

THE UNITED REPUBLIC OF TANZANIA



No. 16 OF 1996

1 ASSENT,
Benjamin W. Mkapa
President
20th January, 1997

An Act entitled the Road Traffic (Amendment) Act, 1996.

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Road Traffic (Amendment) Act, 1996 and shall be read as one with the Road Traffic Act, 1973 in this Act referred to as the "principal Act".

2. Section 2 of the principal Act is amended by inserting in appropriate alphabetical order the following new definitions—

"certified driving instructor" means a person certified by a competent institution; to instruct another person learning to drive a vehicle;

"Competent institution" means an institution to be prescribed by the Minister by notice in the *Gazette* to certify a certified driving instructor;"

"controlled intersection" means an intersection where traffic is controlled by a "stop" or a "give way" sign, automatic traffic signal or hand signal or by a police officer;

"intersection" means any level cross road; junction or fork and it includes an open area founded by such cross road, junction or fork;

"laden weight" means the actual weight of a vehicle as loaded, with a driver and passengers on board;

"lane" means any one of the longitudinal strips into which the carriage-way is divisible, whether or not defined by a longitudinal road marking which is wide enough for one moving line of motor vehicle other than a motor cycles;

"level crossing" means any level intersection between a road and a railway

Short
Title Act
No. 30 of
1973

Amend-
ment of
Section 2

"maximum permissible weight" means the maximum weight of the laden vehicle declared permissible by the competent authority of the state in which the vehicle is registered;

"moped" means, any two-wheeled or three wheeled vehicle which is fitted with an internal combustion engine having a cylinder capacity not exceeding fifty c.c. and of maximum design speed not exceeding fifty kilometres per hour;

"unladen weight" means the weight of a vehicle without any driver, passengers or load, but with a full supply of fuel, oil, grease, a spare wheel and with the tools which the vehicle normally carries.

Amend-
Ment of
Section 25

3. The principal Act is amended in subsection (1) of section 21 by deleting the words "competent and dully licensed driver", which appear between the words "school" and "issued" in the sixth and seventh lines of that subsection and substituting for them the words "certified driving instructor"

Amend-
ment of
Section 21

4. The principal Act is amended in section 21 by adding immediately after subsection (3) the following subsection-

"(4) A driving licence shall not be issued to any person-

- (a) who is under the age of sixteen years;
- (b) who is under the age of eighteen years, except in respect of a moped;
- (c) except to a person who is over the age of eighteen years and in respect of any other type of vehicle apart from that specified under paragraph (d) of this subsection;
- (d) in respect of a bus or a heavy commercial vehicle unless that person is over twenty one years and has acquired driving experience for a period of not less than three years.

(5) A person who holds a valid international driving licence or a foreign domestic driving licence issued in accordance with the 1949 Geneva Convention or with the 1968 Vienna Convention, shall have that licence recognized as being valid under this Part.

(6) Where the person holding an international driving licence recognized under subsection (5) extends the stay in the United Republic, after expiration of that licence or where that person extends the stay in the United Republic for more than six months, that licence shall be deemed not to be valid under this Part.

Amend-
ment of
Section 27

5. The Principal Act is amended in section 27 by adding immediately after sub-paragraph (v) of paragraph (h) of sub-section (1), the following-

"(vi) if it appears that the person holding a driving licence is likely to be a source of danger to the public while driving on a public road, the court may suspend or cancel that licence or in the case of an international driving licence, enter in the space provided for the purpose, an endorsement to the effect that the licence is not valid in Mainland Tanzania"

6. The principal Act is amended in section 28 by adding immediately after subsection (IA) the following new subsection:

Amend-
ment of
Section 28

"(1B) Notwithstanding subsection (IA) of this section, any police officer of or above the rank of Assistant Superintendent, shall suspend a driving licence pending the decision of a court, where, the person holding that driving licence is prosecuted by reason that the person holding that driving licence-

- (a) while driving a motor vehicle, has caused the death of another person;
- (b) was driving a motor vehicle when under the influence of any intoxicating beverage, drug or substance; or
- (c) has left the scene of an accident in which any other person was killed or injured, without rendering assistance in accordance with the provisions of this Act".

7. The principal Act is amended in section 39 by adding immediately after subsection (11) the following subsections-

"(12) Every driver of a vehicle shall drive a vehicle in such a way as to avoid undue noise, unnecessary emission of smoke, steam or gas from the vehicle when leaving or refuelling that vehicle.

(13) Every driver of a vehicle shall when driving through a residential area ensure that the driver causes no disturbance to another person near that residential area and that driver shall adjust the route, speed and the manner of driving in order to avoid unnecessary disturbance to residents in that residential area.

(14) Any person who contravenes the provisions of this section is guilty of an offence"

8. The principal Act is amended by adding immediately after section 39 the following sections-

Addition
of Section
39A 39B
and 39c

Permissible
weight

"39A.-(1) Where a permissible maximum weight for a vehicle is prescribed, the laden weight of that vehicle shall not exceed that permissible maximum weight.

(2) Every load on a vehicle shall be arranged and secured to prevent that load from-

- (a) endangering persons or causing damage to public or private property and from trailing or falling on the road;
- (b) obstructing the driver's view or impairing the stability or driving of the vehicle;
- (c) causing noise, raising dust or creating any other nuisance which can be avoided;

(d.) concealing lights, including the prescribed lights and direction indicators, reflectors, registration number plates and the distinguishing sign of the state of registration of the vehicle or from concealing any signal given by band.

(3) Every driver of a vehicle shall ensure that all accessories such as cables, chains and sheets used to secure or protect the load are drawn tight and firmly fastened around the load.

(4) A driver of a vehicle shall in all cases where there is a load projection which is not likely to be noticed by a driver of any other vehicle, ensure that any load projecting beyond the 'front, rear or side of the vehicle, is clearly marked in the manner prescribed under the provisions of this Act.

(5) A driver of a vehicle which has been constructed or designed solely for the carriage of goods may, under special conditions to be prescribed under this Act, carry passengers in the space reserved only for goods.

Use
signals

39B. -(1) Where a driver of a vehicle thinks that it is necessary to prevent or to avoid any danger that driver of a vehicle shall give a warning using an audible or luminar signal or shall use any other expedient means in order to attract the attention of any other road user.

(2) A driver of a vehicle shall not use a warning signal for any purpose other than that specified under subsection (1) of this section or shall not signal or prolong the audible signal for a longer period than it is reasonable in the circumstances.

(3) Where a driver of a vehicle intends to move off from the side of a road, make an about turn, change lanes or intends in any other way to make a significant change in the lateral position of the vehicle which that driver is driving, that driver of a vehicle shall for the guidance of other road users signal with direction indicator lights if such lights are prescribed for that vehicle or if not, the driver of a vehicle shall signal by stretching out his arm horizontally to the side in which that driver intends to move or manoeuvre.

(4) Where a driver of a vehicle intends to stop or to slow down abruptly, that driver of a vehicle shall inform other road users by signalling with stop lights where such lights are prescribed for that vehicle or if not prescribed that driver of a vehicle shall signal by raising the arm.

(5) A driver of a vehicle who intends to give any sign or signal under this section, shall give that sign or signal in enough time before beginning the intended manoeuvre, in a clearly visible and unambiguous manner and such sign or signal shall cease as soon as the manoeuvre is completed,

(6) Nothing under this section shall exempt a driver of a vehicle from the obligation of observing other regulations relating to manoeuvre.

(7) Any driver of a vehicle who contravenes the provisions of this section is guilty of an offence.

Use of
light

39C -(I) For the purposes of "light" in this section, "night" means the period between sunset and sunrise and includes other times when visibility is low due to fog, rain, passage through a tunnel or due to any other reasons.

(2) Every driver of a vehicle driven on a public road at night, other than a two-wheeled motor cycle without a side car, shall make use of the lights as prescribed for that vehicle but no driver of a vehicle shall make use of less than two white lights at the front and two red lights at the rear.

(3) Every driver of a vehicle or a combination of motor vehicles to which subsection (2) does not apply, shall, when driving that vehicle on the road, make use of at least one white light at the front and at least one red light at the rear.

(4) Where a motor vehicle is driven on a public road at night; the driver of that vehicle shall switch on the prescribed full beam or dipped headlights depending on the visibility.

(5) Dipped headlights shall be used-

- (a) on streets in built-up areas with street lighting;
- (b) where a driver of a vehicle is approaching an oncoming traffic so as not to cause undue dazzle or inconveniences to such traffic;
- (c) when the driver of a vehicle is about to overtake and pass another vehicle to prevent dazzle far enough and to enable the driver of the other vehicle to proceed without danger.

(6) Any person who contravenes the provisions of this section is guilty of an offence"

9.The principal Act is amended in section 43 by-

(a) deleting subsection (3) and substituting for it the following —

Amend-
ment of
section 43

"(3) Every driver of a motor vehicle shall upon approach or during the passing of an official motorcade on the road-

- (a) where the road is demarcated into one traffic lane for the direction of travel, draw the vehicle to a halt at the extreme left of the road;

- (b) where the road is demarcated into two traffic lanes for the direction of travel, draw the vehicle to a halt in a safe position at the extreme left of the road if the driver of the vehicle is in the left lane or adjacent to any vehicle which may be to the left if in the right lane;
- (c) where the road is demarcated into more than two traffic lanes for the direction of travel, draw the vehicle to a halt in a safe position which include a lane reserved for other persons using the road or other traffic turning right;
- (d) where the vehicle is stopped in any lane at a controlled intersection, remain stationary and only proceed when instructed to do so by means of the hand signals of a police officer or after the motorcade has passed;
- (e) where the road is not demarcated into traffic lanes for the direction of travel, draw the vehicle to a halt at the extreme left of the road.

(4) Any driver of a vehicle who contravenes the provisions of this section is guilty of an offence.

(5) In any proceedings for an offence under this section, a certificate in writing signed by a police officer of or above the rank of a Senior Superintendent of Police that a motorcade was an official motorcade, shall be conclusive evidence of the facts stated.

Amendment of
Section 45

10. The principal Act is amended in section 45-

- (a) in subsection (4) by deleting the words "not exceeding ten thousand shillings or to a term of imprisonment not exceeding two years" which appear in the last two lines of that subsection, and substituting for them the words "not less than ten thousand shillings but not exceeding twenty thousand shillings or to a term of imprisonment of not less than one year but not exceeding three years";
- (b) in subsection (5) by deleting the words "ten thousand shillings" and "twelve months" which appear in the last but one line of that subsection and substituting for them the words "not less than ten thousand shillings but not exceeding twenty thousand shillings" and "not less than six months but not exceeding two years" respectively.

Amendment of
Section 50

11. The principal Act is amended by renumbering section 50 as section 50(1) and by adding immediately after subsection (1) as renumbered, the following new subsections-

"(2) Every driver of a vehicle shall-

- (a) use a carriageway;
- (b) not drive on a pavement or foot path;

- (c) where there are separate carriageways for different types of vehicles, use the carriageway prescribed for the type of vehicle the driver is driving;
 - (d) while driving a vehicle on a public road, keep the vehicle near the left edge of the carriageway;
 - (e) on a two-way carriageway having three lanes, use the lane on the far left of the carriageway;
 - (f) on a two-way carriageway with four or more lanes, not use the lanes situated entirely on the right hand half of the carriageway;
 - (g) on a two way carriageway with three or more lanes, use the left lane, unless overtaking or otherwise indicated by road signs or road markings;
 - (h) on a motor way and its entry and exit ramps, legally operate a motor vehicle at a speed of more than forty kilometres per hour and a police officer may give access to other vehicles in particular cases
- (3) A driver of a vehicle-
- (a) shall overtake on the right side of the road;
 - (b) may overtake on the left side of the road if the driver of a vehicle to be overtaken indicates the intention to turn to the right and where that other driver has moved the vehicle over towards that side in order to turn into another road, to enter a property bordering on the road or to stay on that side of the road.
- (4) Every driver of a vehicle shall, before overtaking, make sure that —
- (a) no other driver of a following vehicle has begun to overtake;
 - (b) the driver of a vehicle ahead in the same lane has not indicated an intention to overtake any other driver of a vehicle;
 - (c) a lane into which the driver of a vehicle is about to enter is clear far enough ahead', -having regard to the difference between the speed of the vehicle while overtaking and &t of the other road-users to be overtaken, not to endanger or impede oncoming traffic;
 - (d) except where using a lane closed to oncoming traffic that driver of a vehicle shall be able, without inconvenience to the other road-users overtaken to resume the position in the flow and without disturbing the traffic.
- (5) Where approaching the crest of a hill and if visibility is inadequate on the bends, a driver of a vehicle shall not overtake, unless the entire manoeuvre may be performed in a lane closed to oncoming traffic either physically or by a continuous lane.
- (6) A driver of a vehicle shall, when overtaking, give the road-user being overtaken, a sufficiently wide berth.

(7) On carriage-ways with at least two lanes reserved for traffic moving in the direction in which he is proceeding, a driver of a vehicle who would be obliged to overtake again, immediately or shortly after moving back to the position prescribed in section 11 may in order to perform that manœuvre and provided he makes sure he can do so without undue inconvenience to faster vehicles approaching from behind, and remain in the lane he has occupied for the first overtaking manœuvre.

(8) Where the provisions of subsection (7) are applicable and the density of the traffic is such that motor vehicles do not only occupy the entire width of the carriageway reserved for the traffic taking the direction in which they are moving but can only move at a speed governed by that speed of the motor vehicle preceding them in that lane-

- (a) the movement of the vehicle in one lane at a higher speed than that of those in another lane shall not be deemed to constitute overtaking within the meaning of this section;
- (b) a driver not in the lane nearest to the edge of the carriageway appropriate to the direction of traffic may change lanes in order to prepare to turn right or left or to park.

(9) Where a driver of a vehicle is moving in lanes as described in subsections (7) and (8) of this section shall not, if the lanes are indicated on the carriageway by longitudinal markings, straddle the markings.

(10) A driver of a vehicle who perceives that another driver of a following vehicle intends to overtake, shall keep to the far left side of the carriageway and refrain from accelerating.

(11) Where due to the narrowness, profile or conditions of the carriageway, in addition to the density of oncoming traffic, a driver of a vehicle which is slow or bulky or which is required to observe a certain speed limit cannot be easily and safely overtaken, a driver of that vehicle shall slow down and if necessary, pull aside as soon as possible in order to allow a driver of a following vehicle to overtake.

(12) A driver of a vehicle who intends to manœuvre on a public road shall ensure that the manœuvre can be performed without risk of endangering or impeding any other road-user travelling behind or ahead or who is about to pass having regard to the position, direction and speed of such road-user.

(13) Before a driver of a vehicle turns or performs a manœuvre which involves a lateral move, that driver of a vehicle shall give a clear and sufficient warning of the intention by means of direction indicators or by giving an appropriate hand signal shall keep on giving warning throughout the manœuvre.

(14) In order to facilitate movement of public service motor vehicles which carry passengers in built up areas, a driver of any other vehicle shall slow down and where necessary, stop to give a public service motor vehicle priority to move off from a bus stop.

(15) No driver of a vehicle shall turn or reverse a vehicle on a motor way, or its entry or on an exit ramps.

(16) A driver of a vehicle shall not apply brakes suddenly unless it is necessary to do so for safety reasons.

(17) A driver of a vehicle intending to slow down or stop shall, except where such slow down or stop is in response to an imminent danger, make sure that he stops without danger or undue inconveniences to any other driver of a vehicle and shall give a clear and timely warning of the intention in accordance with section 64A of this Act.

(18) A driver of a vehicle approaching an intersection shall exercise such extra care as may be appropriate to local conditions and shall, in particular, drive at such speed as to be able to stop or allow a driver of another vehicle having the right of way, to pass.

(19) A driver of a vehicle on a public road shall give way at intersections other than at intersections specified under subsection (20), to vehicles approaching from the right side unless the entry into such intersection is regulated by a police officer or a road traffic sign.

(20) A driver of a vehicle emerging from a path or an earth track on to a public road other than from another path or another earth track, shall give way to drivers of vehicles travelling on that public road.

(21) A driver of a vehicle emerging on to a road from property bordering on that road, shall give way to vehicles travelling on that road.

(22) Notwithstanding the fact that traffic signals authorize a driver of a vehicle to enter an intersection, where the density of traffic is such that that driver of a vehicle is likely to stop in the intersection and therefore obstruct or prevent the passage of crossing traffic, that driver of a vehicle shall not enter the intersection.

(23) A driver of a vehicle who enters an intersection where traffic is regulated by traffic light signals, may enter the intersection without waiting for the way to be opened in the direction on which that driver of a vehicle intends to proceed, unless that entering impedes the progress of any other road user moving in the open direction.

(24) A driver of a vehicle who intends to turn to the left shall keep as close as possible to the edge of the carriageway and shall make as tight a turn as possible.

(25) A driver of a vehicle who intends to turn to the right, shall-

(a) move as close as possible to the centre lane of the carriageway if it is a two-way carriageway; or

(b) move as close as possible to the right edge if it is one-way carriageway, and

make a turn so as to enter the carriageway on the left hand side of the two-way road that driver of a vehicle intends to enter upon.

(26) A driver of a vehicle intending to turn right while entering an intersection from the opposite direction shall drive that vehicle to the right of any other vehicle unless this can not be done without danger or inconvenience to other drivers or to other road-users.

(27) A driver of a vehicle may pass to the left or to the right of a traffic island, post or any other device set up on the carriageway on which that driver of a vehicle is travelling, except-

- (a) where the side on which the traffic island, post or that other device has to be passed indicated by a traffic sign;
- (b) where the traffic island, post, or that other device is on the centre-line of a two-way carriageway, the driver of a vehicle shall keep to the left of the island.

(28) Any driver of a vehicle who contravenes this section is guilty of an offence.

Amend-
ment Of
Section 51

12. The principal Act is amended in section 51 by adding immediately after subsection (4), the following sub-sections-

11(5) No person shall drive a public service vehicle other than a taxi-cab on a public road, unless that vehicle is fitted with a speed governor or any other similar device designed to regulate and or record the speed of that vehicle.

(6) For the purposes of subsection (5) the Minister may, by notice in the *Gazette*, prescribe the speed limit for public service vehicles"

(7) A driver of a vehicle shall have the vehicle under control in all circumstances and shall adjust the speed in such a way that that driver of a vehicle can stop the vehicle within his range of forward vision and short of any foreseeable obstruction .

(8) Unless otherwise indicated by a traffic sign-

- (a) the speed of a vehicle shall not exceed fifty kilometres per hour in an in built-up area;
- (b) the speed of a vehicle outside a built-up area shall be regulated according to traffic signs and or road markings as may be determined and erected on the road by the Engineer in Chief;
- (c) a vehicle of more than three thousand five hundred kilogram maximum permissible weight, shall not exceed eighty kilometres per hour.

(9) A driver of a vehicle shall where necessary, slow down and shall, where circumstances require, stop, when visibility is not good.

(10) A driver of a vehicle moving behind another vehicle shall keep at a sufficient distance from that other vehicle so as to avoid collision in case the vehicle in front of that other vehicle, suddenly slows down or stops.

(11) No person shall engage in any road race unless that person obtains approval to do so from the Inspector General of Police or from any other officer authorised in writing by the Inspector General of Police.

(12) The Inspector General of Police may, in consultation with other relevant authorities or institutions, prescribe specific rules governing road races.

(13) Any person who contravenes this section is guilty of an offence.

13. The principal Act is amended in section 63-

Amend-
ment of
Section 63

- (a) in subsection (1) by deleting the words "ten thousand" which appear in the second line of that subsection and the words "twelve months" which appear in the third line of that subsection, and substituting for them the words "twenty thousand" and "two years" respectively;
- (b) in subsection (2);
 - in paragraph (a) by deleting-
 - (i) the words "two years but not exceeding five" which appear in the second line of that paragraph and substituting for them the words "three years ,
 - in paragraph (b) by deleting-
 - (i) the words "ten" and "thirty" which appear in the second and third lines of that paragraph and substituting for them the words "fifteen" and "fifty" respectively, and
 - (ii) the words "one year" and "three" which appear in the fourth line of that paragraph and substituting for them the words "two years" and "five years" respectively;
 - in the proviso to paragraph (b) by deleting-
 - (i) the words "two" and "twenty" which appear in the fifth and sixth lines of that proviso and substituting for them the words "ten" and "thirty" respectively; and
 - (ii) the words "six" and "three" which appear in the seventh and eighth lines of that proviso and substituting for them the words "twelve" and "five" respectively;
 - in paragraph (c) by deleting-
 - (i) the words "one" and "ten" which appear in the second line of that paragraph and substituting for them the words "ten" and "twenty" respectively; and
 - (ii) the words "three" and "two" which appear in the third and fourth line of that paragraph and substituting for them the words "twelve" and "five" respectively.
 - in paragraph (d) by deleting the words "two" and "five" which appear in the second line of that paragraph and substituting for them the words "ten" and "twenty" respectively;

- in paragraph (e) by deleting-
 - (i) the words "three" and "ten" which appear in the second and third lines of that paragraph and substituting for them the words "ten" and "twenty" respectively; and
 - (ii) the words "six" and "two" which appear in the fourth line of that paragraph and substituting for them the words "twelve" and "three" respectively;
- in paragraph (f) by deleting-
 - (i) the words "one " and "five" which appear in the second and third lines of that paragraph and substituting for them the words "five" and "ten" respectively; and
 - (ii) the words "three" and "twelve months" which appear in the fourth line of that paragraph and substituting for them the words "six" and "two years" respectively;
- in paragraph (h) by deleting-
 - (i) the words "three" and "ten" which appear in the second and third lines of that paragraph and substituting for them the words "five" and "fifteen" respectively; and
 - (ii) the words "six" and "two" which appear in the fourth and fifth lines of that paragraph and substituting for them the words "twelve" and "three" respectively;
- in sub-Paragraph (i) of paragraph (i) by deleting-
 - (i) the words "five" and "twenty" which appear in the fourth line of that sub-paragraph and substituting for them the words "ten" and "thirty" respectively; and
 - (ii) the words "one year " and "three" which appear in the fifth and sixth lines of that sub-paragraph and substituting for them the words "two years" and "five" respectively;
- in sub-paragraph (ii) of paragraph (i) by deleting-
 - (i) the words "three" and "ten" which appear in the fourth and fifth lines of that sub-paragraph and substituting for them the words "ten" and "twenty" respectively; and
 - (ii) the words "six months" and "two" which appear in the sixth line of that sub-paragraph and substituting for them the words "two years" and "four" respectively.

Addition
of Section
64A

14. The principal Act is amended by inserting immediately after section 64 a new section 64A as follows:

"General 64A.-(1) Every person using the road shall exercise due care and attention and shall be alert and cautious so as not to endanger or obstruct traffic or to endanger other road-users.

(2) Any person who contravenes this section shall be guilty of an offence"

15. The principal Act is amended by adding immediately after subsection (2) of section 65 the following subsections-

(3) Where there are pavements or suitable verges for pedestrians at the side of the carriageway, every pedestrian shall use the pavements or the suitable verges.

(4) Where there are no pavements or suitable verges on a public road, every pedestrian shall walk as near as practicable to the edge of the carriageway on the right hand side so as to face oncoming traffic.

(5) Every person pushing a cycle or motorcycle or walking in a procession, shall always keep near the edge of the carriageway on the right hand side.

(6) A pedestrian wishing to cross a carriageway shall, where there is a pedestrian crossing, exercise due care and use that pedestrian crossing to cross the carriageway.

(7) In order to cross a carriageway at a pedestrian crossing which is sign-posted or indicated by markings as a pedestrian crossing on a carriageway, a pedestrian shall-

- (a) obey the instructions given by the pedestrian signals, if the pedestrian crossing is equipped with pedestrian signals; or
- (b) not stop on the carriageway while the traffic lights or the pedestrian signal given by the police officer indicates that vehicles may proceed along the carriageway, if the crossing is not -equipped with the pedestrian signals and if traffic is regulated by traffic lights or by a police officer;
- (c) not step onto the carriageway at other pedestrian crossings without taking into account the distance and speed of approaching vehicles.

(8) No pedestrian shall on a public road conduct himself in a manner which constitutes or is likely to constitute a source of danger to himself or to any other road user.

(9) Where traffic is regulated at a pedestrian crossing on a carriageway by-

- (a) traffic lights;
- (b) traffic signals; or
- (c) a police officer,

a driver of a vehicle forbidden to proceed shall stop immediately before that pedestrian crossing and shall not, when permitted to proceed, prevent or obstruct the passage of any pedestrian who has stepped on to and is proceeding over the crossing.

(10) Where a pedestrian is using or is about to use a pedestrian crossing, a driver of a vehicle shall stop before a pedestrian crossing on a carriageway which is not regulated by traffic lights, traffic signals or by a police officer.

(11) A driver of a vehicle who turns into another road at the entrance to which there is a pedestrian crossing on a carriageway, shall turn slowly and give way to and if necessary, stop for any pedestrian who is using or who is about to use that pedestrian crossing.

(12) A driver of a vehicle who intends to overtake another driver of a vehicle which has stopped immediately before a pedestrian crossing on a carriageway, shall stop at the pedestrian crossing and shall proceed only after making sure that no pedestrian is using or is about to use that pedestrian crossing.

(13) A driver of a vehicle shall not cut across a troop column, a line of school children or across any other procession.

(14) Any driver of a vehicle who contravenes this section shall be guilty of an offence.

Addition
of Section
71A

16. The principal Act is amended by adding immediately after section 71 the following section-

"Parking
and stand-
ing

71A--(1) A driver of vehicle other than a two wheeled cycle or a two-wheeled motor cycle without a side-car, shall not, make that vehicle to stand or be parked so close to the carriageway.

(2) Except-

- (a) it is for the purpose of avoiding of traffic;
- (b) in compliance with any traffic sign;
- (c) with a direction given by a police officer; or
- (d) for any cause beyond the control of a driver,
no person shall keep a vehicle standing or parked on a carriageway-
 - (i) in contravention of any traffic sign;
 - (ii) on a pedestrian crossing, on a crossing for cyclists or on a level crossing;
 - (iii) on a railway track, on a road or so close to such track that the movement of railborne traffic may be impeded;
 - (iv) along side or opposite an excavation or obstruction on the public road if other traffic is obstructed or endangered by that standing or parking;

- (v) inside a tunnel or subway or on a bridge within ten meters of any subway or bridge, except in such a space as may specifically be marked for standing or parking vehicles;
 - (vi) close to the crest of a hill or bends where visibility is not sufficient for the vehicle to be overtaken in total safety;
 - (vii) in or within ten metres of the beginning or end of any part of a carriageway where the normal width of the carriageway has for any reason been constricted;
 - (viii) in any other place where the standing or parking of a vehicle is likely to constitute a danger or any obstruction to other traffic; or
 - (ix) at a taxi stand.
- (3) No person shall park a vehicle on a carriageway-
- (a) within five metres of any pedestrian crossing marked by an appropriate sign;
 - (b) within five metres of any inter section or level crossing;
 - (c) at a bus stop or fifteen metres to each side of a "bus stop" sign;
 - (d) in front of vehicle entries to property;
 - (e) at any place where the parked vehicle may prevent access to another vehicle properly parked or prevent such other vehicle from moving out;
 - (f) at any place where the parked vehicle may conceal a traffic sign or a traffic light signal from view of any other road user;
 - (g) in such manner as to encroach upon a pavement;
 - (h) with the outside of any left hand wheel of the vehicle more than forty centimetres within the carriageway unless that parking is done in conformity with an appropriate traffic sign.
- (4) A driver of a vehicle or carriage shall not leave the vehicle, animal or carriage without taking all necessary precautions to avoid any accident and in the case of a motor vehicle, without having set the brakes of a vehicle or carriage or without having adopted such other method as may well effectively prevent that motor vehicle from moving or being used without the authority of that driver.

(5) Every driver of a motor vehicle other than a two-wheeled motor cycle without a side car and every trailer coupled or uncoupled shall, when that vehicle or trailer is stationary on the carriageway outside a built-up area signal to warn any other driver of an approaching vehicle by placing a warning device which shall be in a prescribed form and which shall be placed not less than thirty metres from the stationary vehicle near the edge of the carriageway on both sides of such stationary vehicles—

(a) if the vehicle is stationary at night on the carriageway in circumstances such that an approaching driver cannot be aware of the obstacle which the vehicle constitutes;

(b) if the driver in other cases has been compelled to halt the vehicle at a place where standing is prohibited.

(6) Except where there is an emergency, no driver of a vehicle shall park on a motor way, or on an entry or on an exit ramp.

(7) Any driver of a vehicle who contravenes this section is guilty of an offence.

Amend-
ment of
section 73

17. The principal Act is amended by renumbering section 73 as section (73 (1) and by adding immediately after the section as renumbered, the following subsections—

(2) Every road user shall comply with the instructions conveyed by traffic signs, traffic signals and road markings.

(3) Notwithstanding subsection (2) and subject to subsection (4), of this section, instructions conveyed by traffic signals shall take precedence over instructions conveyed by traffic signs regulating priority.

(4) Notwithstanding subsections (2) and (3) of this section, instructions given by a police officer directing traffic shall take precedence over instructions conveyed by traffic signs, traffic signals and road markings and other traffic regulations.

Amend-
ment of
section 95

18. The principal Act is amended in section 95, in subsections (8) and (9) by deleting the words "one thousand" wherever they appear and substituting for them the words "five thousand" and the words "ten thousand" wherever they appear and substituting for them the words "twenty thousand".

Passed in the National Assembly on the 31st day of October, 1996.


Clerk of the National Assembly