

ACT

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No. 5

2003

Sierra Leone

**The Road Transport Authority (Amendment)
Act, 2003**

Short title.

**Being an Act to amend the Road Transport Authority Act
1996**

[11th September, 2003] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

The Road Transport Authority Act, 1996 is amended by the insertion of the following sections immediately after section 26 therefore:-
Amendment of Act. 4 of 1996

Establishment of corps of traffic wardens.

26 a. (1) For the purpose of its functions under sections 9,10 and 26, the Authority shall have a corps of traffic wardens, consisting of such ranks or grades as the Authority may prescribe.

(2) A traffic warden shall be appointed by the Authority subject to such terms and conditions as the Authority shall determine.

(3) A person shall not be appointed as a traffic warden unless he is adequately qualified by education and is suitably trained in traffic duties.

Functions of traffic wardens.

26 b. (1) Subject to subsection (1) of section 26A, the object for which the corps of traffic wardens shall be appointed is to complement the Sierra Leone Police Force with regard to traffic duties and, accordingly, any reference in any of the following enactments to a constable or police officer shall include a reference to a traffic warden, that is to say-

Act No. 62 of 1994 S. L No. 77 of 1960 Cap 133.

- (a) Road Traffic Act, 1964;
- (b) Road Traffic Regulations, 1960;
- (c) Motor Vehicle (Third Party Insurance) Act .

(2) Without prejudice to the generality of subsection (1), the functions of traffic wardens shall include the following:-

- (a) to control and regulate traffic;
- (b) to render the roads free from unnecessary obstruction and ensure the free flow of traffic;
- (c) to educate the public on road safety;
- (d) in the case of an accident-
 - (i) to divert traffic from the scene w{len necessary;
 - (ii) to keep onlookers away and render first aid to any injured person;

(iii) to dispatch the injured, if any, to the nearest health centre or hospital without delay;

(iv) to report the accident to the nearest police station; and

(e) to enforce all rules and regulations pertaining to the conduct of road users, including pedestrians, for the promotion of road safety.

26c. (1) A traffic warden shall have power to issue in respect of any offence Specified in the First Schedule, a ticket in th form set out in the Second Schedule, stating the circumstances of the offence and the penalty thereof as prescribed by the appropriate enactment referred to in the First Schedule, together with the administrative charges for handling or processing the offence out of court.

Power of traffic warden to issue tickets.

(2) The administrative charges for the offences specified in the First Schedule are as prescribed in the Third Schedule,

(3) The prescribed fine together with the administrative charge shall be paid by the offender at the nearest office of the Authority.

(4) Where an offender fails to pay the fine and the prescribed administrative charge within seventy-two hours, the traffic warden shall refer the matter to the police who shall institute criminal proceedings against the offender.

(5) Where the offender is convicted by the court, the court shall order the payment by the offender, the prescribed administrative charge and updated fines together with the cost of prosecution or other moneys due under any other law.

26d. Where-

- (a) the offender refuses to accept a ticket; or
- (b) the offence is not one for which a ticket may be issued,

Report to Police in certain cases.

the traffic warden shall promptly make a report of the offence to the police, giving the circumstances of the offence, the particulars of the vehicle, the name of the owner or driver together with such other information as will assist the investigation and successful prosecution of the case.

Power of traffic warden to clamp or tow vehicle.

26e. (1) A traffic warden shall have the power to tow away or clamp the wheel of any vehicle which is parked in any road, pavement or side-walk in contravention of the Road Traffic Act, 1964 or the Road Traffic Regulations, 1960 or any regulations made under this Act

Act No. 62 of 1964 S. I. No. 77 of 1960.

(2) A court before which any offender is tried for any contravention referred to in subsection (1) may, on the conviction of the offender; order, whether in addition to or substitution for any punishment for such contravention, the defendant to pay the cost of the towing or clamping and, in default of such payment, the offender shall be liable to imprisonment for a term not exceeding six months.

(3) No traffic warden or person acting on the instruction of a traffic warden shall be liable for any damage which may be caused to the vehicle as a result of the towing or clamping.

Traffic wardens to wear uniform.

26f. (1) A traffic warden shall wear such uniform as the Authority shall determine and shall in addition be provided with an identity card and shall not act as a traffic warden when not in uniform.

(2) Both uniform and the identity card shall serve as indicators to the public of the status of the traffic warden as an employee of the Authority.

Traffic wardens to have protection.

26g. Traffic wardens shall have for the performance of his functions under this Act, the powers and protection afforded members of the Sierra Leone Police Force by law for the performance of their traffic duties.

Power to amend Schedules.

26h. The Authority may, by statutory instrument, amend any Schedule.

FIRST SCHEDULE

(Section 26C (1))

No.	Offence	Enactment
1.	Driving an unlicensed vehicle	Sec. 7 (1) of RT A. 1964
2.	Driving an unlicensed vehicle	Sec. 7 (1) of RT A. 1964
3.	Carrying passengers in excess	Reg. 70 (4) RTR, 1960
4.	Parking vehicle in a prohibited area	Reg. 39 (1) (k) RTR, 1960
5.	Using vehicle other than its licensed purpose.	Sec. 51 RT A. 1964
6.	Abandoning disabled vehicle without safety precaution	Reg. 39(1) (r) RTR, 1960
7.	Carrying more than six people in addition to driver and his assistant on goods vehicles	Reg. 16 RTR, 1960
8.	Carrying freight or load on canopy	Reg. 27(1)(f) (ii) RTR, 1960
9.	Carrying a person in front of him on a motor cycle or carrying a person at the rear of motor cycle when not properly constructed for the purpose.	Reg. 40 RTR, 1960
10.	Making unnecessary noise with the horn of a vehicle.	Reg. 39 (1)(d) RTR, 1960
11.	Carrying goods and passengers at the same time	Reg. 70 (2) RTR, 1960
12.	Carrying cattle and passengers at the same time.	Reg. 70 (3) RTR, 1960

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| 13. Carrying more than one person on a two-wheeled motorcycle. | Reg. 40 RTR, 1960 |
| 14. Driving vehicle without driving mirror | Reg. 27(IXo) RTR, 1960 |
| 15. Defective windscreen wiper | Reg. 27(1)(v) RTR, 1960 |
| 16. Disobeying traffic sign lawfully placed on or near any road for driver's guidance. | Reg. 39(1)U) RTR, 1960 |
| 17. Excessive emission of smoke | Reg. 27(1)(j)RTR, 1960 |
| 18. Carrying projected goods | Reg. 27(1)(c)RTR, 1960 |
| 19. Failing to affix current vehicle licence for inspection. | Reg. 14(1)RTR, 1960 |
| 20. Obscured identification marks or obliterated number plate. | Reg. 21 RTR, 1960 |
| 21. Permitting a person to ride on wing bonnet running hoard or fenders of a vehicle. | Reg. 39(1)(p) RTR, 1960 |
| 22. Picking up passengers on omnibus route. | Reg. 70(5) RTR, 1960 |
| 23. Parking a vehicle within 25ft from a corner, bend, junction or round about. | Reg. 39(1)(f) RTR, 1960 |
| 24. Failing to affix appropriate number plates on a vehicle. | Reg. 20(1) RTR, 1960 |
| 25. Driving with defective head light. | Reg. 27(1)(m)(i) RTR, 1960 |
| 26. Driving vehicle with smooth or defective tyres. | Reg. 27(1)(g) RTR, 1960 |

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| 27. Causing a vehicle to travel back ward unnecessarily (reversing). | Reg. 39 (1)(b) RTR, 1960 |
| 28. Causing obstruction. | Reg. 42(3) RTR, 1960 |
| 29. Driving with a defective speedometer | Reg. 27(1)(w) RTR, 1960 |
| 30. Driving with a mutilated driving licence or defaced photograph. | Sec. 53(b) RTA, 1964 |
| 31. Driving without rear number plate light. | Reg.27(1)(m)(iii)RTR, 1960 |
| 32. Driving without rear parking light. | Reg. 27(1)(m)(iii) RTR, 1960 |
| 33. Failing to draw vehicle to the side of the road. | Reg. 39(1)(g) RTR, 1960 |
| 34. Driving without brake light or with defective brake light. | Reg. 27(1)(m)(iii) RTR, 1960 |
| 35. Disobeying Police/Traffic Warden verbal instrcnons. | Reg. 39(1)(h) RTR, 1960 |
| 36. Failing to take vehicle for examination as required by a constable/Traffic Warden or certifying officer. | Sec. 34(1) RTA, 1964 |
| 37. Driving without right or left side direction indicator. | Reg. 30 RTR, 1960 |
| 38. Driving vehicle in a poor general mechanicalcondition, | Reg. 27(1)(u) RTR, 1960 |
| 39. Leaving vehicle unattended, | Reg. 39(1)(g) RTR, 1960 |

40.	Failing to maintain windscreen so as not to obscure the vision of driver.	Reg. 27(1)(s) RTR, 1960
41.	Failing to affix commercial number plate on hackney carriage	Reg. 4.5(1)(c) RTR, 1960
42.	Failing to paint owners name and address (commercial vehicle).	Reg. 7(7) RTR, 1960
43.	Permitting person to ride on the canopy	Reg. 4.5(1)(c) RTR, 1960
44.	Permitting person to ride on the canopy	Reg. 39(1)(1') RTR, 1960
45.	Driving without warning instrument.	Reg. 27(1)(n) RTR, 1960
46.	Driving vehicle without permit from Road Transport Authority.	Reg. TI RTR, 1960
46.	Refusing to take passenger to his/her destination (Taxi).	Reg. 52(3)(b) RTR, 1960
47.	Obstructing the driver whilst in motion.	Reg. 41 RTR, 1960
48.	Driving without driving licence.	Sec. 21(1) RTA, 1964
49.	Riding bicycle without efficient brake or bell.	Reg. 85 (a) RTR, 1960
50.	Furious riding	Reg. 85 (f) RTR, 1960
51.	Riding bicycle on the footpath.	Reg. 85(i) RTR, 1960
52.	Riding bicycle without rear red light or red reflector or white light at front.	Reg. 84 (b) RTR, 1960
53.	Failing to give appropriate trafficator light signal.	Reg. 32(I) RTR, 1960
54.	Driving vehicle without efficient silencer.	Reg. 27(1)(i) RTR, 1960

55.	Driving vehicle above speed limit.	Reg. 39 (l)(a) RTR, 1960
56.	Driving vehicle without mudguard.	Reg. 27(1)(t) RTR, 1960
57.	Driving taxi/omnibus without spare tyre.	Reg. 48 (d) RTR, 1960
58.	Failing to paint details on the side of commercial vehicle or trailer.	Reg. 27 (1)(f) (iii) RTR, 1960
59.	Riding on the canopy.	Reg. 39 (1) (p) RTR, 1960
60.	Riding on the tailboard or doorstep.	Reg. 39 (l)(p) RTR, 1960
62.	Carrying passengers on board omnibus without proper seating accommodation.	Reg. 27 (1)(s) RTR, 1960
63.	Leamer" failing to be accompanied by a current licenced driver and L-plate.	Reg. 65 (2) RTR, 1960
64.	Abandoning vehicle on the public highway.	Reg. 79 (i)(a) RTR, 1960
65.	Driving without driving licence valid for the class of the vehicle.	Reg. 22 (l)(a) or (b) RTR, 1960
66.	Failing to affix L-plate.	Reg. 23 (4) RTR, 1960
67.	Driving motor vehicle without or with incomplete lights.	Reg. 27 (l)(m)(i) RTR, 1960
68.	Driving motor cycle without head light.	Reg. 27 (l)(m)(\) RTR, 1960
69.	Driving heavy motor vehicle without illuminated direction indication.	Reg. 29 (a)(ii)(\) RTR, 1960

INTERPRETATION

In this Schedule-

- (a) "RTA, 1964" means the Road Traffic Act, 1964 (Act No. 62 of 1964)
- (b) "RT.R, 1960" means the Road Traffic Regulations, 1960 (S.I. No. T7 of 1960)."

SECOND-SCHEDULE

SIERRALEONE

Serial No

TRAFFIC WARDEN

TRAFFIC OFFENCE TICKET

That you

Mr./Mrs./Miss.....

ofwith Driving Licence

No.....being Driver of.....on the.....
(Make/Type of Vehicle)

.....day of.....20.....at.....hour did commit

the Traffic Offence of.....

.....

.....

(State section/Regulation of enactment(s).)

In accordance with the penalty therefor in the above mentioned enactment for the offence stated above you are hereby fined the sum of Le.....

(.....)
(Amount in words)

to be paid within seventy-two hours from today's date at the Road Transport Authority Office nearest the place the ticket was issued failing which you will be prosecuted in Court accordingly.

Signed Date
Traffic Warden

Signed Date
Witness

THIRD SCHEDULE
ADMINISTRATIVE CHARGES

The administrative charges for offences are as follows:-

- (a) in the case of non-motorised vehicle ... Le5,000.00
- (b) in the case of motorised vehicle with not more than three wheels Le20,000.00
- (c) In the case of cars and light vans Le30,000.00
- (d) in the case of lorries and trucks of up to six wheels Le80,000.00
- (e) in the case of motorised vehicles of above six wheels Le100,000.00

Passed in Parliament this 10th day of April, in the year of our Lord two thousand and three.

J. A. CARPENTER,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

J. A. CARPENTER,
Clerk of Parliament.