to be placed on the roof of the omnibus; or

(*f*) fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the omnibus; or

(*g*) wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the omnibus or as to the fare for any journey; or

(*h*) wilfully charge any passenger a higher fare than prescribed for any journey;

shall be guilty of an offence.

(*As amended by No.* 56 *of* 1972 *and S.I. No.* 99 *of* 1995)

Interior of vehicle to be clean

15. Any person who shall cause or permit a public service vehicle authorised to carry passengers to be used on a road when the interior of such vehicle is not in a clean and sanitary condition at all times that are reasonable shall, if passengers are actually being carried in such vehicle, be guilty of an offence.

Luggage

16. (1) A public service vehicle authorised to carry passengers may also carry luggage belonging to such passengers:

Provided that only light hand luggage shall be carried inside the vehicle and that heavy or awkward luggage shall only be carried in a separate luggage compartment or, if a guard rail is provided, on the roof of the vehicle.

(2) In a public service vehicle authorised to carry goods as well as passengers, only light hand luggage belonging to the passengers may be carried in the passenger compartment.

(3) Nothing in this regulation contained shall be deemed to permit the carrying of goods or heavy or awkward luggage on the roof of a double-decked motor omnibus.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

Tickets and fares

17. (1) It is hereby prescribed that in addition to the particulars required by subsection (1) of section *one hundred and sixty-five* of the Act to be shown on tickets there shall also be shown on such tickets, other than those issued in respect of motor omnibus services that are provided wholly within local authority areas, the stage or place where the passenger boarded the motor omnibus.

(2) Any passenger in a motor omnibus who-

(*a*) immediately upon demand fails to declare the journey he intends to take or has taken and to pay the fare for the whole of such journey or produce a valid ticket for the same; or

(*b*) leaves or attempts to leave a motor omnibus without paying the fare for any journey that he has made in such vehicle, and with the intent to avoid payment thereof; or

(*c*) fails to produce his ticket on demand by a road traffic inspector or by a police officer or by the conductor, driver or other duly authorised agent of the owner of the motor omnibus; or

(*d*) uses any ticket which has been altered or defaced with intent to avoid payment of the fare; or

(*e*) uses or attempts to use any ticket which has been issued to another person if such ticket bears thereon an indication that it is not transferable; or

(*f*) refuses upon request to leave the motor omnibus on completion of the journey the fare for which he has paid;

shall be guilty of an offence.

(3) The provisions of sub-regulation (2) (*b*) shall apply *mutatis mutandis* to passengers in taxicabs and in hire cars.

Unlawful behaviour by passengers

18. (1) No person whilst travelling in or upon a motor omnibus shall-

(*a*) spit in or upon or from the vehicle or any part thereof; or

(*b*) use obscene, indecent, offensive or quarrelsome language or gestures; or

(*c*) behave in an obscene, indecent, offensive or quarrelsome manner; or

(*d*) wilfully interfere in any way with the comfort of any passenger; or

(*e*) wilfully obstruct or impede the driver or conductor in the exercise of his duties; or

(*f*) wilfully damage the motor omnibus; or

(*g*) enter or remain in or on the omnibus when requested not to do so by a driver or conductor on the ground that the omnibus is carrying its full complement of passengers, or that the operator is debarred from picking up passengers at the place in question by reason of the terms of or the conditions attached to his road service licence; or

(*h*) sit in any place in or on any omnibus other than upon the seats provided for passengers; or

(*i*) except in omnibuses where standing passengers are allowed, stand in or on the omnibus when it is in motion; or

(*j*) place any luggage or any other article in or near an entrance or exit for passengers in such a position as to cause any obstruction or danger to persons entering or leaving the omnibus or, in the case of a double-decked motor omnibus, on the stairs of such omnibus.

(2) No person in a state of intoxication shall enter or remain in or on any motor omnibus and no driver or conductor of any motor omnibus shall wilfully allow any such person to enter or remain in or on any motor omnibus on which he is on duty as the driver or conductor.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

Inflammable liquids in passenger carrying public service vehicles

19. Any person who shall cause or permit a public service vehicle authorised to carry passengers to be used on a road while such vehicle is carrying any inflammable or explosive substance and while passengers are actually being carried shall be guilty of an offence:

Provided that nothing in this regulation shall prohibit the carriage of petrol, or other inflammable liquid-

(i) in the fuel tank of such vehicle; or

(ii) as a reserve supply of fuel for the vehicle in a container or containers properly constructed to prevent leakage in such a position on the vehicle and not exceeding such amount as may be approved by a vehicle examiner.

Matters to be displayed or inscribed

20. (1) No person shall cause or permit a motor omnibus or taxicab to be used on a road unless there is displayed in a conspicuous place within the vehicle a notice showing the fares authorised to be charged for conveyance in the said omnibus or taxicab. In the case of a taxicab, a list of extra payments in respect of additional passengers, luggage, etc., shall be displayed in a conspicuous position in the interior of the vehicle.

(2) In the case of a motor omnibus, the time-table to which the vehicle is required to run shall also be available for public inspection.

(3) Any person who fails to comply with the provisions of this regulation shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Use of taximeter

21. (1) Any person who conveys any passenger in a taxicab and who does not operate the taximeter, or who charges a fare other than that indicated by the taximeter, shall be guilty of an offence:

Provided that these provisions shall not apply to journeys for which the charging of an agreed fare is authorised by the Commissioner.

(2) All journeys in taxicabs shall be made by the shortest and most direct route except where otherwise specifically requested by the passengers, and any person who, with intent to deceive, travels by a devious route shall be guilty of an offence.

Driver's badge

22. (1) The badge to be worn while on duty by the driver of every public service vehicle in accordance with the provisions of section *one hundred and sixty-three* of the Act shall be made of metal or other durable material, and shall bear the words "Zambia P.S.V. Driver" and a distinguishing number.

(2) The badge shall be issued free of charge by a licensing officer to any person licensed to drive a public service vehicle. In the case of the loss or destruction of a badge, a new badge shall be issued by a licensing officer upon the payment of the prescribed fee. A badge shall remain the property of the Republic and shall be returned to the licensing officer upon the person to whom it was issued ceasing to be licensed to drive a public service vehicle.

(3) Any driver of a public service vehicle who when on duty shall fail to wear his badge in a conspicuous position so that the distinguishing number is clearly legible shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(*As amended by Act No.* 13 *of* 1994)

Uniform to be worn by taxicab drivers

22A. (1) The driver of a taxicab or a hire car shall at all times when on duty wear a uniform of a type and design approved by the Commissioner.

(2) The uniform shall be in a good state of repair and shall be kept clean and tidy.

(3) Any taxicab or hire car driver who contravenes the provisions of this regulation shall be guilty of an offence.

(*No.* 55 *of* 1972)

PART V

MISCELLANEOUS

Exemption from need to hold road service licence

23. Any public service vehicle registered and licensed in any place outside Zambia and used for the carrying of tourists booked and carried from, and, on the same tour, returning or going on to places outside Zambia, may for a period not exceeding sixty days, calculated from the date on which such vehicle enters Zambia, be used on the roads in Zambia although no road service licence has been issued in respect of such use, subject to the condition that no goods shall be carried on such vehicle other than the personal luggage of the tourists travelling therein.

Appeals

24. (1) Any person who, in accordance with the provisions of subsection (3) of section *one hundred and fifty-eight* of the Act, is entitled to appeal to the Road Service Appeal Tribunal shall, if he so requests, be supplied by the Commissioner with the reasons in writing for the Commissioner's decision, order or other act against which an appeal lies, and in respect of which he is aggrieved.

(2) Any appeal to the Road Service Appeal Tribunal made in accordance with the aforesaid section *one hundred and fifty-eight* shall be in writing and shall be accompanied by the prescribed fee and a copy of the Commissioner's reasons for the decision, order or other act appealed against.

Power of exemption

25. The Commissioner may, if he thinks fit, and subject to such conditions as he may deem expedient, exempt the owner of any public service vehicle from complying with all or any of the provisions of regulations 19 and 20 and may, where he thinks necessary, direct that the exemption order be carried on the vehicle concerned.

Penalties

26. Any person guilty of an offence against these Regulations for which no special penalty is provided by these Regulations shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

FIRST SCHEDULE

(*Regulation* 3)

PRESCRIBED FORMS

FORM PSV.1
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE-GOODS VEHICLES

NOTES:

1. This application must be signed by the person requiring the licence or, if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

2. All information required below must be given; it is not sufficient to write "as before", etc. Any information may be given on a separate sheet of paper if there is insufficient room on the form. Certain items have been printed on a separate sheet of paper and, *if a request to this effect is made*, the Commissioner will withhold from public inspection the information given in response thereto.

3. No vehicle or trailer that is an authorised vehicle or trailer in a private carrier's licence may be used for the carriage of goods for hire or reward, and if this application is for a service falling within B below no such vehicle or trailer should be included in it.

4. Road service licences may be granted for not less than one year, nor more than five.

5. *Delete as applicable.

6. Keep a copy of this application. If you subsequently apply for a variation of your road service licence you will have to certify the correctness of the particulars given in this application.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant .....

Residential or business address .....

.....

Postal address .....

.....

Telephone number (if any) .....

I hereby apply for a road service licence (*in substitution for road service licence

No .....) valid for ..... years to permit me to operate the service described below, and I hereby declare that to the best of my knowledge and belief all the statements in this application (*and in the annexed statements) are true.

Date ....
Applicant

TYPE OF SERVICE TO BE PROVIDED

*A A service of letting goods vehicles on hire.
(NOTE.-Applicants applying for this type of service should answer items marked A.)

*B A service of conveying goods for reward.
(NOTE.-Applicants applying for this type of service should answer items marked B.)

(1) Give particulars of the road or roads or area it is proposed to serve (A and B) .....

.....

.....

(2) Give particulars of any bankruptcy or agreement entered into with creditors by you

(A and B) .....

.....

(3) State whether your main source of livelihood is, or is intended to be, derived from

the business of operating public service vehicles (A and B).....

.....

(4) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited liability companies please state:

(*a*) The authorised capital .....

(*b*) The paid-up capital .....

(*c*) The names of the directors .....

.....

In the case of any other organisation using a business name, please state:

(*d*) The names of the persons having a financial interest in the organisation .....

.....

.....

.....

(*e*) The extent of the interest of each (A and B) .....

.....

(5) Give reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is inadequate

(A and B) .....

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.....

.....

(6) Give any further statement or information that is of relevance in this application (A and B) .....

.....

.....

.....

(7) Details of goods vehicles to be used (A and B).

Motor Vehicles				Trailers			
Regn. No.	Year of make	** Type	Max. tonnage of goods it is desired to carry	Regn. No.	Year of make	** Type	Max. tonnage of goods it is desired to carry

** i.e. low loader, tipper, flat, etc.

NOTE.-If you wish any of the above to be reserved vehicles, to be used only in replacement of others that may break down, etc., mark them "R".z

Date ....

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES OR TRAILERS IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED

PSV.1 *Annex* 1

CONFIDENTIAL

Every applicant for a road service licence is required to give the following information. *If a request to that effect is made*, the Commissioner will withhold it from public inspection.

Name of applicant .....

(8) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided

(A and B) .....

.....

.....

(9) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in your business (A and B) .....

.....

.....

(10) If you (the applicant) are a company give particulars of any right which any such person as specified in item (9) has to nominate any director of your company (A and B)

.....

.....

.....

(11) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within Zambia (A and B)

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.....

(12) The rates to be charged for the proposed service (A and B) .....

.....

.....

Date ....

Applicant

FORM PSV.2
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE-MOTOR OMNIBUS AND/OR COMPOSITE VEHICLES

NOTES:

1. This application must be signed by the person requiring the licence, or if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

2. All information required below must be given; it is not sufficient to write "as before", etc. Any information may be given on a separate sheet of paper if there is insufficient room on the form. Certain items have been printed on a separate sheet of paper and, *if a request to this effect is made*, the Commissioner will withhold from public inspection the information given in response thereto.

3. Road service licences may be granted for not less than one year, nor more than five.

4. Keep a copy of this application. If you subsequently apply for a variation of your road service licence you will have to certify the correctness of the particulars given in this application.

5. * Delete as applicable.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant .....

Residential or business address .....

.....

Postal address .....

.....

Telephone number (if any) .....

I hereby apply for a road service licence (*in substitution for road service licence

No .....) valid for ..... years to permit me to operate the service described below and I hereby declare that to the best of my knowledge and belief all the statements in this application (*and in the annexed statements) are true.

Date ....
Applicant

TYPE OF SERVICE TO BE PROVIDED

*A A service of letting motor omnibuses or composite vehicles on hire.
(NOTE.-Applicants applying for this type of service should answer items marked A.)

*B A service of conveying passengers or passengers and goods for reward.
(NOTE.-Applicants applying for this type of service should answer items marked B.)

(1) Give particulars of the road or area it is proposed to serve (A and B) .....

.....

.....

.....

(2) Give the time-table of the service you wish to provide or, if you do not propose to operate to a time-table, give the frequency of the service, and the times to be taken by it (B). This may be answered on a separate sheet of paper if more convenient

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(3) Give particulars of any bankruptcy or agreement entered into with creditors by you

(A and B) .....

.....

.....

(4) State whether your main source of livelihood is, or is intended to be, derived from the business of operating public service vehicles (A and B).

.....

(5) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited liability companies, please state:

(*a*) The authorised capital .....

(*b*) The paid-up capital .....

(*c*) The names of the directors .....

.....

In the case of any other organisations using a business name, please state:

(*d*) The names of the persons having a financial interest in the organisation .....

.....

.....

(*e*) The extent of the interest of each (A and B) .....

.....

(6) Give reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is inadequate (A and B)

.....

.....

.....

(7) Give any further statement or information that is of relevance in this application

(A and B) .....

.....

.....

(8) Details of vehicles to be used (A and B):

Motor Omnibuses	Composite Vehicles

Regn. No.	Year of Make	Max. No. of passengers it is desired to carry	Regn. No.	Year of Make	Max. No. of passengers it is desired to carry	Max. tonnage of goods it is desired to carry

NOTE.-If you wish any of the above to be reserve vehicles, to be used only in replacement of others that may break down, etc., mark them "R".

Date ....

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED

*PSV.*2. *Annex* 1

CONFIDENTIAL

Every applicant for a road service licence is required to give the following information. *If a request to that effect is made*, the Commissioner will withhold it from public inspection.

Name of applicant .....

(9) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided

(A and B) .....

.....

.....

(10) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who

provides such facilities, has in your business (A and B) .....

.....

.....

.....

(11) If you (the applicant) are a company give particulars of any right which any such person as specified in item (10) has to nominate any director of your company (A and B)

.....

.....

(12) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within Zambia (A and B)

.....

.....

(13) The rates to be charged for the hire of vehicles (A and B) .....

.....

.....

.....

Date .....

Applicant

FORM PSV.3
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE-TAXICABS AND/OR HIRE CARS

NOTES:

1. This application must be signed by the person requiring the licence, or if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

2. All information requested below must be given; it is not sufficient to write "as before", etc. Any information may be given on a separate sheet of paper if there is insufficient room on the form. Certain items have been printed on a separate sheet of paper and, *if a request to this effect is made*, the Commissioner will withhold from public inspection the information given in response thereto.

3. Road service licences may be granted for not less than one year, nor more than five.

4. *Delete as applicable.

5. Keep a copy of this application. If you subsequently apply for a variation of your road service licence you will have to certify the correctness of the particulars given in this application.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant .....

Residential or business address .....

.....

Postal address .....

Telephone number (if any) .....

I hereby apply for a road service licence (*in substitution for Road Service Licence No .....) valid for ..... years to permit me to operate the service described below, and I hereby declare that to the best of my knowledge and belief all the statements in this application (*and in the annexed statements) are true.

Date ....
Applicant

(1) Give particulars of the road or roads or area it is proposed to serve .....

.....

.....

(2) Give particulars of any bankruptcy or agreement entered into with creditors by you

.....

.....

(3) State whether your main source of livelihood is, or is intended to be, derived from

the business of operating public service vehicles .....

.....

.....

(4) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited liability companies please state:

(*a*) The authorised capital .....

(*b*) The paid-up capital .....

(*c*) The names of the directors .....

.....

In the case of any other organisation using a business name, please state:

(*d*) The names of the persons having a financial interest in the organisation .....

.....

(*e*) The extent of the interest of each .....

.....

(5) Give the reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is

inadequate .....

Taxicabs			Hire Cars		
Regn. No.	Year of Make	Max. No. of passengers it is desired to carry	Regn. No.	Year of Make	Max. No. of passengers it is desired to carry

NOTE.-If you wish any of the above to be reserved vehicles, to be used only in replacement of others that may break down, etc., mark them "R".

Date ....

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED

CONFIDENTIAL

Every applicant for a road service licence is required to give the following information. *If a request to that effect is made*, the Commissioner will withhold it from public inspection.

Name of applicant .....

(8) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided

.....

.....

.....

(9) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who

provides such facilities, has in your business .....

.....

.....

(10) If you (the applicant) are a company give particulars of any right which any such person as specified in item (9) has to nominate any director of your company

.....

.....

.....

(11) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within Zambia .....

.....

.....

(12) The rates to be charged for the proposed service. (Hire cars only.) .....

.....

.....

Date ....

Applicant

FORM PSV.4
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A VARIATION OF AN EXISTING ROAD SERVICE LICENCE

PASSENGER OR GOODS OR BOTH

NOTE:

This application must be signed by the person requiring the variation or, if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant .....

Residential or business address .....

.....

Postal address .....

Telephone number (if any) .....

I, being the holder of Road Service Licence No ....., hereby confirm, with the modifications set forth below, the particulars supplied by me in my

application for the said licence. Modifications .....

.....

.....

.....

.....

I now apply for the said licence to be varied as follows .....

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.....

.....

.....

Date ....

Applicant

FORM PSV.5
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR LETTING OUT GOODS VEHICLES ON HIRE AND/OR FOR THE CARRIAGE OF GOODS

Full name .....

of (full address) .....

.....

is hereby licensed to-

(1).....let out goods vehicles on hire;

(2).....convey goods for reward;

in accordance with the terms and conditions of this licence.

This licence is valid from ..... to .....

1. Route or routes on which or areas in which the service may be provided .....

.....

.....

2. Base from which service is to be operated .....

.....

3. Goods that may be conveyed .....

.....

4. Goods may be conveyed only under contract to .....

.....

5. Vehicles may be let on hire only to .....

..... and for the following use .....

.....

6. The vehicles with which the service is to be operated and the tonnage of goods licensed to be carried by each are as recorded on the attached paper.

CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates that may be fixed and laid down for the letting of vehicles on hire or for the carriage of goods be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date ....

Road Traffic Commissioner

.

No .....

MOTOR VEHICLES AND TRAILERS AUTHORISED TO BE USED UNDER TH

Replacement motor vehicles and trailers are marked "R"

Registration Mark	Goods Carrying Vehicle	Licensed Carrying Capacity	Trailer	Lincensed Carrying Capacity	Tractor	Date Authorised	Date Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.6
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR THE LETTING OUT OF MOTOR OMNIBUSES OR COMPOSITE VEHICLES ON HIRE AND/OR FOR THE CARRIAGE OF PASSENGERS/PASSENGERS AND GOODS IN SUCH VEHICLES

Full name .....

of (full address) .....

is hereby licensed to:

(1).....let out motor omnibuses and/or composite vehicles on hire:

(2).....convey passengers (and goods) for reward;

in accordance with the terms and conditions of this licence.

This licence is valid from ..... to .....

1. Route or routes on which or areas in which the service may be provided .....

.....

.....

.....

2. Base from which service is to be operated .....

.....

.....

3. Goods (if any) that may be carried .....

.....

.....

4. Vehicles may be let on hire only to .....

.....and for the following use

.....

5. The service is to operate to the following frequency .....

.....

and/or time-table(s)* .....

.....

.....

6. The vehicles with which the service is to be operated and the number of passengers (and goods) licensed to be carried by each are as recorded on the attached paper.

CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates and fares that may be fixed and laid down for the letting of vehicles on hire or for the carriage of passengers or goods be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date ....

Road Traffic Commissioner

*Lengthy time-tables will be attached on a separate sheet of paper.

MOTOR VEHICLES AUTHORISED TO BE USED UNDER THIS LICE
Replacement Vehicles are marked "R"

Registration Mark	Licensed Carrying Capacity-Passengers	Licensed Carrying Capacity-Goods (Composite Vehicles only)	Date Authorised	Date Removed	

NOTES.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traf
A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.
Duplicate-To remain with Commissioner.
Triplicate-To remain with Commissioner.
Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.7
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR THE OPERATION OF TAXICABS AND/OR HIRE CARS

Full name .....

of (full address) .....

is hereby licensed to convey passengers for reward in taxicabs/hire cars in

accordance with the terms and conditions of this licence.

This licence is valid from ..... to .....

1. Route or routes on which or areas in which the service may be provided .....

.....

2. Base from which the service is to be operated .....

.....

3. The vehicles with which the service is to be operated and the number of passengers licensed to be carried by each are as recorded overleaf.

CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates and fares that may be fixed and laid down for the hire of taxicabs or hire cars be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date ....

Road Traffic Commissioner

No .....

MOTOR VEHICLES AUTHORISED TO BE USED UNDER THIS LICE

Replacement Vehicles are marked "R"

Registration Mark	Taxicab Licensed Carrying Capacity- Passengers	Hire Car Licensed Carrying Capacity- Passengers	Date Authorised	Date Removed	

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.8
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND Use) Regulations

VARIATION OF ROAD SERVICE LICENCE-GOODS VEHICLES

Variation No .....

No. of Varied Licence .....

The above road service licence is varied as follows:

Item	*Variation*

Date ....

Road Traffic Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.-This variation forms part of the relevant road service licence and should be kept with it.

Variation No ..... of Road Service Licence No .....

THE FOLLOWING MOTOR VEHICLES/TRAILERS ARE HEREBY AUTHORISED TO BE USED UNDER TH

Replacement Vehicles are marked "R"

Registration Mark	Goods Carrying Vehicle	Licensed Carrying Capacity	Trailer	Licensed Carrying Capacity	Tractor	Date Authorised	Date Removed

The following motor vehicles and trailers are removed from the above licence:

Registration Mark	Date Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.9
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

VARIATION OF A ROAD SERVICE LICENCE-MOTOR OMNIBUSES AND COMPOSITE VEHICLES

Variation No .....

No. of Varied Licence .....

The above road service licence is varied as follows:

Item	*Variation*

Date ....

Road Traffic Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.-This variation forms part of the relevant road service licence and should be kept with it.

Variation No ..... of Road Service Licence No .....

THE FOLLOWING MOTOR VEHICLES ARE HEREBY AUTHORISED TO BE USED UNDER THE AU

Replacement Vehicles are marked "R"

Registration Mark	Licensed Carrying Capacity-Passengers	Licensed Carrying Capacity-Goods (Composite Vehicles only)	Date Authorised	Date Removed

The following motor vehicles are removed from the above licence:

Registration Mark	Date Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.10
(*Regulation* 3)

No .....

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

VARIATION OF A ROAD SERVICE LICENSE-TAXICABS AND HIRE CARS

Variation No .....

No. of Varied Licence .....

The above road service licence is varied as follows:

Item	*Variation*

Date ....

Road Traffic Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.-This variation forms part of the relevant road service licence and should be kept with it.

Variation No ..... of Road Service Licence No .....

THE FOLLOWING MOTOR VEHICLES ARE HEREBY AUTHORISED TO BE USED UNDER THE AU

Replacement Vehicles are marked "R"

Registration Mark	Taxicab Licensed Carrying Capacity	Hire Car Licensed Carrying Capacity	Date Authorised	Date Removed	

The following motor vehicles are removed from the above licence:

Registration Mark	Date Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(*A*

FORM PSV.11
(*Regulation* 7)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

IDENTITY CERTIFICATE

Fee units/paid: 40

No.....
Vehicle Regn. Mark.....
Holder of licence .....
R.S.L./S.T.R.S.L. No.....
or substituted vehicle Pgrs./Goods
Licensed c.c.....
Expiry date .....
Signed. .....
Dated .....

Fee units/paid: 40

No.....

Vehicle Regn. Mark.....

Holder of licence.....

R.S.L./S.T.R.S.L. No.....

or substituted vehicle Pgrs./Goods

Licensed c.c.....

Expiry date.....

Signed .....

Dated .....

NOTES:

(1) Licensed carrying capacity means the number of passengers and/or the weight of goods that the vehicle has been licensed by the Road Traffic Commissioner to carry. It must not be exceeded even though a higher carrying capacity may in some cases be recorded on the vehicle's certificate of fitness as the maximum weight that the vehicle is physically capable of carrying.

(2) If the vehicle in question is a "replacement vehicle" the identity certificate will be marked with the letter "R".

(*As amended by S.I. No.* 59 of 1974, *No*. 9 *of* 1991, *No.* 33 *of* 1992 *and Act No*. 13 *of* 1994)

FORM PSV.12

DUPLICATE OF IDENTITY CERTIFICATE

Fee units/paid: 20

No. .....

Duplicate of

Identity Certificate No .....

Vehicle Regn. Mark .....

Holder of licence .....

R.S.L./S.T.R.S.L. No .....

or substituted vehicle:

Pgrs. Goods

Licensed c.c. .....

Expiry date .....

Signed .....

Date .....

Fee/paid: 20

No .....

Duplicate of

Identity Certificate No .....

Vehicle Regn. Mark .....

Holder of licence .....

R.S.L./S.T.R.S.L. No .....

or substituted vehicle:

Pgrs. Goods

Licensed c.c. .....

Expiry date .....

Signed .....

Dated .....

NOTES:

(1) Licensed carrying capacity means the number of passengers and/or the weight of goods that the vehicle has been licensed by the Road Traffic Commissioner to carry. It must not be exceeded even though a higher carrying capacity may in some cases be recorded on the vehicle's certificate of fitness as the maximum weight that the vehicle is physically capable of carrying.

(2) If the vehicle in question is a "replacement vehicle" the identity certificate will be marked with the letter "R".

(*As amended by S.I. No.* 57 *of* 1974, *No*. 9 *of* 1991, *and Act No.* 13 *of* 1994)

REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT
The Roads and Road Traffic (Public Service Vehicles, Licensing and Use) R

Confidential

MONTHLY RETURN TO BE MADE BY ALL HOLDERS OF ROAD SERVICE LICENCES AND SHORT

Return made by ..... (name of operator) for the month of .

	Goods Vehicles	Trailers	Tractors
1. No. of vehicles owned			
2. Average No. of vehicles in use			
3. Carrying capacity:			
(*a*) short tons			
(*b*) No. of passengers			
4. Estimated present written down value			

5. Miles run (within Zambia only) .. ..

6. Tons carried (within Zambia only) .. ..

7. Passengers carried (within Zambia only) .. ..

Address .....

..... *Signature*

Date .....

This return must reach the Road Traffic Commissioner, Lusaka, on or before the last day of the month following that to which it relates.

This return is obtainable on payment from the Road Traffic Commissioner.

It is an offence against the Roads and Road Traffic Act to fail to submit returns or knowingly to give in a return any information that is false.

This return relates only to public service vehicles and to their operation in Zambia. It should not include information in respect of any other business carried on, nor work done outside Zambia.

REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND

Confidential

ANNUAL RETURN TO BE MADE BY ALL HOLDERS OF ROAD SERVICE LICENCES, OTHER THAN SH

Return made by ..... (name of opera

PART I-OPERATING STATISTICS

	Goods Vehicles	Trailers	Tractors
A. *Monthly Average:*			
1. Vehicles owned			
2. Vehicles in use..			
3. Carrying capacity:			
(*a*) short tons			
(*b*) No. of passengers			
4. (*a*) The estimated value at the beginning of the year			
(*b*) the estimated value at the end of the year ..			
(*c*) the value at original cost of all vehicles purchased or constructed and put into use during the year ..			
(*d*) the estimated value of vehicles sold during the year			
(*e*) depreciation on vehicles			

5. No. of drivers ..... conductors .....
and assistants .....

6. No. of other staff .....

B-*Annual Totals*

7. Miles run
8. Tonnage carried
9. Passengers carried
10. Gallons of petrol used.
11. Gallons of other fuel used.

PART II-OPERATING COSTS

		Annual Totals K
12.	Petrol	
13.	Other fuel	
14.	Lubricating oils and greases	
15.	Maintenance, excluding wages	
16.	Tyres and tubes	
17.	Wages of drivers, conductors and assistants	
18.	Wages of other staff	
19.	Vehicle depreciation	
20.	Vehicle licences and insurance	
21.	Any other expenses, not included above	
		_____
	Total	_____

Address .....
.....

.....
Signature

Date .....

NOTES:

(*a*) This return must be sent to the Road Traffic Commissioner, Lusaka, so as to reach him not more than three months after the close of the year to which it relates.

(*b*) This return relates only to public service vehicles and their operation within Zambia. It should not include information in respect of any other business carried on, nor work done outside Zambia.

(*c*) Item 21 (any other expenses) should not include income tax, dividends, capital expenditure, drawings, etc., but only normal expenditure (not already shown in columns 12 to 20) incurred in running the business, e.g. postage, rent, accountancy and audit fees, advertising and depreciation of assets other than vehicles.

(*d*) It is an offence against the Roads and Road Traffic Act to fail to submit returns, or knowingly to give in a return any information that is false.

SECOND SCHEDULE
(*Regulation* 4)

PRESCRIBED FEES

		Fee units	
1.	Application for road service licence	150	
2.	Road service licence and endorsement of a road service licence or variation of the terms and conditions thereof (other than the addition or deletion of a vehicle as an authorised vehicle)	300	per twelve months of validity or part thereof
3.	Vehicle authorised in a road service licence	150	per twelve months of validity of road service licence
4.	Application for short-term road service licence, short-term road service licence and vehicle authorised in a short-term road service licence	327	
5.	Substituted vehicle	600	for validity of full or short-term road service licence
6.	New PSV driver's badge	150	
7.	PSV driver's badge-duplicate only	150	
8.	Identity certificate and endorsement of identity certificate	350	
9.	Appeal to Road Service Appeal Tribunal	2,000	

(*As amended by S.I. No.* 13 *of* 1994, *Act No.* 13 *of* 1994 *and S.I. No.* 51 *of* 1996)

THIRD SCHEDULE

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

(*Regulation* 6)

NOTICE OF OBJECTION

To The Director of Road Transport,
P.O. Box 50066,
Lusaka.

NOTICE OF OBJECTION to the application for a road service licence made by .....

and published and numbered RT ..... in the *Gazette* of .....

I/We ..... desire to make objections or representations to or in relation to the above-mentioned application on the ground(s) that:

The service or facilities proposed to be provided by the applicant are neither necessary nor desirable in the public interest;

The route(s) or area in respect of which the application is made is/are already adequately served;

The services or facilities proposed to be provided by the applicant will adversely affect existing services or facilities provided by me/us;

The route(s) or some part thereof on which the applicant will or may provide a service or facilities under the licence, if granted, is/are not suitable.

I/We further desire to make objections or representations as to:

The fitness of the applicant to be licensed (and) the ability of the applicant, if licensed, to provide and maintain the licensed services and facilities efficiently, and strictly in compliance with his/its statutory or other duties as holder of the licence; and as to-

A copy of this notice has been sent to the applicant dated this ..... day of

....., 19 .....

.....

Signature of Objector or his duly authorised officer or agent

Address of Objector:

.....

.....

.....

SECTION 258-THE ROADS AND ROAD TRAFFIC (REFUND OF LICENCE FEES PAID BY VOLUNTEER ORGANISATION) REGULATIONS

Statutory Instrument 317 *of* 1969

Regulations by the Minister

Title

1. These Regulations may be cited as the Roads and Road Traffic (Refund of Licence Fees Paid by Volunteer Organisation) Regulations.

Refund of fees

2. The fees paid for licences by a volunteer organisation with which the Government has entered into an agreement may, with the approval of the Minister, be refunded to the volunteer organisation.

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

PRESCRIBED FORMS AND FEES

3. Prescribed forms
4. Prescribed fees
5. Particulars in applications, etc.

PART III

REGISTRATION MARKS

6. Distance between registration mark and other symbols, etc.
7. Manner of fixing registration marks
8. Shape of plates
9. Letters and number
10. Size of letters
11. Spacing of letters
12. Alternative spacing
13. Colour and design of registration marks
14. Registration letters
15. Assignment of registration mark requested
16. Temporary registration cards
17. L plates
18. Other plates

PART IV

VEHICLE, MOTOR VEHICLE AND TRAILER LICENCES

Regulation

19. Application for vehicle licence
20. Conditions contained in certain motor vehicle and trailer licences
21. Position of licence and tokens on vehicles, motor vehicles and trailers
22. Manner of carrying licence on motor vehicles and trailers
23. Motor dealer's vehicle licence and tokens
24. Purposes for which motor dealer's vehicle licence may be used, and conditions to be observed
25. Farm vehicle licences
26. Change of ownership of motor vehicle or trailer to dealer

PART V

MISCELLANEOUS

27. Exemptions
28. Penalties

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Prescribed fees

THIRD SCHEDULE-Registration letters

FOURTH SCHEDULE-Colour and design of registration marks

SECTION 258-THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

Regulations by the Minister

Government Notices
345 *of* 1959
123 *of* 1962
30 *of* 1963
202 *of* 1963
364 *of* 1963
352 *of* 1964
497 *of* 1964
Statutory Instruments
23 *of* 1964
38 *of* 1964
122 *of* 1965
322 *of* 1965
250 *of* 1966
303 *of* 1967
414 *of* 1967
143 *of* 1968
392 *of* 1968
404 *of* 1969
16 *of* 1970
92 *of* 1970
288 *of* 1970
336 *of* 1970
206 *of* 1971
244 *of* 1971
57 *of* 1972
203 *of* 1972
218*of* 1972
114 *of* 1974
170 *of* 1975
51 *of* 1982
168 *of* 1985
14 *of* 1991
32 *of* 1992
155 *of* 1992
24 *of* 1993
15 *of* 1994
51 *of* 1995
50 *of* 1996
10 *of* 1997
Act No.
13 *of* 1994

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Registration and Licensing) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"notified date" means the date notified by a vehicle examiner under section *seventy-five* of the Act;

"reflective material" means material specially designed to reflect light back to the source of such light;

"resident in Zambia" means any person who is lawfully within Zambia otherwise than for the purpose of-

(*a*) journeying through Zambia in direct transit from one country to another; or

(*b*) making a temporary visit;

"short-term road service licence" means a licence issued under section *one hundred and fifty-six* of the Act.

(*As amended by No.* 352 *of* 1964
and No. 288 *of* 1970)

PART II

PRESCRIBED FORMS AND FEES

Prescribed forms

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.

Prescribed fees

4. (1) The fees specified in the second column of the Second Schedule shall be charged in respect of the matters set out in the first column of the said Schedule:

Provided that no fee shall be charged for-

(i) an initial examination pursuant to a prohibition under paragraph (*f*) of subsection (1) of section *two hundred and twelve* of the Act; or

(ii) an initial examination ordered under subsection (2) of section *seventy-five* of the Act if no defects are found.

(2) In any case where an appeal to the Commissioner, in accordance with the provisions of section *sixty-eight* (2), *seventy-five* or *ninety-two* (1) of the Act is successful, the whole of the fee paid, or such other portion of it as the Commissioner may direct, shall be refunded to the appellant.

(3) The whole of every fee payable for an examination or re-examination shall be paid into the general revenues of the Republic if the vehicle examiner is an officer of the Government, and in other cases such part of the fee as the Minister may from time to time direct shall be retained by the examiner and the remaining part of such fee shall be paid into the general revenues of the Republic. In every case where a fee is charged a combined receipt and examiner's report, as prescribed in Form C.F.3 in the First Schedule to the Roads and Road Traffic (Certificates of Fitness) Regulations shall be issued.

(*As amended by No.* 352 *of* 1964
and S.I. No. 122 *of* 1965)

Particulars in applications, etc.

5. The particulars to be entered on or contained in any application, registration book, vehicle licence, and other licences and certificates to which these Regulations apply shall, unless otherwise set forth in these Regulations, be such as are necessary from the respective form of such application, registration book, vehicle licence and other licences and certificates as is set forth in the First Schedule.

PART III

REGISTRATION MARKS

Distance between registration mark and other symbols, etc.

6. The distance of 150 millimetres is hereby prescribed for the purposes of subsection (3) of section *eighty-one* of the Act.

(*As amended by No.* 57 *of* 1972)

Manner of fixing registration marks

7. (1) The registration mark required by section eighty-one of the Act shall be fixed on every motor vehicle and trailer in the following manner:

(*a*) on auto-cycles and on motor cycles that are carried on two wheels whether with or without a sidecar or similar attachment-

(i) a plate which complies with these Regulations shall be fixed on the front mudguard in the same plane as the wheel; and

(ii) a plate which complies with these Regulations shall be fixed on the rear at right angles to the longitudinal axis of the auto-cycle or motor cycle in such a manner that the letter or letters and number are clearly discernible from behind the auto-cycle or motor cycle and are illuminated by its rear lamp during lighting-up time;

(*b*) on trailers a plate which complies with these Regulations shall be fixed to the near side or to the rear elevation of the trailer:

Provided that-

(i) when a trailer is being towed by a motor vehicle a plate bearing the registration mark of the towing vehicle shall be attached to the rear of the trailer, or, if there is more than one trailer, to the rear of the last trailer in such a manner that the letter or letters and number on the plate are clearly discernible from behind the trailer and are illuminated during lighting-up time;

(ii) in cases where the registration mark of a trailer is fixed to the rear elevation of the trailer the plate bearing the registration mark of the towing vehicle shall be so attached to the trailer or to the last trailer, as the case may be, that it conceals the registration mark of the trailer;

(*c*) on all motor vehicles other than those in paragraph (*a*)-

(i) a plate which complies with these Regulations shall be fixed on the front elevation of the motor vehicle at right angles to the longitudinal axis in such a manner that the letter or letters and number are clearly discernible from in front of the motor vehicle; and

(ii) a plate which complies with these Regulations shall be fixed to the rear elevation of the motor vehicle at right angles to the longitudinal axis in such a manner that the letter or letters and number are clearly discernible from behind the motor vehicle and are illuminated during lighting-up time.

(2) It shall be sufficient compliance with sub-regulation (1) (*a*) (i) if the letter or letters and number are painted on each side of the mudguard, provided that the part of the mudguard to be used as a ground is painted so as to resemble a plate complying with these Regulations, and the letter or letters and number are painted on such part in such a manner as to be vertical and clearly discernible, and provided that in all other particulars these Regulations are complied with.

(3) In the case of a motor vehicle or trailer used under the authority of a motor dealer's vehicle licence, the plates may be suspended on, instead of being fixed to, the said motor vehicle or trailer.

(4) In the case of a motor vehicle or trailer used under the authority of temporary registration cards, such cards may be suspended on, instead of being fixed to, the said motor vehicle or trailer.

(*As amended by No.* 288 *of* 1970)

Shape of plates

8. (1) All plates fixed, attached or suspended in accordance with the requirements of regulation 7 shall be rectangular in shape:

Provided that, in the case of the front plate of an auto-cycle or of a motor cycle that is carried on two wheels with or without a sidecar or similar attachment, the said plate need not be rectangular, but may conform to the curvature of the mudguard of the front wheel.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

9. (1) Each plate shall bear upon it the registration mark of the motor vehicle or trailer: Letters and number

Provided that, in the case of an auto-cycle or of a motor cycle that is carried on two wheels with or without a sidecar or similar attachment, the plate to be fixed on the front mudguard shall bear the mark on both sides of it.

(2) The letter or letters and number of the registration mark on each plate shall be arranged in conformity with one or other of the following alternative diagrams:

Diagram No. 1

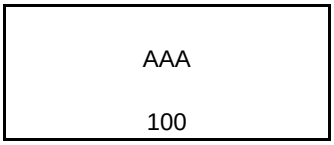

Diagram No. 2

(3) Where the alternative offered by Diagram No. 1 is chosen no figure of the number shall be on the same line as the letter or letters.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by No.* 218 *of* 1972)

10. (1) All letters and figures of the registration mark on every plate shall be not less than 75 millimetres high. Every part of every letter and figure shall be at least 12 millimetres broad and the total width of the space taken by every letter or figure, except in the case of the figure 1, shall be at least 50 millimetres: Size of letters

Provided that, in the case of an auto-cycle or of a motor cycle, the letters and figures shall be not less than half the above dimensions.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by No.* 57 *of* 1972)

Spacing of letters

11. (1) The space between adjoining letters and adjoining figures of the registration mark shall be 12 millimetres and there shall be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least 12 millimetres, and a margin between the nearest part of any letter or figure and the sides of the plate of at least 25 millimetres.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by No.* 57 *of* 1972)

Alternative spacing

12. (1) In the alternative Diagram No. 1 in regulation 9 the space between the upper and lower line shall be 20 millimetres.

(2) In the alternative Diagram No. 2 in regulation 9 the space between the letter or letters and the figures shall be 35 millimetres.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by S.I. No.* 57 *of* 1972)

Colour and design of registration marks

13. (1) The plates bearing the registration mark on a motor vehicle or trailer shall be of the colour and design set out in the Fourth Schedule, and shall comply with the following provisions:

(*a*) the plate shall be made of metal or other durable non-rusting material, and where ferrous metal is used, the plate shall be protected by a coating of non-rusting material prior to the application of the reflective material;

(*b*) the letters and numbers-

(i) shall be constructed of durable non-rusting material and securely fixed to the plate by rivetting; or

(ii) shall be pressed out of the plate to a thickness of at least one (1) millimetre; or

(iii) shall be painted within two layers of durable material bonded together, the top layer being transparent.

(*c*) the letters and numbers of a plate of diplomatic vehicles shall be of a pressed type.

(2) any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by* 288 *of* 1970, 114 *of* 1974, 168 *of* 1985 *and* 155 *of* 1992)

Registration letters

14. (1) The licensing officer to whom application is made for registration of a motor vehicle or trailer or for a motor dealer's vehicle licence shall assign to such motor vehicle or trailer or motor dealer's vehicle licence such of the letters set forth in the Third Schedule hereto as are appropriate to indicate, in the case of letters in Part I of the said Schedule, the district of registration or district in which the motor dealer's vehicle licence was granted, or, in the case of the letters in Part II of the said Schedule, the category of the vehicle, as the case may be:

Provided that-

(*a*) the number plates for vehicles for specialized Agencies shall be from 1CD1Z upwards;

(*b*) the number plates for vehicles for specialized Agencies shall be the code letters representing the Organisation, then the number from 101 upwards; and

(*c*) the number plates for administrative and technical staff shall be 1AT101 upwards;

as assigned with the prior approval of the Commissioner.

(2) The letters set forth in the second column of the Third Schedule shall be the appropriate letters to indicate, in the case of Part I of the said Schedule, the district of registration of the motor vehicle or trailer and the district in which the motor dealer's vehicle licence was granted and, in the case of Part II of the said Schedule, the category of the vehicle.

(3) In assigning registration marks to identify all vehicles and trailers to be used under the authority of a motor dealer's vehicle licence, the licensing officer shall assign such of the letters set out in Part I of the Third Schedule as are appropriate to indicate the district in which the licence was granted.

(4) (*a*) Each letter combination given in Part I of the Third Schedule and ending in A shall be followed by a number from the consecutive series of numbers from 1 to 9999. When one such numerical series is exhausted, the last letter A of the letter combination shall be changed to B and the new letter combination thus formed shall likewise be followed by a number from the series 1 to 9999. And each time the series of numbers is exhausted a new letter combination shall be formed by changing the last letter of the combination to C, D and so forth up to Z. After the series of numbers following the letter combination ending in Z is exhausted a new letter combination shall be formed by changing the first letter A of the combination to B or C or D and so forth up to Z and each such combination shall likewise be followed by numbers.

(*b*) Each letter combination given in Part II of the Third Schedule shall be followed by a number from the consecutive series of numbers from 1 to 9999.

(5) In the case of a trailer, the number contained in the registration mark shall contain the letter T.

(*As amended by S.I. No.* 170 *of* 1975 *and S.I. No.* 155 *of* 1992)

Assignment of registration mark requested

15. (1) Whenever a licensing officer is requested by any person to assign a particular registered letter or letters and number (hereinafter for the purposes of this regulation called a "specified mark") to a motor vehicle or trailer owned by such person (hereinafter for the purposes of this regulation called a "specified vehicle") the procedure and conditions set forth in this regulation shall apply instead of the procedure set out in regulation 14.

(2) A licensing officer shall not assign a specified mark to a motor vehicle or trailer unless he is the licensing officer of the district of registration relating to the letter or letters of such specified mark as set forth in the Third Schedule.

(3) Every specified mark shall be a registration mark that has been or is currently in use as the registration mark of a motor vehicle or trailer.

(4) Whenever a licensing officer sees fit to assign a specified mark to a specified vehicle and such specified mark is currently in use as the registration mark of a motor vehicle or trailer, whether owned by the person making the request or not, the registration of such motor vehicle or trailer shall thereupon be cancelled and the registration, if any, of such specified vehicle shall also be cancelled and the registration mark, if any, of such specified vehicle shall thereafter be available for reassignment:

Provided that the licensing officer shall not assign such specified mark to such specified vehicle if such motor vehicle or trailer is owned by some person other than the person making the request unless such other person first signifies to the licensing officer in writing his agreement thereto.

(5) Whenever a licensing officer sees fit to assign a specified mark to a specified vehicle and such specified mark is not currently in use as the registration mark of a motor vehicle or trailer, the registration, if any, of such specified vehicle shall first be cancelled and the registration mark, if any, of such specified vehicle shall thereafter be available for reassignment.

(*No.* 123 *of* 1962)

Temporary registration cards

16. (1) Temporary registration cards issued under the provisions of section *seventy-one* of the Act shall specify-

(*a*) in the case of a motor vehicle the engine number and chassis number of the motor vehicle to which they relate;

(*b*) in the case of a trailer the number or, failing a number, any other permanent and distinctive mark on the trailer to which they relate;

(*c*) the district in which permanent registration will be obtained;

(*d*) the period not exceeding fourteen days for which they are valid;

(*e*) an identification mark to identify the motor vehicle or trailer in respect of which the temporary registration cards have been issued.

(2) The particulars to be endorsed by the licensing officer on application forms for temporary registration cards shall be-

(*a*) the period for which the temporary registration cards are valid;

(*b*) the identification mark on the temporary registration cards which he has issued.

L plates

17. (1) Any person driving a motor vehicle under the authority of a provisional driving licence shall cause to be clearly displayed in a conspicuous position on the front and rear elevations of such motor vehicle a plate showing the letter L in red on a white ground, and complying with the requirements set forth in sub-regulation (2). If a trailer or trailers are being drawn the rear L plate shall be displayed on the rear elevation of the rearmost trailer.

(2) The dimensions of the plate bearing the letter L shall be 175 millimetres square, and the letter L shall be of the following dimensions:

Length of perpendicular side	..	..	100 millimetres
Length of horizontal side	..	..	85 millimetres
Width of each side	..	..	35 millimetres

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(*As amended by No.* 57 *of* 1972)

Other plates

18. (1) The Minister may authorise the use of such other distinguishing plates as he may think fit on motor vehicles or trailers of such classes, or used by such persons, or for such purposes as he may specify. Such plates may be used only as authorised by the Minister, and no plates other than those prescribed by regulation or those authorised under this regulation shall be used:

Provided that the provisions of this regulation shall not apply to-

(i) the badges of motoring associations, clubs or societies, so long as such badges are displayed on the front of motor vehicles;

(ii) the carrying on a motor vehicle of an international distinguishing mark lawfully displayed in accordance with the Roads and Road Traffic (International Circulation) Regulations.

(2) The Minister may authorise such matter as he may think fit to be painted or inscribed on motor vehicles or trailers of such classes or used by such persons or for such purposes as he may specify.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

PART IV

VEHICLE, MOTOR VEHICLE AND TRAILER LICENCES

Application for vehicle licence

19. Every person applying for a licence for a vehicle other than a motor vehicle or trailer under these Regulations shall furnish to the licensing authority the following particulars:

(*a*) a description of the vehicle;

(*b*) the maker's name;

(*c*) the frame number or other mark sufficient to identify the vehicle;

(*d*) the name and address of the owner.

(*As amended by No.* 352 *of* 1964)

Conditions contained in certain motor vehicle and trailer licences

20. (1) Upon the issue of any licence for a motor vehicle or trailer, the licensing officer shall inscribe thereon the serial number of the appropriate tax class as set forth in the First Schedule to the Act:

Provided that in the case of a contract car the letters CC shall also be inscribed on the licence.

(2) Any motor vehicle licence which is inscribed with the letters CC as stipulated in the proviso to sub-regulation (1) shall be deemed to contain the condition that the motor vehicle so licensed shall not be used as a public service vehicle.

Position of licence and tokens on vehicles, motor vehicles and trailers

21. (1) The form of token to be provided to the owner of a vehicle other than a motor vehicle or trailer shall be a metal plate stamped with the current year of issue and bearing a serial number.

(2) The owner of a vehicle other than a motor vehicle or trailer shall maintain the said plate so issued to him firmly affixed while current in a conspicuous place on the vehicle in respect of which it is issued.

(3) Every motor vehicle or trailer licence shall be carried on such motor vehicle or trailer-

(*a*) in the case of an auto-cycle or of a motor cycle that is carried on two wheels without a sidecar or similar attachment, on the near side of the handlebar of the said auto-cycle or motor cycle, or in such other place as is provided by the manufacturers for the carrying of a licence;

(*b*) in the case of a motor cycle with a sidecar or similar attachment, on the near side of the handlebar of the said motor cycle or the near side of the sidecar or similar attachment in front of the seat or in such other place as is provided by the manufacturers for the carrying of a licence;

(*c*) in the case of a trailer, on the near side of the trailer or in or on the motor vehicle towing it at the time;

(*d*) in the case of all other motor vehicles, on the near side of the motor vehicle in front of the driving seat, and facing either forward or to the near side.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

Manner of carrying licence on motor vehicles and trailers

22. (1) Every motor vehicle and trailer licence shall be so carried and protected by a weatherproof metal holder or some other device that it does not become defaced or not easily distinguishable and so that it is clearly visible at all times.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

Motor dealer's vehicle licence and tokens

23. (1) Upon the issue of a motor dealer's vehicle licence the licensing officer shall issue to the holder thereof tokens, hereinafter referred to as motor dealers' vehicle tokens, in Form RL.9 of the First Schedule equal in number to the number of motor vehicles and trailers authorised to be used under the licence.

(2) When a motor vehicle or trailer is being used under the authority of a motor dealer's vehicle licence, one of the motor dealer's vehicle tokens issued to him shall be attached in the case of a motor vehicle to the front registration plate and in the case of a trailer to the near side thereof.

(3) (*a*) The validity of all motor dealers' vehicle tokens issued with a motor dealer's vehicle licence shall expire on the same day as the licence.

(*b*) No person shall use a motor dealer's vehicle token after the date of its expiry.

(4) Any person who contravenes the provisions of sub-regulation (2) or (3) shall be guilty of an offence.

Purposes for which motor dealer's vehicle licence may be used, and conditions to be observed

24. (1) The holder of a motor dealer's vehicle licence may not use a motor vehicle or trailer under such a licence otherwise than for, in addition to those authorised by the Act, any of the following purposes:

(*a*) proceeding to or from any place for registration or for examination by a vehicle examiner;

(*b*) delivery to or from another maker, dealer or repairer;

(*c*) proceeding to or from a workshop for work thereon;

(*d*) proceeding to or from a railway station, wharf or other place for loading prior to being conveyed to some other place;

(*e*) proceeding to or from a storage place or saleroom.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

Farm vehicle licences

25. (1) A farm vehicle licence shall be in Form RL.11 of the First Schedule. With each such licence there shall be issued one token, hereinafter referred to as a farm vehicle token, in the said Form RL.11.

(2) No vehicle or trailer to which section *one hundred and six* of the Act applies shall be used on a road in accordance with that section unless the farm vehicle token is attached thereto.

(3) The token shall be so carried and protected by a weatherproof holder or some other device that it does not become defaced or not easily distinguishable and so that it is clearly visible at all times.

(4) Any person who contravenes the provisions of sub-regulation (2) or (3) shall be guilty of an offence.

Change of ownership of motor vehicle or trailer to dealer

26. (1) Where the ownership of a motor vehicle or trailer is transferred to a person who is the holder of a motor dealer's vehicle licence (hereinafter for the purposes of this regulation called "the dealer") and who has acquired such ownership by way of purchase, or otherwise, for the purposes of resale, the registered owner shall, within seven days of such transfer of ownership, deliver the registration book relating to such motor vehicle or trailer to the dealer and the dealer shall, within seven days of delivery of such registration book to him, inform the Commissioner and the licensing officer of the district where the motor vehicle or trailer is registered of such change of ownership.

(2) When the motor vehicle or trailer is sold or otherwise disposed of by the dealer the dealer shall, within seven days of such sale or disposal, inform the Commissioner and the licensing officer of the district where the said motor vehicle or trailer is registered of the name and address of the new owner and the date when ownership changed to him. The dealer shall deliver the motor vehicle or trailer registration book to the new owner and the new owner shall, within fourteen days of the date when the ownership of the motor vehicle or trailer was transferred to him, deliver the said registration book to the licensing officer who shall register the new owner.

PART V

MISCELLANEOUS

Exemptions

27. (1) Any person who has in his possession a currently valid licence issued to him in any territory in Africa entitling him to use a motor vehicle or trailer in such territory shall be entitled to use such motor vehicle or trailer within Zambia during the currency of such licence, without being required to register or procure a licence in Zambia in respect of the same so long as he shall otherwise comply with the provisions of the Act and of the regulations made thereunder.

(2) Sub-regulation (1) shall not apply in the case of a person to whom such a licence as aforesaid was issued in another territory in Africa while he was resident in Zambia.

(3) Sub-regulation (1) shall not apply to the use of any vehicle as a public service vehicle in Zambia except one used under the authority of a short-term road service licence the validity of which does not exceed one month.

(4) Notwithstanding the provisions of sub-regulation (3), sub-regulation (1) shall apply to public service vehicles carrying tourists as provided for in regulation 23 of the Roads and Road Traffic (Public Service Vehicles, Licensing and Use) Regulations.

(*As amended by No.* 123 *of* 1962 *and No.* 30 *of* 1963)

Penalties

28. Any person who is guilty of an offence against or a contravention of these Regulations for which no special penalty is provided shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(*As amended by Act No.* 13 *of* 1994)

FIRST SCHEDULE
(*Regulation* 3)

PRESCRIBED FORMS

FORM RL.1
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR TEMPORARY REGISTRATION CARDS

Full name of owner of motor
vehicle or trailer .....
.....
Postal address of owner .....
.....
Residential address of owner .....
.....
Make and model of motor vehicle/trailer .....
.....
Type of body ..... Colour .....
Chassis No. (or in the case of a trailer, other distinguishing mark) .....
Engine No .....
Name and address of supplier of the motor vehicle/trailer .....
.....
.....
District in which it is proposed to obtain permanent registration .....
.....
Date ....

Applicant

For use by the Licensing Officer

Identification mark on temporary
registration cards issued .....
Expiry date .....
....

Date and place of issue *Licensing Officer*

NOTE.-This application form should be filled in original only. It should be retained for one month by the Licensing Officer who issues the temporary registration cards. At the end of a month it may be destroyed.

FORM RL.2
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

TEMPORARY REGISTRATION CARD

Engine No..... Chassis No. (or in the case of a trailer

other permanent distinguishing mark)..... ..... Expiry date.....

Identification Mark-

TR 123 (*Example only*)

District in which permanent registration will be obtained.....

Date and place of issue.....

Licensing Officer.....

Fee: 25 fee units per set

FORM RL.3
(*Section* 66 (2))
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR REGISTRATION OF A MOTOR VEHICLE OR TRAILER

I. *To be completed by applicant in duplicate and in block capitals* (*see notes below*).

1. Name of owner .....

2. Postal address .....

3. Residential address .....

4. Type of motor vehicle or trailer (*Note* 1) .....

5. Make ..... 6. Year of first registration (*Note* 2)
....

7. Colour ..... 8. Type of body (*Note* 3) .....

9. Chassis No. (*Note* 4) ..... 10. Engine No .....

11. C.C. or H.P ..... 12. Propelled by .....

13. Net weight (lb.) .....

14. Manufacturer's permitted gross weight (*Note* 5) .....

15. Country of origin .....

16. Previous registration mark (if any) .....

Date ....
Applicant

II. *To be completed by Licensing Officer*.

1. Registration mark assigned .....

2. No. of registration book issued .....

3. No. of Customs clearance certificate .....

4. Name and address of absolute owner .....

(*To be inserted at request of absolute owner*) .....

Date ....
Licensing Officer

Station .....

NOTES

(1) For example: "auto-cycle", "bus", "caravan", "excavator", "grader", "independent trailer", "low bed", "mechanical horse", "motor car", "motor cycle (two-wheeled)", "motor cycle (three-wheeled)", "panel van", "pole trailer", "road roller", "semi-trailer", "straight frame", "tanker", "tipper", "tractor", "truck", "vanette", "works truck".

(2) Whether in Zambia or elsewhere.

(3) For example: "coupe imp", "drop side", "flat", "pantechnicon", "sedan", "stake sided", "station wagon", "tourer", "van".

(4) In the case of a trailer that has no chassis number, insert some other distinguishing mark.

(5) Manufacturer's permitted gross weight is required in respect of all "heavy vehicles" and "heavy trailers", i.e. those motor vehicles and trailers where such weight exceeds 3,650 kg., and in respect of all public service vehicles whatever their weight. It is the weight that the manufacturer or his representative of a motor vehicle or trailer certifies that such vehicle or trailer has been built to carry, including its own weight.

Original to: Central Motor Registry, P.O. Box 50066, Lusaka.

Duplicate: Retained by Licensing Officer and filed serially as his Register of Motor Vehicles and Trailers.

FOR OFFICIAL USE ONLY

Record of changes of ownership, and of other changes reported according to section 66 (11) of the Roads and Road Traffic Act

For use by the Licensing Officer only

Registration mark of motor vehicle/trailer .....

A. OWNERSHIP CHANGED TO:

1. Name .....
   Postal address .....
   Residential address .....
   .....
   ....
   Date and place *Licensing Officer*

2. Name .....
   Postal address .....
   Residential address .....
   .....
   ....
   Date and place *Licensing Officer*

3. Name .....
   Postal address .....
   Residential address .....
   .....
   ....
   Date and place *Licensing Officer*

4. Name .....
   Postal address .....
   Residential address .....
   .....

B. NAME AND ADDRESS OF ANY PERSON SUBSEQUENTLY ENTERED AS THE ABSOLUTE OWNER
   Name .....
   Address .....
   .....
   ....
   Date and place *Licensing Officer*

C. OTHER CHANGES

Date	Change	Initials of Licensing Officer
.....	.....	.....
.....	.....	.....
.....	.....	.....

(*No*. 30 *of* 1963 *as amended by No*. 57 *of* 1972)

FORM RL.4
(*Section 66* (6))
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

STOCKED BY
MIN. OF FINANCE

THE ROADS AND ROAD TRAFFIC ACT, SECTION 66 (5) OF
REGULATION 3, OF THE ROADS AND ROAD TRAFFIC
REGISTRATION AND LICENCING REGULATIONS

OFFICIAL REGISTRATION BOOK FOR A MOTOR VEHICLE OR
A TRAILER IN THE REPUBLIC OF ZAMBIA

MOTOR BOOK ISSUING SERIAL NUMBER:.....

REGISTRATION NUMBER OR MARK:.....

C: DESCRIPTION AND PARTICULARS OF MOTOR VEHICLE OR TRAILER REGISTERED AND LICENCED IN TERMS OF THE ACT

1: MAKE:..... 2: TYPE:.....
3: YEAR OF FIRST REGISTRATION:..... 4: MONTH:.....
5: COLOUR:..... 6: TYPE OF BODY:.....
7: ENGINE NUMBER:.....
8: CHASSIS OR TRAILER NUMBER:.....
9: CC OR HP:..... 10: PROPELLED BY:.....
11: NETT WEIGHT:..... 12: GROSS WEIGHT:.....
13: COUNTRY OF ORIGIN:.....

1: FIRST OWNER:

NAME:.....
ADDRESS:.....
.....
.....
ACO. NO.:.....
FEE PAID: K.....
PLACE:.....
DATE:.....
.....
SIGN: LICENSING OFFICER

2: SECOND OWNER:

NAME:.....
ADDRESS:.....
.....
.....
ACO. NO.....
FEE PAID: K.....
PLACE:.....
DATE:.....
.....
SIGN: LICENSING OFFICER

A1: CHANGES OF ADDRES OF MOTOR VEHICLE OR TRAILER OWNER RECORD OF FIRST AND RE-RGISTRATION OR CHANGE OF OWNERSHIP

1: THIRD OWNER:

NAME:.....
ADDRESS:.....
.....
.....
ACO. NO.:.....
FEE PAID: K.....
PLACE:.....
DATE:.....

.....
SIGN: LICENSING OFFICER

2: FOURTH OWNER:

NAME:.....
ADDRESS:.....
.....
.....
ACO. NO.:.....
FEE PAID: K.....
PLACE:.....
DATE:.....

.....
SIGN: LICENSING OFFICER

B: Record of Licences ISSUED TO THE MOTOR VEHICLE OR TRAILER

NO. Quarter	YEAR	L/DISK NO.	DATE OF ISSUE	DATE OF EXPIRY	PLACE OF ISSUE	KWACHA-TAX PAID	SIGNATURE OF LICENSING OFFICER
1							
2							
3							
4							
1							
2							
3							
4							
1							
2							
3							
4							

1							
2							
3							
4							
1							
2							
3							
4							

NOTES

1. Do not write in or alter this book in any way.
2. If the ownership of the vehicle changes, the registered owner must, within 14 days, inform the Licensing Officer of the district where it is registered and must deliver this book to the new owner. The new owner must, within 14 days, deliver this book to the Licensing Officer to be re-registered in his name.
3. Any other circumstance or event that affects the accuracy of the entries in this book must be reported to the Licensing Officer of the district where the vehicle is registered and the book be sent for amendment.
4. If the vehicle is broken up, destroyed or sent permanently out of the Republic, the owner must, within 14 days, notify the Licensing Officer of the district where the vehicle is registered and must deliver up this book to him.
5. This book must be produced to a Licensing Officer when the vehicle is being licensed. No license will be issued unless proof of third-party insurance cover is produced to the Licensing Officer.
6. In the case of vehicles that are subject to examination for certificates of fitness, no licence will be issued unless proof of the existence of a certificate of fitness is produced or unless the vehicle is exempt from the need to hold such a certificate. This book must also be produced to a vehicle examiner on each occasion when the vehicle is examined for a certificate of fitness.

(*As amended by S.I. N o.* 10 *of* 1997)

(*No.* 30 *of* 1963)
FORM RL.5
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

LICENCE FOR VEHICLE OTHER THAN MOTOR VEHICLE OR TRAILER

(*a*) Description of vehicle .....

(*b*) Maker's name .....

(*c*) Frame number or other identifying mark `.....

(*d*) Name and address of owner .....

.....

.....

.....

(*e*) No. of token issued .....

This licence expires on the 31st December, 19 .....

.....`

Licensing Authority

Place .....

Fee paid: .....

Dated this ..... day of ....., 19 .....

Original-To owner.
Duplicate-Remains in book.

(*As amended by No.* 202 *of* 1963)

FORM RL.6
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

MOTOR VEHICLE OR TRAILER LICENCE

CAP. 464

REPUBLIC OF ZAMBIA

MOTOR VEHICLE LICENCE

Registration Number: .....

Make:..... .Model: .....

Colour: ..... Type: .....

Engine No.: .....

Chassis No.: .....

Date Issued:..... Disk No.: .....

Town: ..... ZAMBIA

Expiring

Quarter: ..... YEAR

NOTE: (1) All particulars shall be written in ink that does not fade.
(2) Tax Class-refer to regulation 20.

(*As amended by S.I. No.* 10 *of* 1997)

FORM RL.7
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR MOTOR DEALER'S VEHICLE LICENCE

To the Licensing Officer at .....

I (name of applicant) .....

(postal address) .....

(residential address) .....
hereby apply for-

*a motor dealer's vehicle licence to authorise the use of ..... motor vehicles/trailers.

*an additional ..... motor vehicles and trailers to be entered on Motor Dealer's Vehicle Licence No ..... already held by me.

I hereby certify that I am a *dealer in/*manufacturer of *motor vehicles/ *trailers.

.....
Applicant

Date .....

* Delete as applicable.

Original-To be retained by Licensing Officer.

FORM RL.8
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

MOTOR DEALER'S VEHICLE LICENCE

MOTOR DEALER'S VEHICLE LICENCE

Fee/paid: 150 units No. of licence .....

Name of holder .....

Address .....

Date of expiry: 31st December, 19 .....

Registration numbers and token numbers assigned with this licence:

	Regn. No.	Token No.	Regn. No.	Token No.
1	.....	11	.....	.....
2	.....	12	.....	.....
3	.....	13	.....	.....
4	.....	14	.....	.....
5	.....	15	.....	.....
6	.....	16	.....	.....
7	.....	17	.....	.....
8	.....	18	.....	.....
9	.....	19	.....	.....
10	.....	20	.....	.....

....

Date and place Licensing Officer

Registration numbers and token numbers subsequently assigned:

Date	Regn. No.	Token No.	Licensing Officer
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Original-To dealer.

Duplicate-Remains in book.

(*As amended by Act No.* 13 *of* 1994)

FORM RL.9
(*Regulation* 23)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

MOTOR DEALER'S VEHICLE TOKEN

No .....

Fee units/paid: 2400

No. of motor dealer's vehicle licence .....

.....

Holder of motor dealer's vehicle licence .....

.....

Date of expiry of this token .....

.....

.....

Signature and date stamp
of Licensing Officer

Original-To dealer.
Duplicate-Remains in book.

(*As amended by Act No.* 13 *of* 1994)

FORM RL.10
(*Regulation* 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR FARM VEHICLE LICENCE

I (name) ..... of address .....
hereby apply for a farm vehicle licence to permit me to use the motor vehicles/trailers listed below (or overleaf) in accordance with the provisions of section 106 of the Roads and Road Traffic Act.

I hereby certify that I am a farmer.

I understand that every motor vehicle or trailer, when actually being used on a road in accordance with section 106 of the Act, must carry attached to it a farm vehicle token.
Registration marks of motor vehicles/trailers to be included in the farm vehicle licence:

....
....
....
....

Date ..... *Applicant* .....

FOR USE BY LICENSING OFFICER

No. of farm vehicle licence issued .....

Date of expiry of farm vehicle licence .....

Date ..... Place .....

.....

Licensing Officer

NOTE.-This application should be retained by the Licensing Officer for six months after the date of expiry of the relevant farm vehicle licence and token.

FORM RL.11
(*Section* 106)
(*Regulation* 25)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

FARM VEHICLE LICENCE

Fee units paid: 30 No. of Licence .....

Name of.....

address .....
is hereby authorised to use the motor vehicles and trailers noted below (or overleaf) in accordance with the provisions of section 106 of the Roads and Road Traffic Act. Each motor vehicle or trailer when so used shall carry attached to it a farm vehicle token.

Registration marks of motor vehicles and trailers covered by this licence:

....

....

....

....

Date of expiry of licence .....

....

Date and place *Licensing Officer*

FARM VEHICLE TOKEN

No .....

Name .....
is hereby licensed to use on a road at any one time, in accordance with section 106 of the Roads and Road Traffic Act, any one of the motor vehicles or trailers specified in farm vehicle licence of this number.

Date of expiry .....

Date and place .....

.....

Licensing Officer

Original-To applicant.
Duplicate-To Central Motor Registry.
Triplicate-Remains in book.

FORM RL.12
(*Regulation* 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

COMPANY NAME

PRINCIPAL OFFICE IN THE REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT OF THE REPUBLIC OF ZAMBIA

CERTIFICATE OF INSURANCE

Number of policy ..... Number of certificate .....

1. Name and address of policy holder .....

.....

2. (*a*) Date of commencement of insurance .....

(*b*) Date of expiry of insurance .....

3. *Make of vehicle(s) covered .....

4. *Registration mark and number .....

I/We hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of Part IX of the Roads and Road Traffic Act of the Republic of Zambia.

Signed on behalf of the above approved insurer.

.....

Authorised Representative

Date..... At .....

The issue of this certificate shall in no way affect the terms and conditions of the said policy.

IMPORTANT

The insurance ceases on the sale or other change of ownership of the vehicle.

*If the policy does not refer to specified vehicles, insert the definition of vehicles covered as contained in the policy.

(This form may include references to legislation of countries outside Zambia under which it is also operative.)

RENEWAL CERTIFICATE

Certificate of Insurance issued for the purpose of Part IX of the Roads and Road Traffic Act of the Republic of Zambia.

Certified that the policy to which this renewal receipt relates is in accordance with the provision of Part IX of the Roads and Road Traffic Act of the Republic of Zambia.

Signed .....

(The form may include references to legislation of countries outside Zambia under which it is also operative.)

(*S.I. No.* 38 *of* 1964)

SECOND SCHEDULE
(*Regulation* 4)

PRESCRIBED FEES

		Fee units
	For vehicles other than motor vehicles or trailers	
1.	Transfer of motor vehicle licence	60
2.	Duplicate vehicle licence	60
3.	Duplicate licence	60
	For motor vehicles and trailers	
4.	Registration book	556
5.	Duplicate registration book	556
6.	Temporary registration cards	150
7.	Registration of change of ownership	100
8.	Appeal to the Commissioner	200
9.	Examination of motor vehicles	120
10.	Examination of trailer	120
11.	Re-examination of motor vehicle	120
12.	Re-examination of trailer	120
13.	Assignment of registration mark which is not currently in use	5,000
14.	Assignment of registration mark which is currently in use	350
15.	Re-registration of motor vehicle with a current Zambian registration mark	2,500
16.	Change in registration particulars (for each change)	150
17.	Release of information prescribed in these Regulations	100

NOTE: Refer to regulation 4 for detailed provision.

(*As amended by S.I. No.* 15 *of* 1994, *Act No.* 13 *of* 1994, *S.I. No.* 15 *of* 1995 *and S.I. No.* 10 *of* 1997)

THIRD SCHEDULE
(*Regulation* 14 *and* 15)

REGISTRATION LETTERS

PART I

Name of District	*Registration letters*
Greater Lusaka	AAA to AAZ
Lusaka Rural/Feira	ABA to ABZ
Ndola	ACA to ACZ
Kitwe	ADA to ADZ
Kalulushi	AEA to AEZ
Mufulira	AFA to AFZ
Chingola/Chililabombwe	AGA to AGZ
Kabwe/Mumbwa	AHA to AHZ
Mkushi/Serenje	AIA to AIZ
Livingstone/Kalomo	AJA to AJZ
Choma/Namwala	AKA to AKZ
Mazabuka	ALA to ALZ
Monze/Gwembe	AMA to AMZ
Kafue	ANA to ANZ
Luanshya	AOA to AOZ
Kasama/Mbala/Mporokoso/Luwingu/Kaputa	APA to APZ
Mpika/Isoka/Chinsali	AQA to AQZ
Eastern Province	ARA to ARZ
Luapula Province	ASA to ASZ
North-Western Province	ATA to ATZ
Western Province	AUA to AUZ

PART II

Category of Vehicle	*Registration letters*
Zambia Police	ZP
Zambia Prison Service	PS

(*As amended by S.I. No.* 170 *of* 1975)

FOURTH SCHEDULE

(*Regulation* 13)

COLOUR AND DESIGN OF REGISTRATION MARKS

Description of Vehicle	Ground of Front Plate	Ground of Rear Plate	Letters and Number
Public Service Vehicle	White reflective material	White reflective material	Red
Vehicle for diplomat with full diplomatic status	White reflective background	White reflective background	Brown
Vehicle for administrative and technical staff for full diplomatic missions	White reflective background	White reflective background	Green
Vehicle for UN Specialised Agencies and International Organisations	White reflective background	White reflective background	Grey
Vehicles or trailer used under the authority of a motor dealer's licence	Red reflective background	Red reflective background	Black

Any other motor vehicle or trailer, other than an auto-cycle or motor cycle	White reflective material	Amber reflective material	Black
Auto cycle or motor cycle	White reflective material	Amber reflective material	Black

(*As amended by S.I. No*. 155 *of* 1992)

SECTION 258-THE ROADS AND ROAD TRAFFIC (VEHICLES OF PARASTATAL BODIES) REGULATIONS

S.I. No. 169 *of* 1985

Regulations by the Minister

Title and commencement

1. (1) These Regulations may be cited as the Roads and Road Traffic (Vehicles of Parastatal Bodies) Regulations.

(2) These Regulations shall come into effect on the expiration of thirty days after the date on which they are published in the *Gazette*.

Interpretation

2. In these Regulations, unless the context otherwise requires-

"parastal body" means a statutory corporation, or any company, association or other body in which the Government has a majority or controlling interest.

Crest or emblem and name to be displayed

3. A parastatal body shall display on both front doors of a vehicle owned by it the crest or emblem of that parastal body, and its name.

Registration marks of vehicles of parastatal bodies.
Cap. 464

4. The registration marks of a vehicle owned by a parastatal body shall comply with the provisions of the Roads and Road Traffic (Registration and Licensing) Regulations, with the following modifications:

(i) the ground of the front plate shall have a yellow reflective band at least fifty millimetres wide running horizontally across the middle of the white reflective material background; and

(ii) the ground of the rear plate shall have a red reflective band at least fifty millimetres wide running horizontally across the middle of the yellow reflective material background.

THE ROADS AND ROAD TRAFFIC (TRAFFIC SIGNS) REGULATIONS

ARRANGEMENT OF REGULATIONS

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PRELIMINARY

Regulation

1. Title
2. Interpretation
3. Application

PART II

TRAFFIC SIGNS

4. General classification

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7. Class A signs-distinguishing marks and colours
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Regulation

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PART III

GENERAL

56. Nature of characters on traffic signs

57. Fitting of reflex reflectors to traffic signs

58. Permissible variations of dimensions of traffic signs and of letters and numerals

59. Dimensions of symbols in First Schedule

60. Colour shades of traffic signs

61. Erection of traffic signs by private organisations

FIRST SCHEDULE-Traffic signs

SECOND SCHEDULE-Dimensions of letters and numerals

SECTION 258-THE ROADS AND ROAD TRAFFIC (TRAFFIC SIGNS) REGULATIONS

Regulations by the Minister

Government Notice
189 *of* 1960
Statutory Instruments
119 *of* 1969
87 *of* 1972
22 *of* 1978
19 *of* 1983
93 *of* 1985

PART I

PRELIMINARY

Title

1. These Regulations may be cited as the Roads and Road Traffic (Traffic Signs) Regulations.

Interpretation

2. (1) In these Regulations, unless the context otherwise requires-

"metric tonne" means 1,000 kilograms;

"reflective" means composed or partly composed of reflex reflectors or reflective material of appropriate colour;

"reflective material" means material specially designed to reflect light back to the source of such light;

"reflex reflector" means a reflector of glass or other similar material specially designed to reflect light back to the source of such light;

"traffic island" means any area in a road intended to exclude, direct or separate physically any vehicular or pedestrian traffic and includes a roundabout.

(2) Where a colour is mentioned hereinafter it shall be non-reflective unless otherwise stated.

(*As amended by No.* 87 *of* 1972)

Application

3. The details of traffic signs and the purposes which they are intended to serve, and the meanings, prohibitions, restrictions and requirements which they are intended to convey to persons using the roads, shall be as set out in these Regulations.

PART II

TRAFFIC SIGNS

General classification

4. Traffic signs shall be classified as follows:

Class A-Danger Warning Signs.

Class B-Regulatory Signs.

Class C-Informative Signs.

Class D-Traffic Light Signals.

Class E-Carriageway Markings.

Class F-Other Traffic Control Devices.

Class A Signs

Class A-danger warning signs

5. The signs which fall under Class A, and their significance, shall be as set out under Class A in the First Schedule.

Class A signs-purpose

6. The purpose of Class A traffic signs is to warn road users of impending danger on the road ahead.

Class A signs-distinguishing marks and colours

7. The distinguishing mark of a Class A danger warning sign, which shall form part of all signs in this class, shall be an equilateral triangle with a reflective red border, and having one apex upright. The inner triangle shall, unless removed entirely to leave a hollow triangle, be coloured to form a yellow background.

Class A signs-indication of danger

8. The nature of the danger of which advance warning is intended to be given by a sign in Class A shall be indicated by means of symbols or inscriptions or a combination of both symbol and inscription coloured black upon a reflective yellow background within a triangular plate.

(*As amended by* 119 *of* 1985)

Class A signs-dimensions and shape

9. The minimum dimensions, shape and proportions of all signs in Class A and all symbols and inscriptions relating to such signs shall conform to those set out under Class A in the First Schedule.

Class A signs-position and display

10. (1) All signs in Class A shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs.

(2) The height of all such signs above that point on the centre of the carriageway nearest the sign shall fall within the limits shown under Class A in the First Schedule.

(3) The distance of all such signs from the danger point shall be not less than 140 metres and not more than 230 metres:

Provided that all such signs in a local authority area may be erected at any suitable distance from the danger point so as to convey the appropriate warning.

(4) All such signs shall be sited at such a position within the limits of height and distance set out above as to be clearly visible to drivers of traffic approaching them.

(5) Where, in the interests of safety and to meet special conditions, duplicate signs are considered desirable, such additional signs may be erected in any suitable position.

(*As amended by No.* 87 *of* 1972 *and* 119 *of* 1983)

Class A signs-colours of back of sign and supports

11. Where a sign in Class A is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of each post which is visible below the lowest edge of the sign shall be coloured by alternate bands of black and white. Except in the case of a double-sided sign, the back of the sign and that portion of any post within the limits of the back of the sign shall be coloured black.

Class A signs-exceptions

12. The following signs in Class A need not comply with the provisions of regulations 7 to 11 inclusive to the extent that is hereinafter respectively stated in respect of each such sign:

(*a*) *Signs erected in local authority areas*

(i) The dimensions of the triangular plate of a sign in Class A erected in a local authority area may be reduced by not more than twenty per centum of those set out under Class A in the First Schedule and the dimensions of any symbol appearing thereon may be proportionately reduced.

(ii) The dimensions of letters and figures of inscriptions on such signs may be proportionately reduced but for purposes of easy legibility they should be kept as large as possible. Where letters and figures are so reduced they shall be in accordance with the details and dimensions set out in Part II of the Second Schedule.

(*b*) *Signs having no significance at night*

Where a sign has no significance at night no part of such sign need incorporate reflective material.

(*c*) *"Workmen Ahead" signs*

The black symbol on a "Workmen Ahead" sign shall be placed on a reflective yellow background within the distinguishing mark, and the sign may be placed in any suitable position either on or off the carriageway, provided the face thereof is clearly visible to drivers of oncoming traffic so as to give timely warning.

(*d*) *"Police Control Ahead" and "Traffic Control Ahead" signs*

The sign may be placed in any suitable position either on or off the carriageway, provided the face thereof is clearly visible to drivers of oncoming traffic so as to give timely warning.

(*e*) *"Roundabout" signs*

Any "Roundabout" sign may be displayed without the distinguishing mark of a danger warning sign.

(*f*) *"Robot Ahead" signs*

Any "Robot Ahead" sign may be displayed without the distinguishing mark of a danger warning sign.

(*g*) *"Level Crossing" signs*

A "Level Crossing" sign shall, according to circumstances, be cited as closely as possible to the rail/road crossing to which it relates. The sign shall have a cross with a reflective red border on white non-reflective background, as set out under Clause A signs in the First Schedule.

(*h*) *"Emergency Danger Warning" signs*

In case of urgent necessity to give a warning of the existence of danger, as for example if a wash-out has occurred on a road, a red flag by day or a red light by night may be displayed as a temporary measure in the absence of or in addition to a danger warning sign.

(*As amended by S.I. No.* 119 *of* 1983)

Class B Signs

Class B-regulatory signs

13. The signs which fall under Class B and the instructions which they shall convey, shall be as set out under Class B in the First Schedule.

Class B signs-purpose

14. The purpose of Class B traffic signs is to convey a definite instruction that the use of a road by traffic or by a particular class of traffic is prohibited or subject to some restriction, or that a particular instruction should be observed.

Class B signs-distinguishing mark and colour

15. The distinguishing mark for a Class B regulatory sign, which shall form part of all signs of this class, shall be a reflective red ring. The inside of the ring shall be coloured to form a reflective yellow background.

(*As amended by S.I. No.* 119 *of* 1983)

Class B signs-nature of prohibition or restriction

16. The nature of the prohibition, restriction or instruction conveyed by a sign in Class B shall be indicated by means of symbols or inscriptions or a combination of both symbol and inscription coloured black upon a reflective white background. Such symbols or inscriptions shall be placed within the distinguishing mark.

(*As amended by S.I. No.* 119 *of* 1983)

Class B signs-dimensions and shape

17. The minimum dimensions, shape and proportions of all signs in Class B and all symbols and inscriptions relating to such signs shall conform to those set out under Class B in the First Schedule.

Class B signs-position and display

18. (1) All signs in Class B shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs.

(2) The height of all such signs above that point on the centre of the carriageway nearest the sign shall fall within the limits shown under Class B in the First Schedule.

(3) All such signs shall be sited as closely as possible to the point, object or area to which they relate.

(4) All such signs shall be sited at such a position as to be clearly visible to drivers of traffic approaching them.

(5) Where, in the interests of safety and to meet special conditions, duplicate signs are considered desirable, such additional signs may be erected in any suitable position.

Class B signs-colours of back of sign and supports

19. (1) Where a sign in Class B is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of each post which is visible below the lowest edge of the sign shall be coloured by alternate bands of black and white.

(2) Except in the case of a double-sided sign and a "Stop" sign, the back of the sign and that portion of any post within the limits of the back of the sign shall be coloured black. The back of a "Stop" sign and that portion of any post within the limits of the back of such sign shall be coloured white.

Class B signs-exceptions

20. The following signs in Class B need not comply with the provisions of regulations 15 to 19 inclusive to the extent that is hereinafter respectively stated in respect of each such sign:

(*a*) *Signs erected in local authority areas*

(i) The dimensions of any sign in Class B displayed in a local authority area other than a "No Right Turn" or a "No Left Turn" sign affixed to a robot, may be reduced by not more than twenty per centum of those set out under Class B in the First Schedule and the dimensions of any symbol, letter or figure appearing thereon may be proportionately reduced.

(ii) Where letters and figures of inscriptions are so reduced, they shall be in accordance with the details and dimensions set out in Part II of the Second Schedule.

(iii) Where circumstances do not necessitate it, the white centre of the ring and the white background of a rectangular plate, if any, placed below the distinguishing mark, need not be of reflective material.

(*b*) *Signs where the symbol or inscription is shown on a rectangular plate*

Where a symbol or inscription is shown on a rectangular plate as provided in regulation 16, the centre of the reflective ring surmounting the plate shall not be reflective.

(*c*) "*Stop*" *signs*

The red hexagon and the word "STOP" on any "Stop" sign shall be of reflective material. No other part of the sign shall be reflective.

(*d*) "*Give Way*" *signs*

"Give Way" signs shall incorporate a reflective red border, and the inscription shall be on a yellow reflective background.

(*e*) "*Cyclists Stop*" *and* "*Cyclists Give Way*" *signs*

The outline of any "Cyclists Stop" and any "Cyclists Give Way" sign shall be rectangular in shape, and no part of such sign shall incorporate reflective material.

(*f*) "*No Right Turn*" *sign*

Where any "No Right Turn" or "No Left Turn" sign is displayed on a robot, no additional sign shall be necessary to indicate the prohibition.

(*g*) "*No U Turn*" *sign*

Where any "No U Turn" sign is erected on a physical obstruction on a road, a corresponding sign need not be displayed on the side of the road.

(*As amended by S.I. No.* 119 *of* 1983)

Class C Signs

Class C-informative signs

21. The signs which fall under Class C shall be as set out under Class C in the First Schedule.

Class C signs-purpose

22. The purpose of Class C traffic signs is to guide road users in the course of their travel and to give them such other information as may be of use to them.

Class C signs-dimensions and shape

23. Signs in Class C shall be rectangular in shape and of sufficient size to show thereon the symbol or inscription or combination of both symbol and inscription necessary to convey the desired information. Advance direction signs may incorporate route numbers.

Class C signs-colours of signs and supports

24. (1) Advance information and advance direction signs shall have white or reflective white symbols or inscriptions on a black background.

(2) Direction signs shall have black inscriptions on a white background which may be reflective.

(3) Signs such as those bearing place names, site descriptions or other information of a general nature shall have white inscriptions on a black background. Such signs may be reflective if they have any significance at night.

(4) Private direction signs shall not incorporate reflective material of the colours red, green or yellow.

(5) Where a sign is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of any post which is visible below the lowest edge of the sign shall be coloured white. The back of the sign and that portion of any post within the limits of the back of the sign shall be coloured black.

Class C signs-position and display

25. (1) All signs in Class C shall be erected or displayed in such a position as to be clearly visible to drivers of traffic approaching them and so that they convey adequately the information intended.

(2) As far as possible such signs shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs:

Provided that the "Derestriction Sign" indicating the end of a speed limit may be displayed on both sides of the road.

Class C signs-exceptions

26. The following signs in Class C need not comply with the provisions of regulations 23 to 25 inclusive to the extent that is hereinafter respectively stated in respect of each such sign:

(*a*) "*Parking Area*" *and* "*Car Park*" *signs*

The colours of "Parking Area" and "Car Park" signs shall be a white symbol or inscription on a blue background.

(*b*) "*Hospital*" *Signs*

"Hospital" signs shall incorporate a red cross with a white reflective border and an inscription on a green reflective background.

(*As amended by S.I. No.* 119 *of* 1983)

Class D Signs

Class D-traffic light signals

27. The signs that fall under Class D are robots and flashing lights.

Robots-purpose

28. The purpose of robots is to direct road users by means of light signals to take some specific action or to exercise caution.

Robots-signal faces

29. (1) Each face of a robot shall have three circular lenses, arranged vertically with a red lens at the top, yellow lens below the red and a green lens at the bottom. The lenses shall be not more than 155 millimetres apart measured from the outer edge of each lens. Each lens shall have a diameter of not less than 200 millimetres.

(2) The red lens may have the word "STOP" marked on it in small black letters. No lettering shall appear on the other lenses.

(3) Each lens shall be independently lit by a clear lamp of not less than forty-watt capacity.

(4) A lens showing a green arrowhead (hereinafter referred to as a "filter arrow") may be added to the signal face of a robot, and shall be so placed that it is in the same horizontal plane as the red lens. The arrow shall be so designed that it is clearly visible to drivers of approaching traffic.

(5) Each lens, reflector and hood or visor shall be of such a design as to render the lens, when illuminated, clearly visible to drivers of approaching traffic.

(6) The design shall be such as to prevent, as far as practicable, any signal face being seen from a direction to which its indications do not apply.

(*As amended by No.* 87 *of* 1972 *and* 122 *of* 1978)

Robots-visibility

30. (1) Where it is considered desirable owing to the existence of advertising signs or for any other reason, a screen may be erected behind any signal face of any robot so as to throw it into relief for good visibility by drivers of approaching vehicles.

(2) Where it is considered desirable for any reason, a flashing yellow light may be placed above the signal faces at the top of a robot, for the purpose of emphasising the existence of the robot.

Robots-position and height

31. (1) The position of any robot shall depend upon conditions at the point of intended control and shall be in the discretion of the highway authority concerned.

(2) The height of any robot shall be such as to ensure that the signal faces are clearly visible to those drivers of vehicles approaching the robot over whom the lights are intended to exercise control.

Robots-colour of supports

32. Where robots are supported on a post specially erected for the purpose of holding such robot, that portion of the post which is visible below the lowest edge of the robot shall be coloured by alternate bands of black and white.

Robots-stop line

33. A line, hereinafter called a "stop line", shall be displayed or shown on the carriageway at each point of entry into an intersection, junction or other point at which the robot is intended to control traffic.

Robots-light sequence

34. (1) The colour sequence for illumination of the lenses of a robot shall be-

(*a*) red (with or without filter arrow);

(*b*) green;

(*c*) yellow.

(2) The time cycle for illumination of the lenses of a robot shall depend on the particular intersection or junction and shall be in the discretion of the highway authority concerned:

Provided that when a filter arrow is added to the signal face of any robot at an intersection or junction, such arrow may be illuminated only after an interval of not less than four seconds has elapsed since the illumination of the red lens on such signal face.

(3) If the highway authority concerned decide that at certain intersections or junctions the red and green lights of a robot are not warranted during certain hours, then in such cases the yellow light alone may be shown as a flashing light throughout such hours:

Provided that in the case of robots erected before the commencement of these Regulations it shall be permissible to show such yellow light as a steady light instead of as a flashing light.

Robots-meaning of light indications

35. The directions given by the lights of any robot shall be as follows:

(*a*) Red means that no vehicle facing the signal shall cross the stop line.

(*b*) Red with filter arrow means that no vehicle facing the signal shall cross the stop line:

Provided that vehicles may proceed in the direction indicated by the filter arrow subject to due precaution being taken. Vehicles proceeding in this manner shall given precedence to traffic proceeding through the intersection or junction on an indication given by a green signal.

(*c*) Green means that all vehicles facing the signal may proceed straight ahead or to the left or right subject to due precaution being taken and subject further to such movement not being contrary to any specific regulatory sign.

(*d*) Yellow (when operating in a colour sequence) means that no vehicle facing the signal shall cross the stop line unless, when the yellow light first appears after the green light, the vehicle is so close to the stop line that a stop cannot safely be made behind such stop line, in which case the vehicle shall proceed subject to due precaution being taken.

(*e*) Yellow (when not operating in a colour sequence) means that all vehicles entering the intersection or junction shall do so subject to due precaution being taken.

Robots-pedestrian control and signals

36. (1) Pedestrian signals may be used in conjunction with a robot for the purpose of controlling pedestrians. If so used they shall consist of two lamps arranged vertically with their centres not more than 715 millimetres apart and facing across the road. The upper lamp when lit shall illuminate on a black ground either a red St. Andrew's cross or the word "WAIT" in red letters. The lower lamp when lit shall illuminate on a black ground a yellow St. Andrew's cross, or the words "CROSS NOW" in yellow letters.

(2) The directions given by the lights of a pedestrian signal shall be as follows:

(*a*) When the red cross or the word "WAIT" in red letters is illuminated, no pedestrian facing the signal shall cross the road.

(*b*) When the yellow cross, or the words "CROSS NOW" in yellow letters is illuminated, all pedestrians facing the signal may cross the road.

(*As amended by No.* 87 *of* 1972)

Flashing lights-purpose

37. The purpose of flashing light signals is to warn road users by means of a constantly flashing red or yellow light to exercise caution or to emphasise the existence of a danger warning or regulatory traffic sign.

Class E Signs

Class E-carriageway markings

38. The following markings shall fall under Class E:

Prohibition lines.

Guide lines.

Pedestrian crossings.

Parking lines.

Other markings.

Class E signs-requirements

39. The following requirements where applicable shall be observed in all the markings falling under Class E:

(*a*) Carriageway markings shall be either applied to the surface of the carriageway or built into the carriageway in such a manner as to be readily visible to those road users to whom they are intended to apply.

(*b*) Studs, plates or blocks coloured white or material having the colour of white metal, silver or light grey may be used as substitutes for white paint provided that they have a width or mean diameter of not less than 100 millimetres and provided that they are so fixed in the carriageway that no part thereof projects more than 20 millimetres above the surface of the carriageway.

(*c*) When studs, plates or blocks are used as substitutes for any line marking, they shall be so spaced that the distance, measured from edge to edge, shall be not more than 155 millimetres.

(*As amended by No.* 87 *of* 1972)

Prohibition lines-purpose

40. The purpose of prohibition lines is to convey to road users a definite prohibition by means of continuous white or yellow lines demarcated on the carriageway.

Longitudinal prohibition lines-requirements

41. (1) A longitudinal prohibition line shall be a continuous line which follows approximately the direction of traffic flow.

(2) A longitudinal prohibition line shall be not less than 100 millimetres wide and white in colour except only when a colour other than white is necessary for the purposes of contrast with the colour of the surrounding carriageway surface.

(3) Where necessary appropriate wording may be laid down on the carriageway surface in addition to a longitudinal line for the purpose of emphasising the intended instruction or restriction.

(*As amended by No.* 87 *of* 1972)

Transverse prohibition or stop lines-requirements

42. (1) A stop prohibition line shall be a continuous line laid down transversely on a road and shall extend across all traffic lanes to which it applies.

(2) A stop prohibition line shall not be less than 150 millimetres wide and white in colour except only when a colour other than white is necessary for purposes of contrast with the colour of the surrounding carriageway surface. Where necessary appropriate wording or direction arrows may be laid down on the carriageway surface in addition to a stop prohibition line for the purpose of emphasising the intended instruction or restriction or for the guidance of traffic.

(*As amended by No.* 87 *of* 1972)

Meaning of prohibition lines

43. The prohibitions conveyed by prohibition lines shall be as follows:

(*a*) A longitudinal prohibition line means that no vehicle shall cross or straddle such line unless laid down in combination with a guide line as prescribed in regulation 46.

(*b*) A stop prohibition line means that no vehicle shall cross such line until after compliance with the instruction of a traffic sign.

Guide lines-purpose

44. The purpose of guide lines is to guide road users by the demarcation of traffic lanes or crossings.

Guide lines-requirements

45. (1) A guide line shall be a broken line each portion of which shall not be less than 100 millimetres wide and not less than 500 millimetres and not more than 5 metres long. The length of gap between each portion of line shall be approximately four times the length of each portion of line.

(2) A guide line shall be white in colour except only when a colour other than white is necessary for the purposes of contrast with the colour of the surrounding carriageway surface.

(*As amended by No.* 87 *of* 1972)

Prohibition and guide lines in combination

46. A guide line if used parallel to and immediately adjacent to a prohibition line, shall have the effect of permitting drivers of traffic travelling on the same side of a prohibition line as such guide line to cross or straddle the prohibition line. The space between the prohibition line and the guide line shall be not less than 50 millimetres.

(*As amended by No.* 87 *of* 1972)

Pedestrian crossings-purpose

47. The purpose of pedestrian crossings is to guide pedestrian traffic into suitable channels for the purpose of crossing from one side of a road to the other side.

Pedestrian crossings at certain intersections and junctions

48. (1) Pedestrian crossings shall be laid down at or immediately adjacent to every road intersection or junction where traffic control is enforced by a robot.

(2) Such pedestrian crossings shall comprise the space between two continuous lines not less than 1.80 metres apart, each line being not less than 100 millimetres wide, and extending transversely across the full carriageway.

(3) The lines marking such pedestrian crossings shall be white in colour except only where a colour other than white is necessary for the purposes of contrast with the colour of the surrounding carriageway surface.

(*As amended by No.* 87 *of* 1972)

Pedestrian crossings at other intersections, junctions and points

49. (1) Where a pedestrian crossing is required at a point other than a road intersection or junction where traffic control is enforced by a robot, it shall be demarcated for its full width by a pattern of alternate black and white stripes each stripe being approximately 610 millimetres wide. Such pattern shall extend transversely across the full width of the carriageway and shall be not less than 1.80 metres wide.

(2) A danger warning sign shall be erected to warn drivers of vehicular traffic of approach to such pedestrian crossing and at the point of crossing a sign shall be erected for the guidance of pedestrians.

(*As amended by No.* 87 *of* 1972)

Parking lines-purpose

50. The purpose of parking lines is to indicate areas in which motor vehicles may be parked.

Parking line-requirements

51. A parking line shall be white in colour except where a colour other than white is necessary for purposes of contrast with the colour of the surrounding carriageway surface. It shall be not less than 100 millimetres wide, and it shall be so placed as clearly to indicate each parking bay.

(*As amended by No.* 87 *of* 1972)

Marking of prohibited or restricted portions of roads

52. (1) Where it is desired to indicate a prohibited or restricted area forming part of a road such as a "No Parking" area, an "Unloading Zone", a "Fire Hydrant" area, a "Bus Stop" area or similar area, such areas may be appropriately demarcated by prohibition lines yellow in colour and may be marked with appropriate inscriptions yellow in colour.

(2) Notwithstanding anything to the contrary contained in these Regulations, a prohibition line indicating a restricted area (but not a prohibited area) means that such line may be crossed or straddled by vehicles of a type or used for the purpose for which the area has been reserved.

Safety markings

53. Safety markings white in colour or of alternate bands of white and black may be made on the carriageway at approaches to dangerous sections of road, or on physical obstructions in or near a road such as kerbs of traffic islands, overhead bridge supports, end walls and head walls and poles and similar obstructions.

Class F Signs

Class F-other traffic control devices-bollards-purpose

54. The purpose of a bollard is-

(*a*) to indicate or outline a feature or hazard in a road, particularly at night as for example a traffic island;

(*b*) to guide traffic.

Bollards-requirements

55. (1) The general design of a bollard shall be as illustrated under Class F in the First Schedule.

(2) The head-piece of a bollard may be illuminated and designed to embody any appropriate inscription such as "KEEP LEFT" or "CROSS HERE" or such other inscription as may be required to give greater effect to a traffic sign. Such inscription shall be coloured black on a white or yellow-coloured background.

(3) A bollard shall be so designed and sited as to be clearly visible to drivers of approaching traffic both by day and by night.

PART III

GENERAL

Nature of characters on traffic signs

56. (1) All inscriptions and symbols appearing on traffic signs shall be bold and clear-cut in outline so as to be easily distinguishable.

(2) Letters and numerals appearing on traffic signs shall be standard in accordance with the details and dimensions set out in Part I of the Second Schedule:

Provided that letters and numerals appearing on traffic signs may be reduced in size when permitted by these Regulations to conform to the details and dimensions set out in Part II of the Second Schedule.

(3) Markings painted on the surface of the carriageway may be composed of elongated letters, numerals or symbols of such size as to be clearly legible to approaching drivers.

Fitting of reflex reflectors to traffic signs

57. (1) Where reflex reflectors are incorporated in a traffic sign the diameter of each reflector shall be not less than 5 millimetres nor greater than 10 millimetres.

(2) The distance between the centre of any such reflector and that of the nearest other reflector in any direction shall be equivalent to double the diameter of the reflectors.

(*As amended by No.* 87 *of* 1972)

Permissible variations of dimensions of traffic signs and of letters and numerals

58. (1) Any variation from a dimension specified in the First Schedule or from such dimension as reduced in accordance with these Regulations shall be deemed to be in accordance with these Regulations if the variation-

(*a*) in the case of a dimension so specified as over 300 millimetres, is within five per centum of that dimension;

(*b*) in the case of a dimension so specified as 50 millimetres or more but not more than 300 millimetres, is within ten per centum of that dimension;

(*c*) in the case of a dimension so specified as under 50 millimetres, is within twenty per centum of that dimension.

(2) The letters and numerals used on any traffic sign shall be deemed to be in accordance with the Second Schedule if their proportionate dimensions are within ten per centum of those specified in that Schedule.

(*As amended by No.* 87 *of* 1972)

Dimensions of symbols in First Schedule

59. Any symbol on any traffic sign shall be deemed to conform to the corresponding symbol in the First Schedule (hereinafter called the "Schedule symbol") if it conforms only to those dimensions of the Schedule symbol which are specified in the Schedule:

Provided that in respect of the dimensions not so specified such symbol shall substantially resemble the Schedule symbol.

Colour shades of traffic signs

60. (1) Where the colour red, green, yellow or blue is referred to in these Regulations the shade of each colour shall, as nearly as possible, be determined in accordance with the British Standards Institution schedule of colours for ready mixed paints, reference No. 381C: 1948 as revised, as follows:

Red-No. 536 Poppy.

Green-No. 267 Traffic Green.

Yellow-No. 356 Golden Yellow.

Blue-No. 166 French Blue.

Erection of traffic signs by private organisations

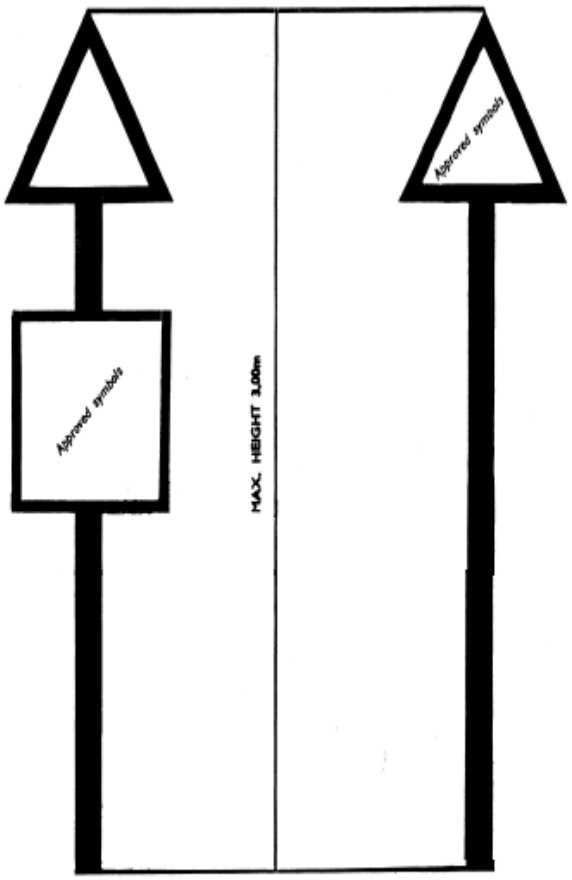
61. Where a private organisation is permitted to erect a traffic sign, or supplies a traffic sign for the use of any person, it may display its badge on such signs subject to approval by the Minister.

FIRST SCHEDULE
(*Regulations* 5, 13 *and* 21)

CLASS A SIGNS

CLASS B SIGNS

CLASS A-DANGER WARNING SIGNS



OLD NEW

KEY NOTE

A Triangle of side 90 cm for Territorial Roads

A Triangle of side 60 cm for District Roads

A Triangle of side 40 cm for Rural Roads

W9B

GENTLE CURVE TO LEFT

W9I

GENTLE CURVE TO LEFT

W10B

SHARP CURVE TO LEFT

W10B

SHARP CURVE TO LEFT

W12A

REVERSE CURVES

W12A

REVERSE CURVES

W15

ROAD NARROWS FROM BOTH SIDES

W15

ROAD NARROWS FROM BOTH SIDES

NARROW BRIDGE

NARROW BRIDGE

W2

T JUNCTION

W2

T JUNCTION

W3B

SIDE ROAD JUNCTION (LEFT)

W3B

SIDE ROAD JUNCTION (RIGHT)

W1

CROSS ROADS

W1

CROSS ROADS

W7

Y JUNCTION

W7

Y JUNCTION

W32A1

STEEP DESCENT TO RIGHT

W32A1

STEEP DESCENT TO RIGHT

W32B2

STEEP ASCENT TO RIGHT

W32B2

STEEP ASCENT TO RIGHT

W21

UNEVEN ROADWAY

W21

UNEVEN ROADWAY

UNEVEN ROADWAY

UNEVEN ROADWAY

W18

CHILDREN

W18

CHILDREN

W17A

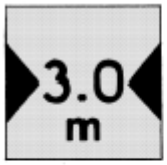
PEDESTRIAN CROSSING

W17A

PEDESTRIANS

W17B

PEDESTRIAN CROSSING



WIDTH RESTRICTED

WIDTH RESTRICTED

W26

HEIGHT RESTRICTED

W26

HEIGHT RESTRICTED

W20A

CATTLE

W20A

CATTLE

W17B

SLIPPERY ROAD

W23

SLIPPERY ROAD

DETOUR AHEAD

DETOUR AHEAD

R1B

POLICE CONTROL AHEAD

R1B

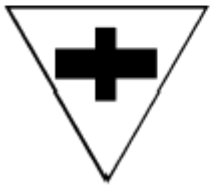
POLICE STOP

W40

ROAD WORKMEN

W40

ROAD WORKMEN



PRIORITY CROSS-ROADS AHEAD

PRIORITY CROSS-ROADS AHEAD

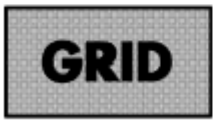
W31

UNGUARDED LEVEL CROSSING

UNGUARDED LEVEL CROSSING

GATE

GATE



GRID

W28C

CATTLE GRID MIDDLE OF ROADWAY

W42A

LEVEL CROSSING
WARNING
CROSS-ONE TRACK

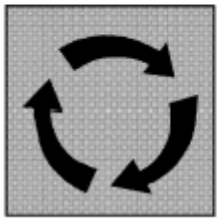
W42B

LEVEL CROSSING
WARNING
CROSS-TWO TRACKS

ROBOT AHEAD

TRAFFIC SIGNALS AHEAD
Signals (in descending order)
Red, amber, green reflectorized

W8

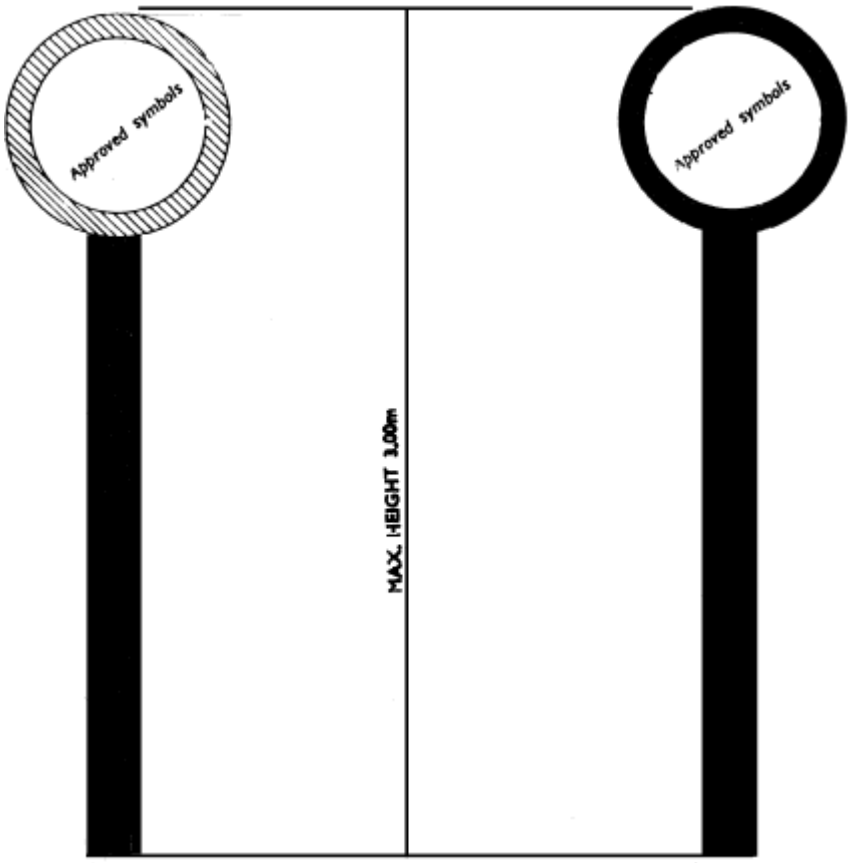


TRAFFIC CIRCLE

TRAFFIC CIRCLE

PONTOON AHEAD

CLASS B-REGULATORY SIGNS

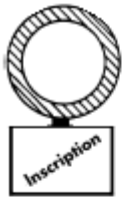


OLD NEW

KEY NOTE

A Circle of diameter 60cm for Territorial Roads

A Circle of diameter 40cm for District Rural Roads



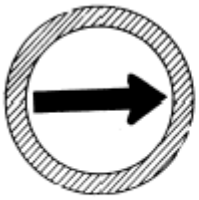
Inscription

CLOSED TO ALL VEHICLES

NO ENTRY

NO ENTRY

R18B



PROCEED RIGHT ONLY

R18B

PROCEED RIGHT ONLY

White arrow and blue background

NO U TURN

R7

NO U TURN

R6B

NO LEFT TURN

R6B

NO LEFT TURN

R6A

NO RIGHT TURN

R6A

NO RIGHT TURN

NO RIGHT TURN 6AM TO 6PM

NO RIGHT TURN AHEAD

R9

NO PARKING

R9

NO PARKING

R22

R22

R22

1 HOUR ONLY

R22

1 HOUR ONLY
LIMITED PARKING

R22

TAXIS ONLY

R22

TAXIS ONLY
LIMITED PARKING

R10

NO STOPPING

R10

NO STOPPING

R5

NO CYCLING

R5

NO CYCLING

R1A

CUSTOMS DOUANE

R1A

CUSTOMS DOUANE

CUSTOMS STOP SIGN

R8

OVERTAKING PROHIBITED

R8

NO OVERTAKING

R14

50 km/h

R14

50

R14

100

SPEED LIMIT

R14A

5 TONNES

R14A

5T

PERMISSIBLE MAXIMUM WEIGHT

3m

HEIGHT LIMIT

3m

HEIGHT LIMIT

R15

ROAD CLOSED

R15

ROAD CLOSED

UNLOADING ZONE

NO PARKING

R01

NO STOPPING

BUS STOP

R10

NO STOPPING

R1

STOP

R1

STOP SIGN

R2

GIVE WAY

R2

YIELD SIGN

STOP

STOP SIGN

YIELD SIGN

R16A

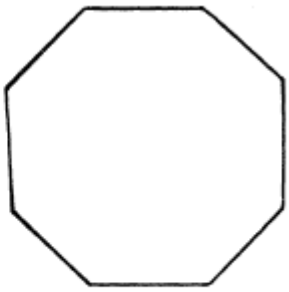
STOP

R16A

STOP

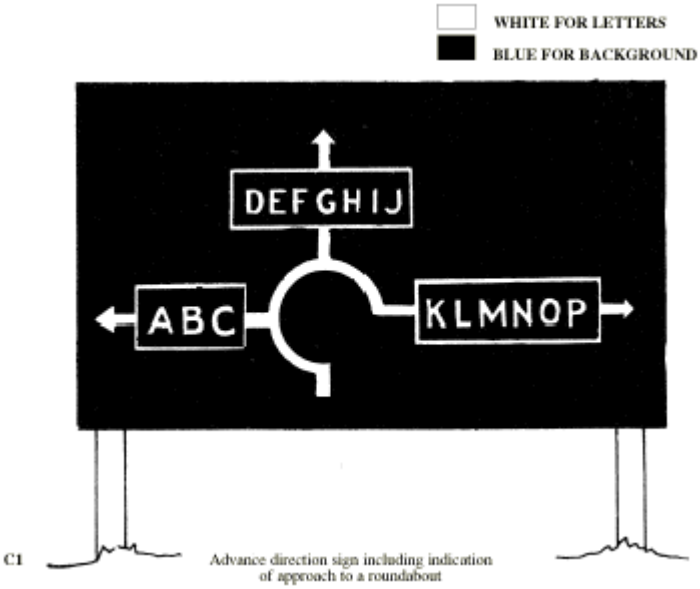
GO

R16B

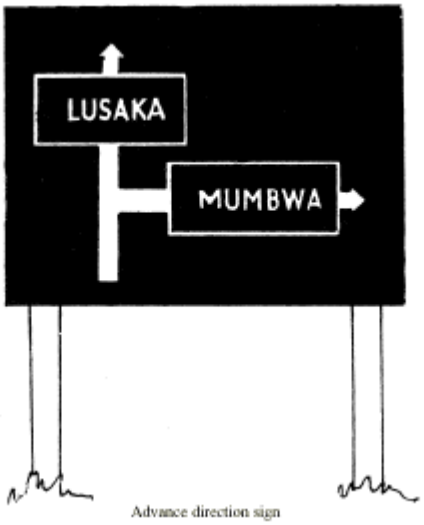


GO

CLASS C-INFORMATIVE SIGNS



C1 Advance direction sign including indication of approach to a roundabout



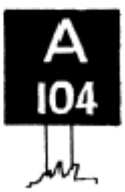
C2 Advance direction sign

C3 Advance information sign

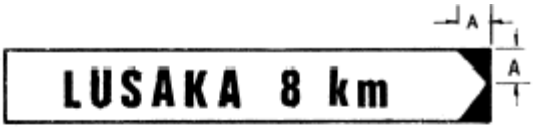
C4 Information sign

C5 Place name

C6 River or site name

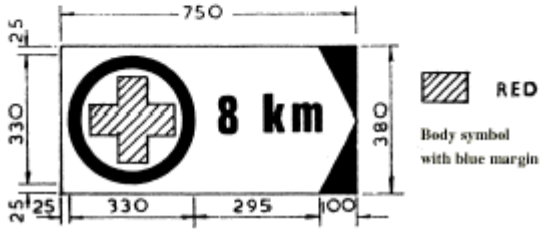


C7 Route marker

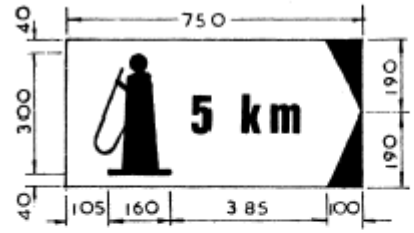


C8 Direction sign

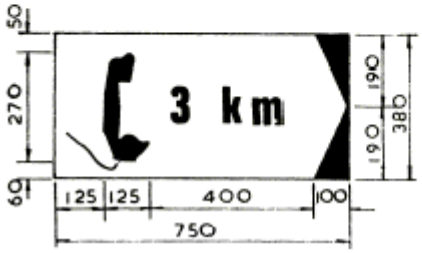
C9 Direction sign—temporary road detour



C10 Direction sign to a hospital or first-aid facilities

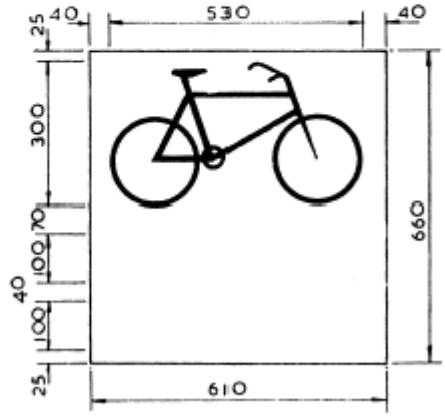


C11
Direction sign to a petrol pump
Black symbol with blue margin



C12
Direction sign to a telephone
Black symbol with blue margin

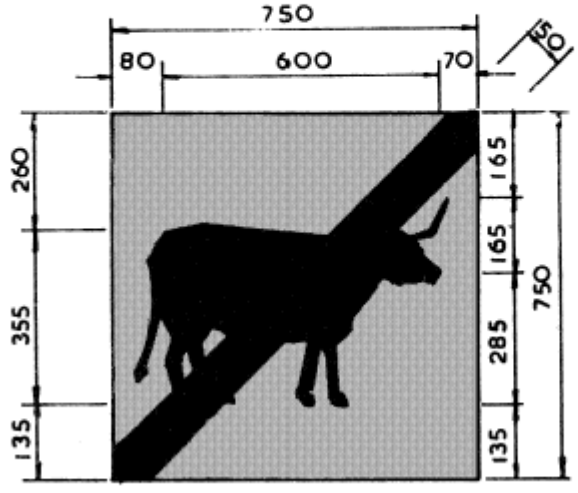
De-restriction sign indicating end of the speed limit shown and as imposed by a previous regulatory sign



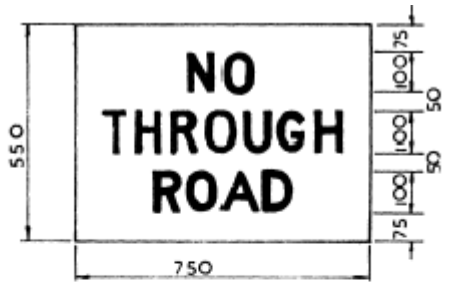
C14 Informative sign indicating the existence of a cycle track
White symbol on blue background

W20A

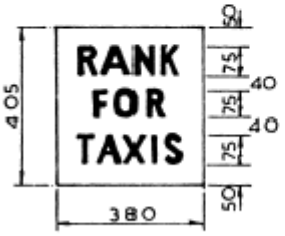
CATTLE



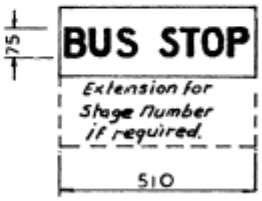
C15 Informative sign indicating end of cattle crossing



C16 NO THROUGH ROAD

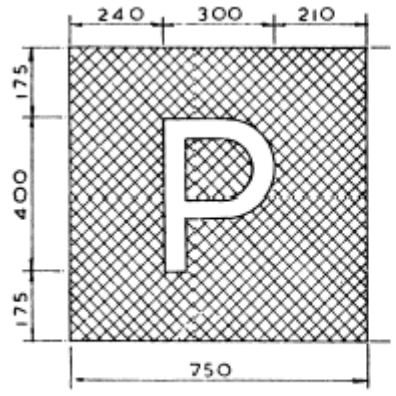


C17 RANK FOR TAXIS

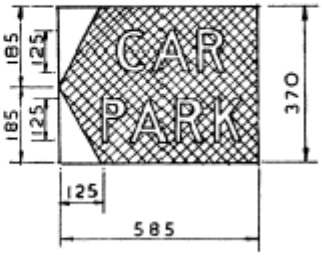


C18 BUS STOP
Extension for stage number if required.

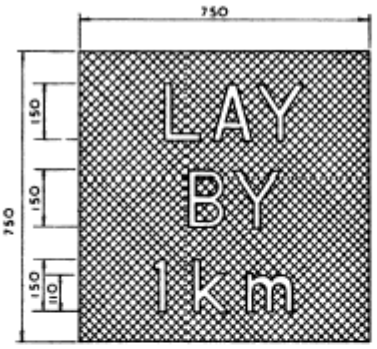
Types of informative signs



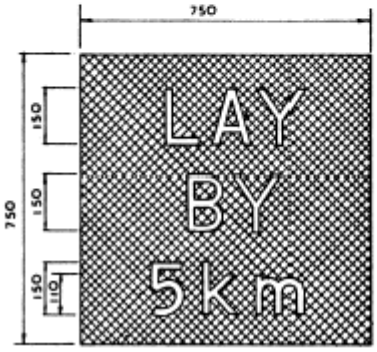
C19 Informative sign of a parking area



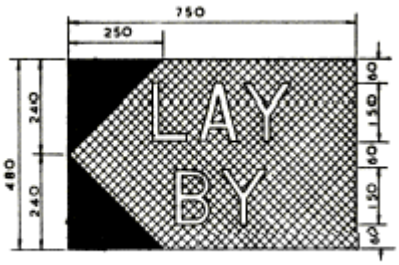
C20 Direction sign to a parking area



C21

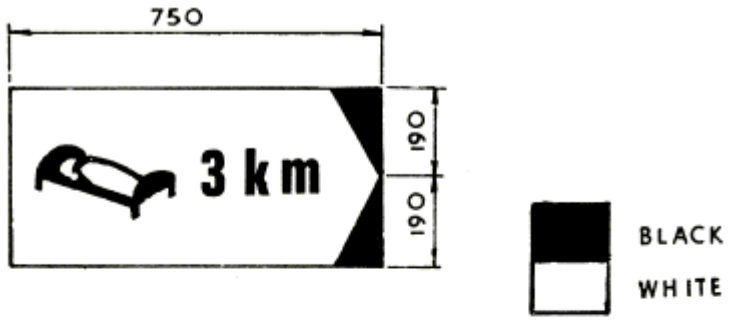


C22



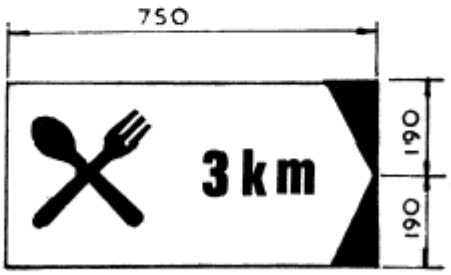
C23

Information sign of a lay by



Blue margin

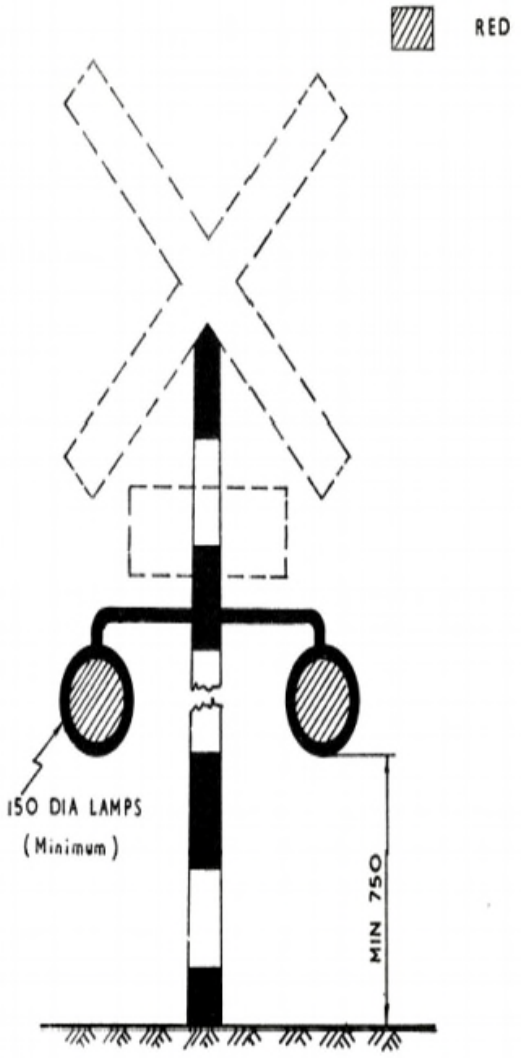
C24 Direction sign to a hotel or motel



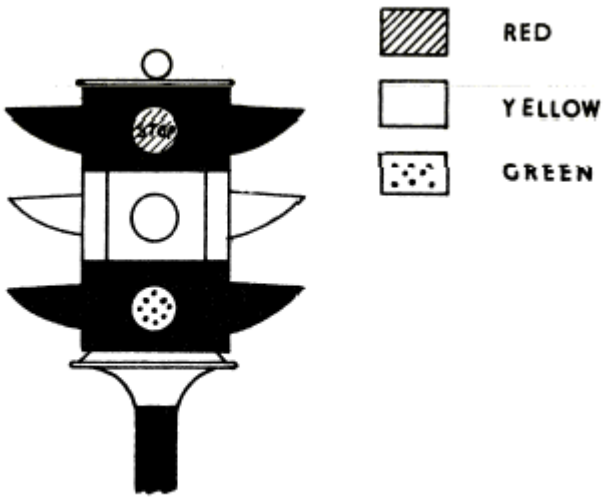
C25 Direction sign to a restaurant

Blue margin

CLASS D-TRAFFIC LIGHT SIGNALS



D1 Rail/road level crossing with flashing warning lights

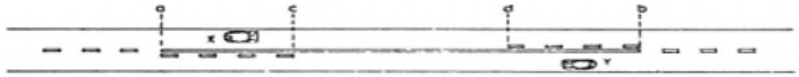


D2 Example of robot signal face

D3 Example of flashing light signal

CLASS E-CARRIAGEWAY MARKINGS

Example of no passing marking on a two-lane road



E1

Vehicle X must keep to the left of the continuous line between points a and d but after point d it may cross both the broken and continuous lines if the driver is satisfied that it is safe to do so

Vehicle Y must keep to the left of the continuous lines between points b and c but after point c it may cross both the broken and continuous lines if the driver is satisfied that it is safe to do so

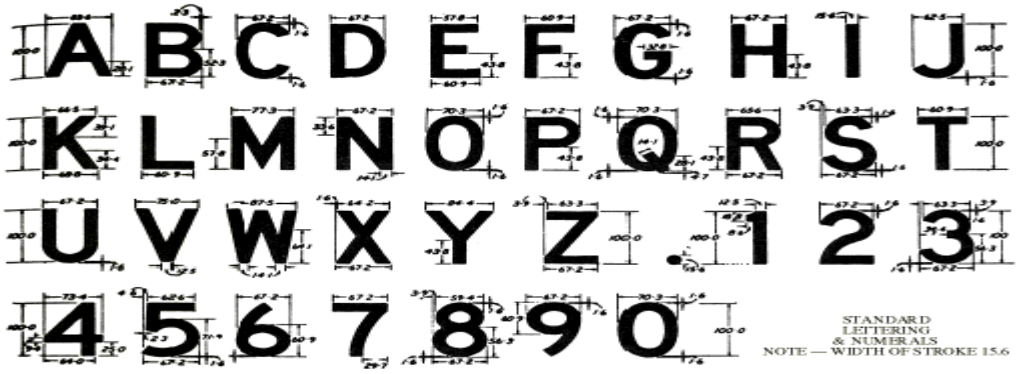
E2

Pedestrian crossing pattern at points other than road intersections controlled by robots—alternate black and white stripes

F1 Example of bollard

STANDARD
LETTERING
& NUMERALS
NOTE — WIDTH OF STROKE 15.6

Dimensions expressed as % of height.



STANDARD
LETTERING
& NUMERALS
NOTE — WIDTH OF STROKE 15.6

Dimensions expressed as % of height

Endnotes

1 (Popup - Popup)

*1st January, 1960, notified by G.N. No. 346 of 1959.

2 (Popup - Popup)

*This subsection shall be deemed to have come into force on 6th July, 1963. (See Act No. 37 of 1963.)

3 (Popup - Popup)

*Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.

4 (Popup - Popup)

*The Director of Roads, the highway authority responsible for district roads, has notified that the standard charge in respect of district roads shall be 1,500 fee units. (G.N. No. 80 of 1962.)