

# **ROAD TRAFFIC REGULATIONS, 2006**

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## **SCHEDULES**

# ROAD TRAFFIC REGULATIONS, 2006

In exercise of the powers conferred on the Minister responsible for Road Transport by section 133 of the Road Traffic Act, Act 683, these Regulations are made this .....day of .....2006.

## PART I – REGISTRATION

### Register

1. The Licensing Authority shall keep a register for the registration of motor vehicles and trailers in such form as the Minister may direct.

### Application to register

2. (1) A person who applies to register a motor vehicle or trailer shall submit to the Licensing Authority an application, in duplicate, duly completed as specified in Form A or B in the First Schedule to these regulations.

(2) The prescribed fees as specified in the Fifth Schedule shall be paid to the Licensing Authority before the vehicle is first registered.

### Verification of weights

3. (1) Before a vehicle is registered, its net weight and, if the Licensing Authority so directs, the axle weight of each axle shall, if facilities for weighing the vehicle are available, be ascertained by a competent officer, who shall certify the weights so ascertained and make any necessary correction in the statement of weights declared by the owner.

(2) Where facilities for weighing a vehicle are not available the Licensing Authority may require the owner of the vehicle to produce a certificate of its weight issued by the manufacturer or other recognized authority.

### Registration

4. (1) Subject to the provisions of this regulation, on receipt of the application and the prescribed fees the Licensing Authority shall register the particulars of the vehicle.

(2) The Licensing Authority shall not register a vehicle

(a) which does not comply with the provisions of these Regulations applicable to its particular type or class;

(b) which use on any road without the authorization of the Minister responsible for or any other authority is prohibited, unless an authorization is produced to him or

- (c) which does not comply with the requirements for roadworthiness certificate.

(3) The Licensing Authority shall not, without the prior consent of the Minister for Finance in consultation with the Minister responsible for Transport, register –

- (a) any vehicle which is more than two years old which has been imported for commercial purposes and
- (b) any vehicle which is more than five years old.

(4) The Licensing Authority shall not register a right-hand steering vehicle without approval of the Minister of Finance and economic Planning in consultation with the Minister for transportation.

(5) In the case of a commercial vehicle or trailer the Licensing Authority may, where it thinks fit, require the production of the manufacturer's specification or other evidence as it may require ascertaining that the freight or load which the vehicle is constructed to carry is as stated in the form or application. In the case of a vehicle with locally constructed body, the licensing authority may determine the freight or load which the vehicle is constructed to carry:

except that a commercial vehicle used exclusively for carrying the personal effects of the owner, tractors or recovery trucks shall not be regarded as a load carrying vehicle and shall be licenced according to its net weight as if the weight is the gross weight.

(6) (1) Upon the registration of a vehicle under these regulations, the Licensing Authority shall issue in respect of the vehicle a Vehicle Registration Certificate (VRC) which contains the following-

- (a) the name and address of the owner,
  - (b) the date and place of registration,
  - (c) the particulars of the vehicle,
  - (d) particulars of roadworthiness certificate and date of its expiry and
  - (e) other particulars as the Licensing Authority may specify.
- (2) A Vehicle Registration Certificate issued under sub sub-regulation (1) shall be carried on the vehicle whilst it is on the road.
- (3) A Road Worthiness Sticker shall be fixed on the right inner - side of the front windscreen of the vehicle

### **Tests of condition of motor vehicles**

5. (1) A vehicle used on a road shall be submitted for examination in accordance with these regulations, upon payment of the prescribed fees as specified in Schedule 5 to these regulations.

- (2) (a) (i) The examination shall be conducted for new private vehicles every two until it is four (4) years or has covered 100,000 kilometers which ever comes first.
- (ii) Examinations shall be conducted for all other private cars beyond four years old once in a year.
- (iii) Every commercial vehicle shall be examined very six months
- (2) The examination shall be conducted to determine that;
  - (a) the motor vehicle conforms to the prescribed requirements relating to its construction, condition, accessories and other equipment and,
  - (b) the condition of the motor vehicle is such that its use on the road will not pose a danger of injury to any person or damage to property.

### **Persons to conduct examination of vehicles**

6. (1) The examination shall be conducted by the Licensing Authority or any other examiner as the Licensing Authority may grant authorization to conduct the examination.
- (2) The Licensing Authority may authorize an examiner to conduct the examinations subject to such conditions as the Licensing Authority shall determine.
  - (3) The Licensing Authority may for the purposes of motor vehicle examinations,
    - (a) maintain motor vehicle stations where examinations may be conducted,
    - (b) maintain the apparatus for conducting the examinations, and
    - (c) designate private motor vehicle testing stations where vehicle examinations may be conducted.

### **Road use certificate**

7. (1) A person shall not
  - (a) drive or use; or
  - (b) permit any other person to drive or useany motor vehicle on a road unless there is in force in respect of the motor vehicle a road use certificate provided for under the Road Traffic Act, Act 683.

- (2) No person shall drive on a road or use a motor vehicle in respect of which there is no valid road use certificate.
- (3) An application for a road use certificate shall be made to the Licensing Authority in a form as it may determine.
- (4) An application for a road use certificate shall be accompanied with the prescribed fee and particulars.
- (5) The fee shall be paid once in every six months in respect of commercial vehicles and once every year in respect of private motor vehicles.

**Issue of road use certificate/sticker**

- 8. (1) The Licensing Authority shall upon payment of the prescribed fee, issue to the applicant a certificate in the form of a sticker for the motor vehicle.
- (2) The sticker shall be fixed on the right inner-side of the front windscreen of the motor vehicle so as to be readily identified by a Police Officer or the Licensing Authority.
- (3) The road use certificate shall remain valid for six months in the case of commercial vehicles and twelve months in the case of private motor vehicles from the date of issue and shall then expire.
- (4) Where the Licensing Authority is satisfied that a road use certificate has become defaced or lost, the Licensing Authority may issue a duplicate road use certificate upon payment of a fee as prescribed in the Fifth Schedule to these regulations.

**Exemption from requirement for road use certificate**

- 9. The requirement for road use certificate does not apply to
  - (a) motor vehicles owned by the Armed Forces, the Police Service or the Prisons Service,
  - (b) Fire Service motor vehicles,
  - (c) a motor vehicle exempted by an instrument issued by the Minister under the Road Traffic Act, Act 683.

**Vehicle registration number plates**

- 10. (1) On registering a motor vehicle or trailer the Licensing Authority shall assign an identification mark which shall be registered in respect of the vehicle.
  - (2) The prescribed prefix indicating the registration area in which the motor vehicle or trailer is registered;
  - (3) A separate number; and
  - (4) The prescribed suffix indicating the year of registration of the motor vehicle or trailer.
- (5) (a) Where an applicant requests that a particular identification mark or a special registration number be assigned to a vehicle, the Licensing Authority shall, subject to the approval of the Chief Executive of the Licensing Authority

and subject to these Regulations, assign that identification mark on payment by the applicant of the prescribed fee.

(b) The prefix of personalized identification number shall not exceed four (4) characters

(6) The identification mark shall be carried by the motor vehicle on two plates which shall conform to the requirements of the Second Schedule to these regulations.

- (7) A number plate shall be fixed
- a. in such a manner that each it is not easily detachable.
  - b. In an upright position or within 15 degrees of such position;
  - c. In such a manner that each letter and figure.

(8) Each plate must be reflective and so made that any letters, numerals or other identifying mark displayed on it are legible at night in clear weather, and must be visible and recognized at a distance of not less than 60 meters by the driver of the immediate following vehicle.

(9) The plates displaying the identification mark shall be fixed on a motor vehicle, one on the front and the other on the rear, and on a trailer, one on the rear, so that each letter or figure on the plate is upright and easily distinguishable in the case of the front plate in front, and in the case of the rear plate from behind.

(10) When a vehicle is towing a trailer, an additional plate displaying the identification mark of the towing vehicle shall be fixed on the rear of the trailer in addition to the plate displaying the identification mark of the trailer.

(11) In the case of a motor-cycle the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the Second Schedule, be fixed so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable though they may not be distinguishable from the front of the cycle.

### **Registration numbers**

11. (1) The Licensing Authority may in appropriate circumstance determine whether to withdraw a registration number for the time being assigned to a motor vehicle or trailer.

(2) The Licensing Authority shall upon assignment or withdrawals made under sub-regulation (1) make the necessary and consequential amendments to the register and the motor vehicle or trailer registration certificate.

### **Refusal to fix a registration number plate**

12. (1) A person shall not drive a motor vehicle or trailer being used or kept on a road with the registration number not fixed as required under these Regulations.

(2) An owner of a motor vehicle or trailer being used or kept on a road commits an offence when the vehicle or trailer's registration number fixed is in a way

- (a) obscured, or
- (b) rendered, or allowed to become, not easily distinguishable.

### **Registration number plate manufacturers and embossers**

13. (1) An enterprise engaged in the business of-

- a) manufacturing metal plates for vehicle registration numbers; or
- b) embossing registration numbers on number plates for vehicles

shall apply to be registered with the Licensing Authority in the region where the business is operated upon satisfying conditions as the Licensing Authority shall determine.

(2) Upon registration, the Licensing Authority shall in the case of an enterprise to which sub-regulation (1) (b) applies, issue the applicant a trade mark submitted by the applicant.

(3) No trade mark shall be issued which is similar to another trade mark to confuse or deceive the public.

(4) Each enterprise registered under sub-regulation (1) (b) on embossing vehicle registration numbers shall indicate its trademark on the plates, as shall be directed by the Licensing Authority.

(5) Registration under sub-regulation (1) of this regulation shall be in addition to other registration required for the enterprise to fulfill

(6) (1) Subject to regulation 11 (1) a person who uses on the road a vehicle whose number plates-

- a) does not comply with the provisions of these regulations; or
- b) does not have a trademark of the manufacturer, embossed on them commits an offence

(7) An enterprise or person who has not been registered with the Licensing Authority and;

- a. Manufactures metal plates for vehicle registration numbers; or

- b. Embosses vehicle registration numbers on metal plates contrary to regulation 13 (1) of these regulations commits an offence.

(8) A person who fraudulently uses a trade mark in embossing vehicle number plates commits an offence.

### **Vehicle lay off certificate**

14. (1) Where a vehicle is to be parked for a long time and an application presented to the Licensing Authority, the Licensing Authority shall cancel the Vehicle Registration Certificate (VRC) and issue to the owner a Laying-off Certificate (LOC).

(2) Road charges in respect of a vehicle for which a VRC remains uncanceled shall be payable by the owner until the LOC is obtained.

(3) Where a vehicle is brought back for use on the road after a temporary lay-off without cancellation of the VRC, the outstanding road user charges in respect of the vehicle shall become payable.

(4) The Licensing Authority shall issue a form for reporting vehicles for lay-off.

(5) Notwithstanding the other provisions of this regulation where the Licensing Authority is satisfied that a registered vehicle has been destroyed or is permanently removed from Ghana, the Licensing Authority shall cancel the VRC in respect of the vehicle after a written notice of not less than 90 days has been given to the owner.

### **Re-registration of existing registered vehicles**

15. (1) Vehicles registered under the following categories when sold to the public shall be submitted to the Licensing Authority for re-registration.

- a) Vehicles registered under 'GV'.
- b) Vehicles with Police, Armed Forces, Prisons Service, Fire Service and Diplomatic number registration. and
- c) vehicles bearing personalized identification numbers shall be re-registered

(2) A person seeking to re-register a vehicle under sub-regulation (1) shall unless exempted by any other law, submit with the application-

- a) Certified auction or sale documents,
- b) Receipt of purchase,
- c) a letter for change of ownership, and
- d) a certified true copy of the original technical particulars of the vehicle

(3) Except as provided in this sub-regulation the other provisions applicable to the first registration of vehicles under these regulations shall apply.

(4) A person who uses on the road a vehicle not re-registered in accordance with sub-regulation (1), (2) and (3) above commits an offence.

### **Change of ownership**

16. (1) where the ownership of a motor vehicle or trailer is to be changed, the new owner shall give notice of the change to the Licensing Authority by providing the following for inspection:

(a) Vehicle Registration Form A or Form C, and

(b) A letter for change of ownership by the Present Owner

(2) A change of ownership shall be effected within fourteen days from the date the present owner has relinquished interest in the vehicle.

(3) A change of ownership shall not be effected until the Licensing Authority has physically checked the chassis and the engine numbers on the motor vehicle and ascertained that they correspond with the records in regulation 6(1).

(4) Where the ownership of a licenced vehicle is changed, the old owner shall, if a taxi, omnibus or passenger vehicle licence has been issued as regards the vehicle, transfer it to the new owner who shall present the licence to the Licensing Authority together with other evidence of the change of ownership as the licensing officer may require, and the Licensing Authority shall substitute the name of the new owner for that of the person named in the licence as the owner.

(5) Where the new owner fails to comply with this regulation the change of ownership of the vehicle shall not be effected.

(6) Where the new owner is the Government or a Registered Company or a Diplomatic Mission, the Licensing Authority shall be informed of the change by the authorized representative.

(7) The new owner shall pay the fees prescribed in the Fifth Schedule to these regulations for change of ownership.

(8) On the change of ownership the existing registration number plate of the motor vehicle or trailer shall continue in the name of the new owner except Government and Diplomatic vehicles.

### **Procedure where Vehicle is Destroyed**

17. (1) An owner of a vehicle which has been destroyed, broken up or permanently immobilized or removed from the road or the Country shall inform the Licensing Authority in writing.

(2) Where the Licensing Authority is satisfied that a registered vehicle has been destroyed, broken up or permanently immobilized, removed from the road or the country the Licensing Authority shall cancel the entries in the register in respect of the vehicle.

### **Change of use and physical conversion**

18. Where the owner of a registered vehicle-

a. changes the use for which the vehicle was registered; or

- b. effects physical conversion to alter the use for which the vehicle was registered

the owner shall inform the Licensing Authority in the form as the Licensing Authority shall prescribe and shall pay the fees prescribed in the Fifth Schedule to these regulations.

### **Amendment of Register**

19. Where any circumstance, other than a change of ownership occurs in relation to a vehicle which affects the accuracy of the particulars entered as regards that vehicle in the register, the owner of the vehicle shall forthwith in writing, inform the Licensing Authority with whom it has been registered and the Authority shall upon, payment of the fees as may be prescribed, amend the register accordingly.

### **Copies of Entries**

20. (1) The Licensing Authority shall if required by a Police Officer not below the rank of an Inspector provide free of charge a copy of the particulars required from the register relating to a specified vehicle.

(2) The Licensing Authority shall also supply to the other person applying for a copy of the entries relating to the specified vehicle, a copy of those entries on payment of the prescribed fees specified in the Fifth Schedule to these regulations.

(3) A Public Officer may, in an official capacity, without charge, at reasonable times request for copies of entries in the register.

## **PART II – LICENSING**

### **Register of Licences**

21. (1) The Licensing Authority shall keep registers of licences, revocations, cancellations, withdrawals and renewals of licences in the form as the Minister may direct.

(2) The Licensing Authority shall, on application by a Police Officer not below the rank of Inspector, provide free of charge a copy of the particulars in his register relating to the licence granted.

(3) The Licensing Authority shall also supply to the other person applying for a copy of the entry relating to any licence, a copy of those entries on payment of prescribed fees specified in the Fifth Schedule to these regulations.

(4) A public officer may, in an official capacity, without charge, at reasonable times request for copies of the entries in it.

### **Trade Licences**

22. (1) The Licensing Authority may issue a trade licence to a dealer or fleet owner as regards the type of motor vehicle on payment of a prescribed fee specified in the Fifth Schedule to these regulations.

(2) A trade licence shall not be issued for use as regards a particular vehicle but generally as regards a motor vehicle in the following circumstances –

- (a) when a motor vehicle having been off-loaded from a ship, freighter, train or other road vehicle is being driven to the dealer's or fleet owner's place of business;
- (b) when a motor vehicle is being tested after having been received, assembled or repaired at the dealer's or fleet owner's place of business;
- (c) when a motor vehicle is being tried by or on behalf of an intended purchaser or the owner in the case of a motor vehicle under repairs;
- (d) when an unregistered motor vehicle or one under repair is being transferred from or to one or other places in Ghana where a dealer or fleet owner carries on his business;
- (e) when a vehicle is being transferred from a fleet owner's place of business to a dealer's place of business to enable repairs to the vehicle to be effected; or
- (f) when an unregistered motor vehicle or one which has been repaired is in process of delivery by the dealer or to the fleet owner concerned.

(3) A trade licence shall be issued as in Form D in the First Schedule to these regulations and shall authorize the use of a single trade identification mark consisting of the letter D followed by the identification letters (of a series distinct from that in use for registered vehicles) and identification numerals assigned by the Licensing Authority.

(4) On the issue of a trade licence the Licensing Authority shall enter the particulars in a register kept for that purpose.

(5) A dealer or a fleet owner may apply for and obtain a number of trade licences.

- (6) A person to whom a licence has been refused may appeal to the Minister for a review.
- (7) A trade licence shall not authorize the carrying of passengers, goods for hire or reward or passengers not engaged in testing the vehicle or inspecting the vehicle with a view to purchasing it.
- (8) Where a vehicle is being used under a trade licence, it shall be displayed on the front and rear plates bearing the trade identification mark issued as regards the licence.
- 9) A trade licence plate shall be issued yearly subject to conditions as may be specified from time to time and the payment of prescribed fees specified in the Fifth Schedule to these regulations.
- 10) A person shall not
  - a. use a trade licence plate for a purpose not authorized by this regulation;
  - b. use a vehicle under a trade licence plate without displaying the trade licence plate on the front and rear plates bearing the trade identification mark issued as regards the vehicle;
  - c. use any forged or copy of a trade licence plate;
  - d. make, use or have in that persons possession a forged plate or a plate bearing a duplicate copy of a trade identification mark;
  - e. drive any vehicle which displays a forged plate or a plate bearing a duplicate copy of a trade identification mark.

### **Trade Licence Log Book**

23. (1) A dealer or a fleet owner shall keep a separate trade licence log book, as in Form E in the First Schedule to these regulations, for each trade licence plate authorized to be used.

(2) Immediately after each occasion on which a vehicle has been used under a trade licence plate, the dealer or the fleet owner shall enter or cause to be entered in the log book appropriate to the identification mark displayed on the vehicle on that occasion, full particulars of the movements in the log book.

(3) Each entry shall be signed by the person making it at the time when it was made.

(4) The log book shall be made available for inspection by a Police Officer in uniform.

(5) A person shall not make an entry or cause an entry to be made in a log book, knowing it to be false or not believing it to be true.

### **Drivers' Licences**

24. (1) A licence to drive a motor vehicle shall be of two kinds:

- (a) a learner's licence, and
- (b) a driver's licence

(2) A driver's licence shall consist of six (6) classes which shall specify the restrictions on the holder of each class and other classes as the Authority may introduce.

(3) A holder of a driver's licence may be granted more than one class after passing the relevant and appropriate test conducted by the Licensing Authority.

### **Learner's Licence**

25. (1) An applicant for a learner's licence shall not be less than 18 years of age.

(2) An application for a learner's licence shall be supported by a birth certificate and other documents as the Licensing Authority may request.

(3) An applicant for a learner's licence shall be examined by an authorized examiner for a driver's licence.

(4) An applicant shall satisfy the examiner that the applicant has;

- a. Passed a written multiple choice questions test in the case of literate applicants or the translated multiple choice questions test in the case of illiterate applicants and,
- b. Sufficient theoretical knowledge of the Highway Code as regards;
  - (i) the rules of the road,
  - (ii) the road traffic signs and road markings, and
  - (iii) the control of a motor vehicle of the class to which the application is related
- c. Evidence of first aid training from providers approved by the Licensing Authority.

5) An examiner shall upon payment of the fees specified in the Fifth Schedule to these regulations and the satisfaction of the requirements under sub-regulation 4 by the applicant, issue to the applicant a learner's licence as in Form K in the First Schedule to these regulations.

6) An examiner shall endorse the learner's licence where the applicant is;

a) Found to be competent to drive with the aid of glasses or contact lenses; an artificial limb or other physical aid; or

b) A person with a physical disability who has to drive a motor vehicle adapted for a person with physical disability, or a motor vehicle adapted specially for that physically disabled applicant.

(7) A learner's licence is valid for a period of three months from the date of issue.

(8) A learner's licence is subject to renewal where the learner fails to take a driving test or fails to pass a driving test within the three months from the date of issue.

(9) A learner shall be accompanied by a qualified driver or a licenced instructor while driving on the road or in any other public place.

(10) Such qualified driver or licenced instructor shall have a valid licence which is not less than three year old and the licence shall be of the class of motor vehicle in which the learner is being instructed.

(11) A qualified driver or licenced instructor shall while instructing the learner, occupy the seat nearest to the driver and the controls of the vehicle.

(12) A learner shall not drive a motor vehicle or ride a motorcycle carrying any passenger except the instructor.

(13) A learner shall not drive a motor vehicle or ride a motorcycle between the hours of 7 p.m. and 5 a.m.

(14) A learner shall not have alcohol concentration in his/her blood or breathe above zero level while learning to drive.

(15) A learner shall not drive on high-speed roads.

(16) The speed of a learner driver shall not exceed 50km per hour.

(17) An applicant with a physical disability driving an adapted motor vehicle has to pass a practical driving test and other tests as the Licensing Authority may determine.

(18) A person shall not hold a learner's licence if that person is disqualified from obtaining a driver's licence under the Road Traffic Act, Act 683.

### **Application for Driver's Licence**

26. (1) An application for a driver's licence shall be in Form F and F1 in the First Schedule to these regulations.

2. An applicant for driver's licence shall impress the right thumb mark and right finger marks and left thumb mark and left finger marks on forms supplied for the purpose.

### **Driving test**

27. (1) The Licensing Authority shall, before issuing a driver's licence, require the applicant to pass a practical driving test as stated in sub-regulation 27 (4)

(2) A driving test shall be conducted by a person appointed for that purpose by the Licensing Authority upon the payment of prescribed fees specified in the Fifth Schedule to these regulations.

(3) The test shall be held at the time and place as the Licensing Authority may direct.

- (4) The test shall be directed to ascertain the ability of the applicant –
- (a) to control the motor vehicle in traffic,
  - (b) to bring the motor vehicle from a normal speed to a standstill at an appropriate part of the road, and to stop the motor vehicle in an emergency,
  - (c) to turn corners, cross main roads and turn from side to main roads,
  - (d) to pass by and overtake other vehicles on the road,
  - (e) except where the vehicle concerned is a motor-cycle, to run the motor vehicle backwards along a straight road and round corners,
  - (f) to turn round on a road,
  - (g) to understand the indication of speeds and the figures shown on the speedometer of the motor vehicle,
  - (h) to demonstrate the knowledge of the rules of the road, of the hand signals set out in regulation 104 and the signs illustrated in the Highway Code,
  - (i) as regards vehicle controls and interactions with highway traffic hazards
  - (j) relating to reverse parking and reversing round the corner;
  - (k) generally to drive competently a motor vehicle or, in the case of a person suffering from a disability, a motor vehicle of the particular class to which the application relates without danger to and with due consideration for other users of the road and;
  - (l) Any other conditions that may be prescribed by the Licensing Authority.

(5) When a person has passed a driving test to the satisfaction of the examiner, the examiner shall give the applicant a certificate as in Form G in the First Schedule, stating -

- (a) the class or type of vehicle on which the applicant was tested,
- (b) the class of licence the applicant is qualified to hold and
- (c) that the applicant, being the holder of a licence, has passed a subsequent test which is required to be recorded in the licence.

### **Eyesight**

28. (1) A holder of a driver's licence or a prospective applicant for a driver's licence to drive a motor vehicle shall have a minimum corrected binocular vision of 6/12 or 20/40.

(2) An applicant for a driver's licence shall have no defect apart from the physiological blind spot in a minimum of 120 degrees of horizontal binocular visual field using 1114E required setting on the Goldman machine or its equivalent

(3) An applicant who cannot see what is on the right or left side when the applicant is looking straight ahead is disqualified from obtaining a driver's licence.

(4) A registered Ophthalmologist/Optomtrist shall certify the results of a vision test presented by an applicant to the Licensing Authority.

### **Driving with uncorrected defective eyesight**

29. (1) A person shall not drive a motor vehicle on a road while that person cannot comply with the requirement as to eyesight prescribed under these regulations for the purposes of a test of competence to drive.

(2) Where a Police Officer suspects that a person driving a motor vehicle is likely to commit an offence under sub-regulation (1), the officer may require the person to submit to a test for the purpose of ascertaining whether, using no other means of correction than the person used at the time of driving, the person can comply with the requirement concerned.

### **Upgrading of class**

30. A Holder of a class of driving licence who wishes to acquire a licence of a higher class than that previously held by the holder shall

- (a) pass a theory test as prescribed by the Licensing Authority
- and,
- (b) an in-traffic test.

### **Issue of Driver's Licence**

31. (1) A Driver's licence shall be as in the prescribed Forms and shall be valid for the specified period.

(2) The fee for the issuance of a driver's licence shall be as specified in the Fifth Schedule to these regulations.

(3) The holder of a driver's licence shall have his/her signature inscribed in the space provided.

(4) Where a person has been tested on one class or type of vehicle the fact that this has been recorded shall not restrict that person's right to drive any class or type of motor vehicle of which the driver is authorized by such licence.

### **Renewal of Driver's Licence**

32. (1) A driver's licence may be renewed at any time within one month before the date of its expiry and the renewed licence shall have effect from the date of expiry.

(2) Where a driver's licence is renewed after the date of expiry, the renewal shall take effect from the date of expiry unless the Licensing Authority, for good cause shown, permits the renewal to take effect as from the date of the renewal.

(3) The fee for the renewal of a driver's licence shall be as specified in the Fifth Schedule to these Regulations –

(4) A renewal of a driver's licence shall be in a prescribed form.

(5) Where a driver's licence produced for renewal is dilapidated but still legible or contains no further room for renewals or endorsements, the Licensing Authority shall cancel it and grant a new licence as a renewal indicating on it that it is a renewal of a previous licence and quoting the number and date of issue of the original licence and shall endorse on that licence the particulars of convictions or order endorsed on the expired licence which relates to a driving offence within the preceding two years.

(6) Regulations 31 and 32 shall apply to the issue of a new licence under sub-regulation (5) of this regulation.

(7) A driver's licence is subject to renewal every two years and the licence shall be replaced after a period of 6 years from the date of issue.

(8) A driver's licence shall be renewed personally after the applicant has passed a vision test conducted by an ophthalmologist and other test that may be required by the Licensing Authority.

### **L – Plates**

33. (1) Whenever a person learning to drive is driving a vehicle there shall be affixed to the vehicle so as to be easily visible two plates or discs, one of which shall be on the front and one at the rear, displaying the letter L in red on a white background, and of the size specified in the Second Schedule.

(2) The L plate shall be issued by the Licensing Authority or its authorized agents.

### **P – Plates**

34. (1) When a driver is licenced for particular class for the first time there shall be affixed to the vehicle so as to be easily visible two plates or discs, one of which shall be on the front and one at the rear, displaying the letter P in white on a green background, and the size specified by the Licensing Authority

(2) The P plate shall be issued by the Licensing Authority or its authorized agents

(3) The P Plate shall be used continuously for 6 months

### **Revocation, suspension or cancellation of licence**

35. (1) The Licensing Authority may suspend, revoke or cancel a licence granted to a person.

(2) The Licensing Authority shall serve notice in writing to the licence holder suspending, revoking or canceling the licence with effect from the date specified in the notice and stating the reason for so doing.

(3) A person is not in breach of the requirement of sub-regulation (2) if the person whose Licence is revoked under sub-regulation (1) is not in possession of the licence because the licence is surrendered to a Police Officer or an authorized person and the licence shall be delivered to the Licensing Authority immediately on its return.

(4) A Licence issued under Section 114(1) of the Road Traffic Act, Act 683 shall be revoked or suspended if the holder's conduct on the road make the holder unfit to hold that licence.

(5) Where the licence is suspended under sub-regulation (1) it shall during the time of suspension be invalid.

### **Disqualification of under aged persons**

36. (1) A person is disqualified from holding or obtaining a licence to drive,  
(a) if that person is under eighteen years,  
(b) a motor cycle if that person is under eighteen years,  
(c) a commercial vehicle other than a taxi if that person is under twenty-five years,

- (d) an agricultural tractor if that person is under twenty-one years; or
- (e) other motor vehicles if that person is under eighteen years.

### **Disqualification on revocation of licence**

37. (1) Where the Licensing Authority revokes a person's commercial vehicle driver's licence, the Licensing Authority may

- (a) disqualify the holder indefinitely or for a period as the Licensing Authority thinks fit, or
- (b) except where the licence is a learner's licence, if it appears to the Licensing Authority that, owing to the conduct of the holder of the licence, it is expedient to require the holder to comply with the prescribed conditions applicable to learners' licences under this Act until the holder passes the prescribed test of competence to drive commercial vehicles of any class.

(2) If, while the holder of a commercial vehicle driver's licence is disqualified under sub-regulation (1), the circumstances prescribed cease to exist and in the case of the driver, the Licensing Authority shall on an application made by the driver for the purpose, remove the disqualification.

(3) Where the holder of a licence is disqualified under sub-regulation (1) (b), the Licensing Authority shall not afterwards grant a licence to drive a commercial vehicle of a class unless it is satisfied that, that person has since the disqualification passed the prescribed test of competence to drive motor vehicle of that class, and until the person passes that test any licence obtained by the person is not valid.

(4) Where the disqualification of the holder of a large cargo vehicle or passenger-carrying vehicle driver's licence continues in force, a commercial vehicle driver's licence shall not be granted to that person and the licence obtained by that person is not valid.

### **Revoked or suspended Licences: surrender, return and endorsement**

38. (1) Where the Licensing Authority revokes or suspends a licence, the Licensing Authority shall serve notice on the holder of the licence requiring the holder to deliver the licence immediately to the Licensing Authority, and the holder of the licence shall comply with the requirement.

(2) On the delivery of the licence by the holder to the Licensing Authority under sub-regulation (1), the Licensing Authority shall;

- (a) in the case of a revoked licence, issue to the driver, on payment of the prescribed fee, a licence authorizing the driving of the classes of motor vehicles which are unaffected by the revocation; or
- (b) in the case of a suspended licence, endorse the licence with particulars of the suspension and return the licence to the holder.

### **Driving while licence is suspended or revoked**

39 It shall be an offence for any person to drive a vehicle when his/her privilege to do so has been suspended, revoked, or canceled in accordance with these regulations.

### **Unlawful use of licence**

40. It shall be an offence for any person to:
- a. Lend his/her driver's licence to any other person or knowingly permit the use thereof by another.
  - b. Display or represent as his/her own any instruction permit, any driver's licence or identification card issued by the Licensing Authority which is fictitious or has been fraudulently altered in any manner.

### **Permitting unlicensed person to operate a motor vehicle prohibited**

41. It shall be an offence for any person to authorize, order, consent or knowingly permit the operation of any motor vehicle owned by him/her or under his/her control by any person, when he/she has knowledge that such person has no legal right to do so.

### **Driver Re-testing**

42. (1) The Licensing Authority shall retest a driver where -
- a) the driver is involved in an accident and is adjudged by a court of law to be at fault,
  - b) The driver is convicted of the following traffic offences
    - i. driving under the influence of alcohol,
    - ii. dangerous, careless and reckless driving, or
    - iii. violating parking rules,
  - c) a court orders that a driver should be re-tested,
  - d) the Licensing Authority considers it necessary to re-test a driver;
  - e) an employer requires an employee driver to be tested, and

f) any other offence or conduct under Sections 58, of the Road Traffic Act, Act 683 that may lead to suspension, revocation or cancellation of the drivers licence.

(2) A court shall notify the Licensing Authority in writing as regards a driver who is to be re-tested

(3) A driver who is to be re-tested shall pay a driving test fee as specified in the Fifth Schedule to these regulations.

(4) A conviction or order endorsed on the original licence which relates to any offence within the immediate two years shall be endorsed on the new licence, and

(5) under other conditions as the Licensing Authority may prescribe from time to time

### **Replacement of licence**

43. (1) On an application made by a person to whom a licence has been granted, the Licensing Authority on being satisfied that –

(a) the person's licence is lost or stolen,

(b) the licence is defaced, or

(c) the licence has expired

shall issue a new licence quoting on the new driver's licence the date of the previous licence.

(2) The holder shall submit with the application the previous licence where applicable.

(3) The Licensing Authority shall issue the holder a new licence which contains the previous class, the new class, and the previous identification number.

(4) Regulations 26 and 31 are applicable to the issue of a driver's licence under this regulation.

(5) The applicant shall pay the fee specified in the Fifth Schedule to these Regulations.

(6) The Licensing Authority shall cancel a licence which is defaced.

### **Change of name**

44. (1) A holder of a driver's licence shall notify the Licensing Authority in writing within fourteen (14) working days of any change of the holder's name, postal and residential address.

(2) The notification to the Licensing Authority shall be supported by the documents specified in the Sixth Schedule to these regulations.

(3) Where the change is in respect of a name the holder shall appear personally before the Licensing Authority

(4) The Licensing Authority shall on being satisfied and on payment of the prescribed fees in the Fifth Schedule to these Regulations issue a new licence of the same class to the applicant.

### **Armed Forces and Police driving permits**

45. It is not a contravention of these regulations for a member of the Armed Forces or of the Police Service in the course of his duty to drive a motor vehicle belonging to the Government if that person is in possession of a written permit to drive a vehicle of that description issued by the Commanding Officer provided that person is a licenced driver.

### **Production of driving licence**

46. (1) A person driving or in charge of a motor vehicle using a road shall, on the request by a Police Officer in uniform, produce the licence to drive the vehicle for inspection;

(2) Except that, a Police Officer may request the driver within 24 hours to produce the licence to that officer or to a designated police station or another officer as may be directed by the officer; and the driver shall give the name and address to that Police Officer on request.

(3) Where a person required under this regulation to produce a licence or a certificate or a document relevant to driving a motor vehicle or motor cycle, that person shall produce it immediately or within twenty-four hours of being so required.

## PART III – USE AND CONSTRUCTION

### **Vehicles not conforming to Regulations**

47. A person shall not cause or permit to be used on a road or shall drive or be in charge of a motor vehicle or a trailer on a road which is not in accordance with these Regulations, or which is so used or driven as to contravene a provision of these Regulations.

### **Mobility**

48. A motor vehicle must be capable of being so operated that it may move either forward or backwards or both.

### **Width and length**

49. (1) A vehicle or trailer shall not exceed 2.5 meters in overall width.  
(2) A bolster on a prime mover or trailer shall not project beyond the outside edge of the outside tyres.

(3) A load on a motor vehicle or trailer shall not

(a) Project beyond 15cm on either side of a vehicle or trailer or,

(b) In the case of a timber-carrying vehicle or trailer loaded with a log or logs, project beyond 7.5cm on either side, or

(c) Project beyond 90cm of the front elevation of the vehicle or trailer.

(4) Where the load on a vehicle or trailer projects 1.8m beyond the rear elevation of the vehicle, a red flag, 1m by 1m shall be fixed by day to the end of the load and a rear lamp by night in a similar position, the flag or lamp shall be clearly visible from the rear.

(5) The overhang of a motor vehicle or trailer shall not exceed –

(a) in the case of a vehicle or trailer the body of which has been constructed and fitted in Ghana, two-Fifths of the wheelbase, and

(b) in the case of any other vehicle or trailer one-half of the wheelbase.

(6) A motor vehicle or trailer shall not exceed 10.8m in length or in the case of an articulated vehicle 12.8m in length.

(7) A motor vehicle shall not have a chassis which has been altered so as to be longer than the length of the chassis given in the specifications issued for that type of vehicle by the manufacturer of the vehicle.

(8) The Licensing Authority may, by authorization in writing and subject to conditions as may be prescribed, permit the use on a road, a motor vehicle or trailer, or class of motor vehicle or trailer, which exceeds the width prescribed by sub-regulation (1) or (2) of this regulation.

(9) (a) The Licensing Authority may with the approval of the Minister in charge of Road Transport grant in writing for a particular occasion or particular occasions a permit for use of a vehicle or trailer which does not conform to the provisions of this regulation.

(b) Such permit shall be carried by the driver of the motor vehicle on the occasion or occasions and shall be produced on demand by the Licensing Authority or Police Officer.

### **Height**

50. The height from ground level of a motor vehicle or trailer with freight or load placed on it shall not at any point exceed 4m

Except that the Minister may in writing permit the use on a specified route or routes of an omnibus which exceeds 4m in height.

### **Carriage of Loads**

51. (1) A motor vehicle or trailer shall be so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise dangling, or from coming into contact with the road, except that sand may be dropped for the purpose of securing traction, or water or other substance which may be sprinkled on a roadway in cleaning or maintaining the roadway.

(2) A log-carrying vehicle or trailer shall -

(a) carry not more than three logs provided it does not exceed the permissible axle load limit; and

(b) In the case of a vehicle or trailer carrying more than three logs, the total weight shall not exceed the permissible axle load limit., and

(c) Such vehicles or trailers shall be fitted with spikes on the rear and front bolsters when loaded with logs, which when so loaded shall rest on the spikes, and shall be held in place by means of chains or wire ropes fitted with screw type turn buckles. These chains or wire ropes shall be securely fastened to both ends of the front and rear bolsters.

(3) A freight, load or other article whatsoever shall not be carried on the top or outside the hood, canopy or roofing of a motor vehicle unless authorized by the Licensing Authority,

except that freight, load or other article may be carried on the roof of a motor vehicle of an all metal body construction other than an omnibus –

- (a) when the goods and spare tyres are securely fastened in metal roof grids forming part of or being firmly fixed to the roof of the vehicle,
  - (b) when the top goods so fastened does not extend more than 60cm above the roof of the vehicle,
  - (c) when the total weight of the goods does not exceed the weight as may be specified as the maximum weight to be carried by the vehicle manufacturer; and
  - (d) when the overall height of the vehicle when so loaded does not exceed 4m.
- (4) A person shall not operate on a road a motor vehicle carrying any goods,
- (a) in such a manner as to obscure the driver's view of traffic to the front, on either side, or his or her view in rear view mirror or mirrors of traffic to the rear
  - (b) which are not,
    - i. safely contained within the body of such vehicle or
    - ii. securely fastened to such vehicles

### **Carriage of hazardous Goods**

52. (1) A person shall not drive a motor vehicle for transporting hazardous goods, unless that person is trained and qualified to handle the vehicle and its content and is knowledgeable on the carriage of such hazardous goods.

(2) The driver of such a vehicle shall produce on demand--

- a. a professional driving permit, if applicable;
- b. a document containing a clear indication of the nature of the hazardous goods being carried and the route to be used where applicable.

(3) The driver of such a vehicle shall ensure that Tremcards and manifests which pertain to the dangerous goods carried on such vehicle are held in the designated space in the cab of that vehicle at such time as dangerous goods are being transported in such vehicle.

(4) A person who offers hazardous goods for transportation shall properly identify, package, mark, label or otherwise prepare the hazardous goods for safe transportation.

(5) A driver of a motor vehicle transporting hazardous material shall load, block, brace, segregate and properly placard the vehicle and shall check the goods for proper packaging, marking and labels.

(6) A driver shall after removing a cargo for delivery ensure that the remaining package is properly blocked and braced to prevent movement and that the proper placard is displayed to present the hazards which may be present.

(7) A driver shall not accept for transportation damaged packages leaking containers, incompatible freight or hazardous goods which are improperly packaged, marked, labeled, described, palletized or otherwise not in a safe and proper condition for transportation.

(8) Where during the course of transportation, the driver discovers a package containing hazardous goods to be broken or leaking an immediate action shall be taken by the driver to ensure the proper and safe disposition of the package and its content.

### **Safety requirements for carriage of hazardous goods**

53. (1) A vehicle used to transport goods shall,  
(a) Be suitable for transporting hazardous materials.  
(b) Be free from any defect likely to increase the risk in transporting the goods.  
(c) Be fitted with holding twist locks or fitted with other equipment for securing a container on a vehicle.

(2) An Equipment on a vehicle used for loading or unloading hazardous goods onto a vehicle or transferring goods in bulk into or from the vehicle shall be suitable for that purpose and free from any defect likely to increase risk in loading and unloading the goods.

(3) A freight container used to transport goods shall be;  
a) Suitable for transporting hazardous goods,  
b) Be free from any defect likely to cause a hazard in transporting the goods; and free of dangerous components.

(4) A freight container containing hazardous goods which is transported on a vehicle shall be secured using either twisted locks or other equally effective methods for securing the container.

### **Tyres**

54. (1) Except as the Licensing Authority may otherwise in writing permit, every motor vehicle and trailer shall be fitted with pneumatic tyres on all its wheels.

(2) The tyres shall be capable in size and be suitable to withstand the maximum permissible loads of the vehicle to which they are fitted.

(3) The wheels of a motor vehicle and its trailer of a gross weight of 1.8 tons or more shall be fitted with low pressure tyres, and the width and rim diameter of each tyre shall not be less than is recommended in the specifications, issued by the manufacturer of the tyres, as being adequate for the load that is being carried.

(4) The minimum tread depth for a tyre shall not be less than 1.6mm for light vehicles and 1.0mm for heavy vehicles and vehicles that carry passengers; (light vehicles means vehicles under 3.5 tons (GVW) and heavy vehicles means vehicles equal to or over 3.5 tons(GVW).

(5) A tyre used on a vehicle or trailer shall not have a break in its fabric in excess of 10mm or 10% of the section width of the tyre, whichever is the greater, deep enough to reach the body cords.

(6) A tyre fitted on any motor vehicle or trailer shall be illegal if:

- (i) It is not sufficiently inflated,
- (ii) It is over inflated,
- (iii) It has a limp or bulge caused by separation of the tyre structure,
- (iv) A portion of the ply or cord is exposed,
- (v) It is not suitable for the type of vehicle, or
- (vi) The tread pattern is not visible at the base of the groove.

Provided that for the purposes of determining the pressure in the tyre the temperature of the tyre shall be disregarded.

(7) Tyres fitted on any one axle of a motor vehicle or trailer shall be of the same specifications.

### **Brakes**

55. (1) A motor vehicle shall have two entirely independent and efficient braking systems, or one efficient braking system having two independent means of operation, in each case so designed, constructed and maintained that the failure of any single portion of a braking system shall not under the most adverse conditions prevent the brakes on two wheels or, in the case of a vehicle having less than four wheels from revolving or to have the same effect in stopping the motor vehicle as if the wheels were so held;

Except that in the case of a single system the two means of operation shall not be deemed to be otherwise than independent solely by reason of the fact that they are connected either directly or indirectly with the same cross shaft.

(2) Where a motor vehicle has more than three wheels and two independent braking systems each of the system shall be so constructed, designed and maintained that if it acts either directly or indirectly on two wheels only, it shall act on two wheels on the same axle.

(3) Where in the case of a single braking system the means of operation are connected either directly or indirectly with the same cross shaft, the brakes applied by one of such means shall act on all the wheels of the motor vehicle directly and not through the transmission gear.

(4) The brakes operated by one of the means of operation shall in all cases be applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(5) The brakes operated by one of the means of operation shall in all cases, act directly upon the wheels and not through the transmission gear.

(6) Except in the case of a motor-cycle, with or without a side-car attached, the braking system or one of the braking systems shall be so designed, constructed and maintained so that it will prevent at least two or, in the case of a motor vehicle having only three wheels, one of the wheels, from revolving when the vehicle is left unattended.

(7) A brake required in terms of these regulations shall be in good working order and condition whenever the vehicle to which it is fitted is operated on a public road.

(8) When tested by the Licensing Authority except in the case of a motor cycle with side-car, act with approximately equal intensity on the wheels symmetrically placed in relation to the longitudinal centre-line of the vehicle.

### **Engines**

56. (1) All engines shall be efficiently silenced; no cutouts or open exhausts shall be used.

(2) No person shall operate on a public road a motor vehicle, other than a motor cycle or other cycle, unless the engine thereof is so covered as not to be a source of danger.

### **Lamps**

57. (1) All motor vehicles and trailers between sunset and sunrise shall carry lighted lamps which shall be electric or other kind of light approved for the purpose by the Licensing Authority.

(2) A motor vehicle except motor-cycle without side-cars shall carry two lamps in front, one on each side of the vehicle, so constructed and placed as to exhibit a white or yellow light visible within a reasonable distance in the direction towards which the vehicle is facing and clearly to indicate the width of the vehicle. The visibility distance for low beam shall not be more than 50 meters and the visibility distance for high beam shall be between 50 and 100 meters.

(3) A motor vehicle shall also carry at least one number plate lamp in the rear on the centre line or on the off-side of the centre line of the vehicle, so placed as to exhibit without obstructing the light visible within a reasonable distance in the reverse direction to that in which the vehicle is facing.

The lamp shall be so fixed as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable from a distance of at least 20 meters by a person of normal eyesight, every letter and figure on the identification plate fixed on the back of the motor vehicle, unless a separate lamp is carried which adequately fulfils this purpose.

(4) When a trailer is attached to a motor vehicle sub-regulation (3) shall also apply to the trailer.

(5) A motor-cycle without a side-car shall carry one lamp in front so constructed and placed as to reveal a white or yellow light visible within a reasonable distance in the direction towards which the vehicle is facing.

(6) A motor vehicle fitted with a pair of driving lamps designed to provide general illumination of the roadway ahead of the vehicle may also be fitted with one or two auxiliary spot or flood lamps but the number of the driving lamps and spot or flood lamps carried on the vehicle shall not exceed four in number and the electrical switching shall be so arranged that not more than two of those lamps can be switched on together.

(7) A driving lamp shall not be placed so as to project above the bottom of the frame of the windscreen.

(8) The driving lamps shall have a switching arrangement whereby the beam of light may be focused downwards and to the right side of the direction in which the vehicle is moving in a manner that no part of the high intensity portion of the beam of light is directed to the left of the prolongation of the extreme left of the vehicle nor, at a distance from the lamp of 20m, to a height on level ground greater than 15cm above the ground.

(9) In the case of auxiliary lamps, the provisions of sub-regulation (8) regarding the focusing and direction of driving lamps when switched downwards and to the right shall apply.

(10) Every person shall dim or dip the driving lamps

- (a) on the approach of another vehicle and
- (b) when following another vehicle.

**Mirror, windscreen and glass**

58. (1) Every motor vehicle shall carry an interior driving mirror, exterior driving mirrors and or auxiliary driving mirrors which shall be so fixed on the vehicle as to enable the driver when driving to have a clear view reflected in the mirrors of any following traffic.

(2) Every motor vehicle, which is fitted with a front glass windscreen, shall be equipped with an efficient windscreen wiping system.

(3) All glass fitted to motor vehicles shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on the road; and all forward facing glass, with the exception of lamp glasses, shall be so composed, manufactured or treated as substantially to prevent shattering and flying of sharp splinters of the glass when struck or broken.

**Glass of windscreen, windows and partitions**

59. (1) A person shall not operate on a road any motor vehicle having a windscreen, window or partition not made of transparent material;

- a. Unless such material affords the driver sufficient visibility for safe driving of such vehicle;
- b. Unless in the case of a windscreen, other than a windscreen fitted to a motor cycle or motor tricycle, such transparent material is glass
- c. Unless, such transparent material is safety glass and is permanently marked with the name or trade mark of the manufacturer.

(2) Notwithstanding the provisions of sub-regulation 1(b) and 1(c), the transparent material--

- a. with which;
  - i. a window in the roof of a motor vehicle;
  - ii. a window or partition of a bus or a mini-bus; or

- iii. a window or partition of a semi-trailer designed or adapted for the conveyance of passengers,

is made, may consist of ultrahigh impact acrylic or polycarbonate plastic material where each pane thereof is permanently marked with the name or trademark of the manufacturer thereof or the trade name of the material and such material is clearly identifiable as ultrahigh impact acrylic or polycarbonate plastic material by a permanent mark describing it as such;

- b. with which a window or partition or a removable or collapsible hood or canopy of a motor vehicle is made, may consist of a flexible plastic material; and

(3) No person shall operate on a road any motor vehicle--

- a. unless the visible light transmittance through the windscreen is at least 70 per cent;
- b. unless any film or tinting material applied to any windscreen, window or partition is free from bubbles, tears or scratches,
- c. if, any film or material with a textured surface or any fixture or attachment is positioned over or applied to a windscreen or window in such a manner that its presence reduces visibility through such windscreen or window in any direction.

(4) The provisions of sub-regulation (3) shall not apply to an ambulance, a hearse or any other vehicle authorized by the Licensing Authority.

### **Windows and windscreen**

60. (1) A mini-bus or bus operating commercially;

- a. shall have a continuous row of windows on the left and right hand side of the passenger compartment and such windows, other than the windows of entrance and exit doors and the first and the last side window, shall each have a frame, in the case of--
  - i.a mini-bus, of not less than 34.5 cm by 45 cm and,
  - ii.a bus of not less than 45 cm by 45 cm;
- b. shall have an overall window area of not less than 25 per cent of the floor area of the passenger compartment;

- c. shall have windows which can be opened to the same extent so that the total area of the open spaces shall be not less than 5% of the floor area of the passenger compartment, other than in the case of a bus with a system of forced ventilation induced by mechanical means, whether such bus is stationary or in motion; and;
- d. may have other windows in addition to those referred to in sub-regulation 1(a), 1(b) and 1(c).

(2) At least every alternate window on each side of a mini-bus or a bus operating on commercial bases, other than a bus having a system of forced ventilation induced by mechanical means, whether such bus is stationary or in motion, shall be capable of being opened.

(3) Every window-pane, windscreen and transparent partition of a mini-bus or bus operating on commercial bases shall be maintained in a sound, unbroken and clear condition.

### **Fire extinguishers**

61. Every motor vehicle or trailer operating on any road shall carry in a readily accessible position at least one fire extinguisher which shall be of--

- a. the dry powder type with a capacity of at least one kilogram; or
- b. the halogenated hydrocarbon type (BCF) with a capacity of at least one kilogram,

and which shall be in good working order.

### **Wheels and axles**

62. A motor vehicle or trailer when moving on a road shall have its wheels properly aligned to the chassis so that the true rolling motion of the wheels or trailer shall be conveyed to the road, and no motor vehicle or trailer with a defective wheel, wheel hub, or axle-tree, shall be used on any road.

### **Steering**

63. (1) A motor vehicle shall be provided with a strong and reliable steering gear which shall be kept in a state of repair and adjustment as to allow the vehicle to be turned readily and with certainty.

(2) The steering apparatus and driving gear of a motor vehicle shall be so arranged that the driver can manipulate the controls with certainty and at the same time have a clear view of the road.

(3) A person shall not operate a motor vehicle with right-hand steering on a road unless so authorized by the Minister.

### **Suspension**

64. A motor vehicle other than a motor-cycle and a trailer shall be equipped with suitable, free acting and efficient springs and shock absorbers, or other efficient suspension system approved by the Licensing Authority, which shall be kept in proper alignment and properly secured to the axle and the frame of the vehicle so that no undue lateral movement is allowed.

### **Wings, Fenders, Mud Guards, Wheel or Mud Flaps**

65. (1) A motor vehicle or trailer shall be provided with wings, mud flaps or similar means to catch as far as practicable mud, water or any other substance thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the vehicle.

(2) A motor vehicle or trailer shall not operate on a road unless it is fitted with wheel flaps or mud flaps,

- (a) which are properly maintained and approved by the vehicle manufacturer, and
- (b) which comply with standards and specifications as prescribed by the Licensing Authority.

### **Horns and Sirens**

66. (1) A motor vehicle shall be fitted with an efficient electric or pneumatic horn, or with a bulb horn which gives out a single note when the bulb is pressed, and a person shall not fit on a motor vehicle warning appliance other than a type approved by the Licensing Authority.

(2) Despite sub-regulation (1), a siren or bell as a warning appliance may be fitted and used on the following classes of vehicles -

- (a) Government vehicles used for official purposes by the Head of State,
- (b) Police vehicles,
- (c) Vehicles used by a recognized fire brigade, and
- (d) Ambulances or vehicles used as ambulances by recognized hospitals or clinics.

### **Trailers**

67. A trailer shall not be used on a road unless the following conditions are observed -

- (a) the couplings provided for attaching the trailer to a motor vehicle are efficient for the purpose,

- (b) a trailer exceeding one ton gross weight shall have a brake in good working condition which, when applied, shall cause two of the wheels of the trailer on the same axle to be so held that the wheels shall be effectively prevented from revolving, or shall have the same effect in stopping the trailer as if those wheels were so held;
- (c) the braking system of the trailer shall be so constructed either by connection to the brakes of the motor vehicle or otherwise that, when the brakes on the motor vehicle are used, the brakes on the trailer are brought into action simultaneously;
- (d) where more than one trailer is drawn by a motor vehicle the coupling provided for attaching any trailer to another trailer in front of it shall be efficient for the purpose, and sub-regulations (b) and (c) of this regulation shall apply to each of the trailers;
- (e) the wheel base of a trailer having an axle weight of four tons or over shall not be less than 3m between axle centres;
- (f) not more than three trailers of a maximum chassis carrying capacity of 8 tons shall be drawn at any one time;
- (g) the prime-mover of an articulated vehicle shall not be used to pull a load heavier than the maximum load specified by the manufacturer of the prime-mover;
- (h) where a draw-bar is to be used in connecting a trailer with a prime-mover it shall be attached direct to the prime-movers turnable unit.
- (i) A trailer shall not be used on any road unless it is registered and licenced separately by the Licensing Authority.

### **Direction indicators**

68. (1) A motor vehicle when in use on a road shall be fitted with efficient direction indicators and shall conform to one of the following –

- (a) at least two direction indicators which shall, when in operation, be in the form of an illuminated sign of amber or red colour, the illuminated surface of which shall be visible from both the front and the rear of the vehicle, and which, in the case of a heavy motor vehicle, shall be of a minimum illuminated length

of 25cm and a maximum illuminated breadth one-fourth of the length; or

- (b) lamps which, when in operation, show a flashing light visible at a reasonable distance both from the front and from the rear of the vehicle:

Except that –

- (i) neither of the direction indicators on either side of the vehicle shall be capable of operating unless the other indicator of that side operates coincidentally with it;
- (ii) when in operation one of the indicators on one side shall show a flashing light visible from a reasonable distance to the front of the vehicle, and the other indicator on that side shall show a flashing light visible from a reasonable distance to the rear of the vehicle, or if a trailer or trailers are being drawn, the trailer or trailers shall carry similar indicators showing a flashing light visible from a reasonable distance to the rear;
- (iii) a tell-tail device is fitted so that the driver of the vehicle is aware of the functioning of the indicators;
- (iv) the total power of the bulb or bulbs illuminating an indicator carried in compliance with this sub-regulation shall not be less than 15 watts and not more than 36 watts;

(2) Additional indicators in the form specified in sub-regulation (1) may be fitted at the rear, on the side of the fender or on the side driving mirror of a vehicle when –

- (a) they are only used in addition to those fitted in accordance with sub-regulation (3); and
- (b) they are visible at a reasonable distance from any point in the rear of the vehicle.

(3) A direction indicator shall be so fitted that when not in operation it will not be likely to mislead the driver of any other vehicle or any person controlling traffic.

(4) A light shown by a direction indicator shall be diffused by means of frosted glass or other adequate means.

### **Position of indicators**

69. (1) A direction indicator intended to indicate a right-hand turn shall be fitted only on the right side and direction indicators intended to indicate a left-hand turn shall be fitted only on the left side of the vehicle.

(2) Except as provided in regulation 68(2), a direction indicator shall be designed and fitted that it is not more than 2m above the level of the ground, and a direction indicator, not being a flashing indicator, shall be so designed and fitted that –

- (a) it is not more than 1.5m behind the base of the windscreen, and
- (b) it is clearly visible both to the front and to the rear of the vehicle; and
- (c) when in operation –
  - (i) it temporarily alters the outline of the vehicle to the extent of at least 20cm measured horizontally,
  - (ii) the outermost point of the indicator shall be at least 20cm further from the longitudinal axis of the vehicle than is the outermost point of the driver's cab or on the side of the body behind the driver's seat whichever is the wider; and
  - (iii) it remains steady when extended; and
- (d) the driver of the vehicle when in the driving seat may be readily aware that it is operating correctly.

### **Red reflectors**

70. (1) A motor vehicle and a trailer other than a motor-cycle without a side-car shall carry two unobscured and efficient red reflectors which shall be fixed to the vehicle –

- (a) one on each side so as to indicate the width of the vehicle, in a vertical position and facing squarely to the rear,
- (b) not less than 40cm above the ground, and
- (c) so that no part of the vehicle projects more than 75cm to the rear of the reflector:

Except that this regulation shall not apply in the case of a timber truck which carries a third reflector at the rear end of the draw-bar.

(2) A motor-cycle without a side-car shall carry one red reflector fixed in the manner prescribed in sub-regulation (1) except that a reflector shall be fixed on the centre line of the vehicle.

(3) A reflector fitted under this regulation shall, if circular, be not less than 3cm in diameter, and if not circular shall be of such a size that a circle of 3cm in diameter may be inscribed in it.

### **Reflex reflectors**

71. (1) A motor vehicle, other than a two-wheeled motor-cycle, shall be fitted –

- (a) at the front with at least two white reflex reflectors;
- (b) at the rear with at least two red reflex reflectors, or in the cases specified in sub-regulation(3) of this regulation, with at least two red and white diagonally striped reflex reflectors,

which shall conform with sub-regulations (3) to (5) of this regulation.

- (2) A motor-cycle or bicycle shall be fitted,
  - (a) at the front in the centre of the handle bar, with a plain white reflex reflector stripe measuring 30cm by 3cm; and
  - (b) at the rear of the mud-guard, with a plain red reflex reflector stripe measuring 15cm by 3cm.
- (3) The reflex reflectors required to be fitted to a vehicle under sub-regulation (1) of this regulation shall –
  - (a) in the case of commercial vehicles, other than taxis weighing 2 tons or less and private vehicles weighing over 2 tons., consist of plain white rectangular reflectors measuring 25cm by 10cm which shall be fitted to the front of the vehicle at a height of not more than 90cm from the ground and red and white diagonally striped rectangular reflectors measuring 25cm by 10cm which shall be fitted to the rear of the vehicle at a height of not more than 1.5m from the ground, and
  - (b) in the case of any other motor vehicles, consist of at least two plain white rectangular reflectors measuring 30cm by

3cm which shall be fitted to the front of the vehicle and at least two plain red rectangular reflectors measuring 30cm by 3cm which shall be fitted to the rear of the vehicle.

- (4) The outer vertical edge of the illuminating surface of any reflector required to be fitted to a motor vehicle, other than a two-wheeled motor-cycle, shall not be more than 40cm from the extreme vertical edge of the vehicle nearer to such outer edge.
- (5) A reflector required to be fitted under this regulation shall be of such a make that it is visible to the driver of any vehicle at night in clear weather at a distance of at least 150m when illuminated by the driving lights of that vehicle.

#### **General requirements for retro-reflectors**

72. (1) A reflector required to be fitted to a vehicle or load in terms of these regulations shall –

- (a) not be lower than 30cm and not higher than 150cm from ground level, measured to the center of the retro-reflector: except that if, due to the design of the vehicle, it is impossible to fit retro-reflectors on the sides of the body of the vehicle at the prescribed height, the retro-reflectors shall be fitted as near as possible to the prescribed height;
- (b) where it is a –
  - i. White retro-reflector, be in a vertical position and face squarely to the front.
  - ii. Red retro-reflector, be in a vertical position and face squarely to the back
  - iii. Yellow retro-reflector, be in a vertical position and face squarely to the side

But despite anything to the contrary contained in these regulation, a motor vehicle manufactured, built or imported by a registered manufacturer, builder or importer may have a red retro-reflector fitted at the side towards the rear of the motor vehicle.

- (c) be clean and in good condition and not be obscured to the extent that it will be rendered ineffective; and

(d) not be fitted to any movable part of the vehicle: except that this provision shall not apply to a warning sign contemplated in regulation 74 (2)(a)

(2) If due to the design of the vehicle it is not possible to fit a retro-reflector in the prescribed position, it may be fitted as close as possible to the prescribed position.

### **Red retro-reflectors on vehicles with certain bodies**

73. Where it is impossible to fit retro-reflectors on the body of a vehicle to comply with the requirements of Regulation 72, two red retro-reflectors shall be fitted to the rear of the vehicle in the manner contemplated in these regulations as low as possible on the body of the vehicle and two additional red-retro-reflectors shall be fitted on the rear of the vehicle on the under-frame of the vehicles at the height contemplated in regulation in regulation 72 as far apart as the under-frame will permit.

### **Warning sign (chevron) on rear of certain motor vehicles**

74. (1) For the purposes of this regulation the expression "motor vehicle" shall not include a motor vehicle propelled by electrical power derived from overhead wires, motor cars, motor cycle, motor tricycle, motor quadrucycle, tractor, or a vehicle whose gross weight does not exceed 3,500kg and which is not a trailer.

(2) Subject to sub-regulation (3), a person shall not operate on a public road a motor vehicle unless there is fitted at the rear of that vehicle a warning sign which--

- a. is a chevron sign which complies with the requirements referred to in standard specification as prescribed by the Licensing Authority,
- b. bears a certification mark;
- c. Despite the provisions of sub-regulation (a), incorporates both retro-reflective red and retro-reflective yellow chevron strips.

(3) (a) where the design or construction of any motor vehicle does not allow a chevron to be fitted onto it the chevron may be cut into sections to avoid the interference of protrusions, or its edges may be trimmed to permit fitment to the contour of the vehicle or its equipment, but the chevron pattern shall be substantially maintained.

b. Where the design or construction of any motor vehicle does not allow a modified chevron to be fitted unto it as contemplated in sub-regulation 3(a), at least 11 retro-reflectors shall be fitted to that motor vehicle, and in the case of a trailer the gross vehicle weight of which does not exceed 3 500 kg, at least seven retro-reflectors shall be fitted to such trailer.

(4) Each warning sign required in terms of this regulation, to be displayed on a motor vehicle or on a trailer referred to in sub-regulation (2), shall--

- a. be in an upright position or within 15 degrees of such position and face squarely to the rear;
- b. be so placed that the lower edge of it is not more than 150cm above ground level: Except that if, owing to the structure of the vehicle, it is impossible to fit the warning sign at the prescribed height, it shall be fitted as near as possible to that height;
- c. extend horizontally for such distance as is necessary to indicate the overall width of the vehicle to which it is fitted to within 40cm of either side: Except that these provisions shall not be applied to any chevron fitted in addition to the requirements of this regulation; and
- d. Be clean and in good condition and not be obscured to the extent that it will be rendered ineffective.

#### **Advance warning devices**

75. (1) A driver of a motor vehicle, other than a two-wheeled motor-cycle, whose vehicle is stationary on a road shall give adequate advance warning to approaching drivers of the obstacle which that vehicle constitutes by placing an advance warning triangle or a red or amber blinker traffic lantern of approved candle light, or reflective cones at a suitable point both at the rear and front of the vehicle and at a distance from the vehicle sufficient to give the said warning but which shall not be less 45m.

(2) (a) An advance warning triangle shall consist of an equilateral triangle with sides not less than 40cm long and red border not less than 5cm wide, and with its interior part either yellow or of a light colour.

(b) The red border shall be illuminated or fitted with a reflectorised stripe or a reflectorised blinker where applicable.

(c) An advance warning triangle shall be in the form that it can stand firmly on its own in a vertical position.

(3) A person shall not remove an advance warning device so displayed.

#### **Compulsory wearing of protective helmet in respect of motor cycle**

76. (1) A person shall not ride or be a passenger on a motor cycle, motor tricycle or a motor quadrucycle, or be a passenger in the side-car attached to a motor cycle, on a road, unless he or she is wearing a protective helmet--

- a. Which is specially designed for use in connection with such cycle; and
- b. Which fits him or her properly and of which the chin strap is properly fastened under the chin.

(2) The driver of a motor cycle, motor tricycle or motor quadrucycle shall ensure that any passenger in or on such cycle who is younger than 18 years, complies with the provisions of sub-regulation (1).

### **Use of agricultural tractors on roads**

77. Despite the provisions of these Regulations, an agricultural tractor and a connected implement or load may be used on a road without a permit

Except that –

- (a) in the case of an agricultural tractor and connected implements or loads which are fitted with metal tracks or wheels, a device is first fitted to prevent any part of the metal wheels or tracks coming in contact with the surface of the road; and the device may be in the form of blocks of wood or rubber or similar material which can cause no damage to the surface of the road,
- (b) the tractor is used for the bona fide purpose of moving to, and from or between farming land and it is not possible to complete the movement without crossing or using a road, and
- (c) the use of the road takes place and is completed in daylight except where such tractor and connected implements or loads are fitted with the prescribed lamps.

### **Maximum permissible axle load**

78. (1) The maximum net weight permitted for a motor vehicle or a combined motor vehicle and trailer shall not exceed 16 tons, and

- (a) in the case of a non-articulated vehicle –
  - (i) the maximum gross weight on two axles shall not exceed 18 tons,
  - (ii) the maximum gross weight on three axles shall not exceed 27 tons,
- (b) in the case of articulated vehicles –

- (i) the maximum gross weight on three axles shall not exceed 30 tons,
- (ii) the maximum gross weight on four axles shall not exceed 38 tons,
- (iii) the maximum gross weight on five axles with one tridem shall not exceed 43 tons,
- (iv) the maximum gross weight on five axles with two tandem axles shall not exceed 46 tons
- (v) the maximum gross weight on six axles shall not exceed 51 tons.

except that the maximum weight restrictions imposed by this regulation shall not apply to a vehicle which is certified in writing by the Minister or authorized Agency as safe for use, subject to conditions, despite excess weight.

(2) The Minister or Authorized Agency may issue a permit for a vehicle which does not comply with these stipulations for individual journeys when the vehicle is to be used for carrying indivisible loads.

(3) Despite the preceding provisions of this regulation, the maximum gross weight on a two-wheel single axle shall not exceed 11.5 tons.

### **Checking of weights**

79. The Licensing Authority or Police Officer or an authorized person may at any time, for reasonable cause, require a motor vehicle or trailer to be driven to a reasonably convenient place to have its net or gross weight or an axle weight ascertained, and the person driving or in charge of the vehicle or trailer shall comply with the requirement.

### **Devices for detection of overloaded vehicle**

80. (1) The Road Authority may cause weigh bridges or other devices for detection to be installed on roads and may erect road signs which shall require a category of motor vehicle to be weighed or subjected to a test by the device.

(2) A person who being a driver of a motor vehicle or in-charge of a motor vehicle disobeys or disregards a direction or a road sign created pursuant to the provisions of sub-regulation (1) or who, when required to do so, by a Police Officer or any other public officer authorized on that behalf by the Road Authority fails or refuses to submit the motor vehicle to be weighed on a weigh bridge or being tested by the device, commits an offence.

### **Grant of special permit**

81. A person shall not except under and in accordance with a valid special permit granted by the Road Authority, drive or use or cause or permit to be driven

or used, on a road in Ghana, a Motor Vehicle as specified in the Axle load regulations except where;

(a) the gross vehicle weight of the motor vehicle or trailer does not exceed the weight specified in relation to a vehicle of the description as specified in the Axle Load Regulations

(b) the gross vehicle weight is distributed on axles in the manner as specified in the Axle load regulations. Should an axle be overloaded, then an overloading fee will be imposed by the Road Authority as specified in the Axle load regulations

Except that-

- (1) no axle singly or at one of the tandem or tridem shall carry more than eleven and a half (11.5) metric tons for a national road or ten (10) metric tons for any other road, and
- (2) the axle load limit shall not exceed the lesser of the limits set in the Schedule or the manufacturers recommended limits

### **Special Permit Forms**

82. A special permit issued by the Road Authority shall be in a form that may be determined by the Road Authority and shall specify conditions for granting that permit.

The conditions may include;

- (a) the presentation of the vehicle and load to be weighed,
- (b) the provision of escorts,
- (c) the use of warning lights and devices,
- (d) travel time, or
- (e) any other matter, which in the opinion of the Road Authority is necessary for the carriage of a load and the protection of road infrastructure and the environment.

### **Failure to comply with Axle Load conditions**

83. (1) A person who-
- (a) drives or uses or causes or permits to be driven, a motor vehicle or trailer on a road in contravention of a provision to these regulations, or
  - (b) in a manner or whatsoever fails to comply with a condition annexed to a special permit issued by the Road Authority or who with intent to deceive or defraud, alters, varies, defaces, forges or otherwise in any way interferes with permits commits an offence.

### **Application of Vehicle Weight Control Regulations**

84. (1) These regulations shall apply to vehicles of 3,500kgs permissible weights or above which fall into the following overload offence categories.

- a) a vehicle is said to be overloaded when used on a road in contravention of weight regulations. In this context a vehicle is said to be overloaded when contravening the permissible axle(s) weight and gross vehicle weight laid down for that vehicle and allow for the road weight regulations laid down by prohibition sign for a specified part of a road or special notifications or other,
- b) where a special permit is issued for a vehicle, the overload is to be calculated accordingly and the corresponding fees imposed.

(2) for the purpose of the distribution of the load on a vehicle, an axle or group of axles is only to be deemed overloaded if the load exceeds the legal limit after the addition of five percent of allowable weights, and then rounding down to the nearest 100<sup>th</sup> kilograms.

(3) For each axle an additional 5 percent of the allowed weight may be carried further. However, if the overloaded goods is not off-loaded, the surcharge fee for carrying it further will be four times the corresponding fee for the overload. An overload beyond 5 percent shall be off-loaded into another vehicle unless a special permit is produced.

(4) Where it is established that a vehicle is carrying a load in excess of the legal load limit while on a journey, the vehicle in question shall not continue its journey unless the excess load is off-loaded or re-distributed and the vehicle upon being re-weighed shall conform to the legal load limit.

### **Imposition of fees**

85. (1) The Road Authority shall impose the prescribed fees for vehicle overload offences to recover the cost of the damage to the roads and bridges by the overloaded vehicles. Fees shall be paid on the spot to the Road Authority as specified in the Axle Load regulations.

2) Fees prescribed in these regulations shall be imposed on the owner of the overloaded vehicle in question according to the specification as prescribed by the Road Authority.

3) A person who overloads a vehicle commits an overload offence under these regulations.

### **Fees and permit for an abnormal and super dimension loads.**

86. (1) A motor vehicle or trailer which carries a load which by its nature is indivisible and unavoidably exceeds the legal dimensions but not an axle load limit shall not use the road unless abnormal permit fee as prescribed under the

Axle load regulations of these regulations has been paid and issued by the Road Authority. The cost for safe movement of the cargo shall be borne by the registered owner of the vehicle.

2. Where there is an abnormal load the width of which exceeds 2.8m, the registered owner shall provide an escort vehicle(s) at the owners own expense and the Road Authority shall issue a permit to the registered owner who has provided the escort vehicles and paid fees for the abnormal permit.

3. Where a vehicle carries a super load that can cause damage to the road infrastructure, the registered owner must comply with the conditions laid down in the permit by the Road Authority to prevent a part of the roads or bridges being damaged.

4. Where a visible damage is done to a bridge, road structure or road furniture, the registered owner shall be required to compensate the Road Authority for the damage and shall be liable for any cost, charges or expenses as regards an axle or gross vehicle weight overload fee payable in accordance with these Regulations.

5. Where a vehicle is overloaded and the load is considered to be loaded abnormally, it shall not be off-loaded at the weighbridge station unless special and legal safety precautions are taken. In this case the registered owner of the vehicle shall be required to pay a prescribed fee for each overloaded axle or for the excess gross weight.

6. Where the destination is further away from the starting point, the driver shall take the vehicle to the starting point for off-loading to legal limits after having paid the overload fee and if the destination is near the vehicle may proceed after having paid the regular overload fee and the surcharge shall be paid in accordance with sub-regulation (3) of regulation 84.

7. A person is disqualified from being issued a permit if that person has an outstanding debt as regards monies payable in terms of these regulations

### **Liability of owners**

87. 1) where a vehicle is found to contravene the provisions of regulation 85 the registered owner shall be liable to pay fees to the Road Authority in accordance with the specifications provided under regulation 86.

2) Subject to the provisions of sub-regulation (1) the liability for an overloaded fee according to these Regulations shall not exclude penal sanctions for other traffic offences associated with it.

### **Axle or group of axles to form base of fees calculations**

88. Subject to the provisions of these Regulations the fee shall be calculated separately on each axle or group of axles according to the Schedules set out in these regulations.

### **Procedure for payment**

89. Subject to sub-regulation 91(2) the notification in the weighbridge report form gives the basis for imposing fees where the vehicle is found to be overloaded according to these Regulations and it shall be the duty of the Road Authority to impose fees.

### **Axle Load control and enforcement**

90. 1) The Road Authority and the Police shall perform overload control and enforce these regulations.

2) It is an offence when the instructions of the Road Authority or the Police are not followed and as a result of the contravention, the vehicle and cargo shall be detained as long as it is necessary at the expense and risk of the registered owner.

3) Where the fees prescribed in these regulations are not paid after ninety days from the date of imposition, the Road Authority may issue a notice of sale by auction of the vehicle in question and its goods.

4) Subject to sub-regulation (5) before the goods are disposed of by auction the Road Authority shall by notice published in the Gazette and in two national newspapers within fourteen days after the vehicle in question has been impounded require the owner of the motor vehicle or trailer to claim the goods failing of that the goods will be disposed off by auction.

5) For security reasons the Road Authority shall notify the nearest Police Station within 24 hours regarding which vehicle is being detained at the weighing bridge stations.

### **Powers of Authorized Officer**

91. (1) An authorized officer shall require the driver of a vehicle to stop the vehicle for the purposes of weighing and inspecting the vehicle.

2) The authorized officer shall fill in a weighing bridge report form, which must be signed by the driver, who by signing the form shall be an indication that he has agreed, on behalf of the owner, that the vehicle particulars and weighing scale reading at that particular time of weighing are correctly reported on the form the failure of a driver to sign the weighbridge report form does not prevent the Road Authority from imposing a fee.

3) In the case where the load complies with legal axle weights and gross vehicle weight, a weigh bridge report shall be deemed to be a compliance permit in accordance to the Road Traffic Regulations. The driver shall carry the

permit throughout the journey and if there is reason to believe that the vehicle subsequent to the control has been reloaded or tampered with in a way, a new weighbridge report form must be issued.

### **Exemptions from payment of fees**

92. (1) In special situations, the Road Authority in consultation with the Minister may refrain from imposing a fee, waive or reduce an imposed fee, the waiver or reduction of fees shall be considered if,

- (a) the matters are of national security,
- (b) it is for bilateral agreements between governments;
- (c) the motor vehicles are used as a result of natural disaster relief or, for emergency infrastructure restoration.

(2) Despite the provisions of sub-regulation (1) (a),(b) and (c) the conditions spelt out shall be a special permit stating the circumstances of the waiver or reduction to be issued by the Road Authority prior to the journey.

### **Appeals**

93. (1) A person aggrieved by the decision of the Authorized Officer or the Road Authority refusing to grant a weigh bridge report or the permit required to be granted under these regulations may appeal against that decision to the Minister.

(2) Where a person is not satisfied with the decision of the Minister that person may appeal to the High Court.

### **Submission of modified or converted vehicles to the Licensing Authority**

94. Notwithstanding the provision of Section 92(3) of the Road Traffic Act, Act 683 should the owner make modifications or conversions to a vehicle that changes its dimensions, weights or loading capacity vehicle must be submitted to the Licensing Authority within seven days of the modification or conversion for examination and issue of a new road use certificate.

### **Prohibited passengers, etc**

95. (1) A person shall not be carried in or on a trailer of a commercial vehicle which is not a taxi, omnibus, passenger vehicle, hearse, or commercial vehicle used as a hearse, unless the person is the owner or hirer of the vehicle or the goods carried in it or is the agent of the owner or hirer.

(2) No person other than the driver and two other persons, who shall be seated in the driver's cab, may be carried on any goods carrying vehicle and no other person shall be carried on any goods carrying vehicle or trailer.

Except that the Licensing Authority or a Senior Police Officer may authorize by written permit the carrying of persons in excess of three excluding the driver of

the vehicle, subject to such conditions as the Licensing Authority may endorse in the permit.

(3) A driver or a person in charge of a commercial vehicle shall not permit anyone to ride on the canopy or roofing of the vehicle, nor any load or freight on the vehicle or on a trailer drawn thereby.

(4) A driver of a motor-cycle shall not carry another person in front on the cycle, but if the cycle is fitted with a seat properly constructed for the purpose and firmly fixed to the frame, a driver may carry not more than one person at the rear of the cycle.

(5) A person riding a bicycle on a road shall not carry another person unless it is constructed or adapted for the carriage of another person.

### **Driving of vehicles**

96. A person driving or in charge of a motor vehicle when used on a road shall-

- (a) When driving, maintain complete control over the vehicle and have full visibility of the traffic,
- (b) Obey all directions, whether oral or by signal, given by a Police Officer in uniform to stop the vehicle, or to make it slow down, or to pass on an indicated side of the Police Officer, or keep to an indicated line of traffic, or park in an indicated place,
- (c) Make use of the hand-signals prescribed in regulation 104 and have regard to the signals when used by other persons:

Except that mechanically or electrically operated direction indicators fitted to a vehicle in accordance with the provisions of these Regulations may be used for indicating that one intends to turn to the right or left,

- (d) Take due cognizance of the signs illustrated in the Fourth Schedule, and all traffic signs and notices law-fully placed on or near a road for the guidance of drivers of vehicles,
- (e) At any pedestrian crossing of the type shown in the Third Schedule which is not for the time being controlled by the Police Officer in uniform or an authorized person, take precedence over a person on foot on the pedestrian crossing if that person is in the roadway on the crossing while the vehicle is still approaching the crossing,

- (f) At all times give preference to children, the elderly and the physically challenged who wish to cross the road at designated crossing points,
- (g) At all times give preference to a visually impaired pedestrian who carries a white stick any sight aid and who wishes to cross the road,
- (h) Not leave an accident vehicle or a disabled vehicle if disabled but capable of movement by pushing it off to the right side and in such case shall cause the vehicle to bear lighted lamps or other warning devices at the front and rear at all times as specified in regulations 57, 75 and 97.
- (i) Observe and abide by other road sign markings and regulations.

**Regulations on disabled or broken down vehicles**

97. A person driving or in charge of a motor vehicle when used on a road –

- (a) Where a disabled vehicle is left on a road within built-up areas, cities, and towns such vehicle shall not be left for more than one (1) hour and shall be voluntarily removed within one hour.
- (b) Where a disabled vehicle is left on a highway or motorway, the vehicle shall not be left for more than two (2) hours and shall be voluntarily removed within two (2) hours.
- (c) Where a disabled vehicle is left on a road for more than one (1) hour within built-up areas, cities and towns, the vehicle shall be voluntarily removed by the police, Metropolitan Or Municipal or District Assemblies or their authorized agents within whose jurisdiction the road is situated and the owner shall be surcharged.
- (d) Where a disabled vehicle is left on a highway or motorway for more than two (2) hours, the vehicle shall be voluntarily removed by the Police, Metropolitan or Municipal or District Assemblies or their authorized agents within whose jurisdiction the road is situated and the owner surcharged.
- (e) Shall not repair or permit or cause to be repaired a disabled vehicle or trailer on the road.

- (f) In addition to provisions in sub-regulation (a) to (e), a driver whose disabled vehicle or trailer causes other traffic incident as a result of leaving or repairing the disabled vehicle or trailer on the road commits an offence.

**Requirements for the towing of vehicles**

98. A person shall not operate a vehicle on a road towing another vehicle—

- (1) if the length of the draw bar or tow-bar between the two vehicles exceeds 3.5m.
- (2) if the towed vehicle is connected to the towing vehicle in such a manner that both vehicles are not under control,
- (3) unless the steering gear of the vehicle being towed is controlled by a person licenced to drive the class of such vehicle,

except that the provision of this sub-regulation shall not apply in the case where----

- (a) the steerable wheels of the towed vehicle are being carried clear off the ground,
- (b) the device connecting the towing vehicle to the towed vehicles is of a kind that the steerable wheels of the towed vehicle are controlled by such device;
- (4) if the brakes of the towed vehicle do not comply with the provisions of Regulation 55, unless the towing vehicle is connected to towed vehicle by means of a draw bar or tow bar,
- (5) at a speed in excess of 30 km/h, unless the towing vehicle is connected to the towed vehicle by means of a draw bar or a tow bar,
- (6) If the towed vehicle is conveying persons at a speed in excess of 30km/h unless the towed vehicle is a semi-trailer,
- (9) If the towing vehicle is a motor cycle, motor tricycle or pedal cycle
- (10) the driver of a towing vehicle which is towing another motor vehicle shall not permit any person other than the person in charge to be carried in the towed vehicle,
- (11) No motor vehicle either than a towing vehicle shall be used as a towing vehicle unless a draw bar or tow-bar is placed between the two vehicles does not exceed three and a half meters.

### **Specifications of towing trucks and other requirements**

99. (1) Requirements for registered class one light duty trucks shall only tow vehicles not exceeding 5,500kgs,

- (a) Shall be securely attached to a hook up device commonly referred to as under reach or wheel lift. Sling-type or bar-type hook-up will not be allowed,
- (b) Shall have rear brake signals and tail lights,
- (c) Shall be free of loose parts, unsecured boards, hoods and trucks, broken glass, and leaking fluids, and
- (d) Shall be capable to raise wheels of steering axles. Rear hook-ups are not allowed.

(2) Registered class two heavy duty trucks shall tow all kinds of vehicle. Truck components such as winches, cables, clamps, thimbles, sheaves, guides, controls, block slings, chains, hooks and hydraulic components shall be assembled in accordance with the manufacturer's specifications and shall be maintained in good conditions at all times.

(3) Registered heavy duty tow trucks shall be equipped with a heavy duty towing hitch and a minimum of 22.5m of auxiliary air lines equipped with necessary truck for fitting.

### **Registration and Operation of Commercial Towing Services**

100. (1) A person who intends to operate commercial towing services shall apply to the Licensing Authority.

(2) The Licensing Authority shall prescribe conditions and requirements for that purpose.

(3) No towing or recovery operator shall operate without a licence

(4) The Licence Authority shall issue a licence to the applicant on payment of a prescribed fee.

(5) The Towing Operating Licence shall be annually renewed.

### **Rules of the road**

101. (1) A motor vehicle shall be driven on the right side of a road, particularly when approaching and passing traffic coming from the opposite direction or when the road is not clearly visible for at least 90m.

(2) A motor vehicle when overtaking traffic proceeding in the same direction shall pass the traffic on the left side of the road:

except that a motor vehicle may overtake and pass upon the right of another vehicle when the vehicle being overtaken is about to turn to the left and the driver has accordingly signalled, or in a one-way road in which two or more lanes of traffic are permitted.

(3) When one motor vehicle is being overtaken by another vehicle, the front vehicle shall give way by drawing to the right side of the road so far as is reasonably possible to allow the overtaking vehicle to pass, and shall not increase its speed. A motor vehicle shall be driven so as to give as much space as possible for the passing of other traffic.

(4) A driver of a vehicle shall not pass other traffic proceeding in the same direction on a road when approaching--

- a. the summit of a hill;
- b. a curve; or
- c. any other place

where his or her view is so restricted that any such passing could create a hazard in relation to other traffic which might approach from the opposite direction, unless--

- i. he or she can do so without encroaching on the left-hand side of the roadway; or
- ii. the roadway of such road is restricted to vehicles moving in one direction.

5. A driver of a vehicle shall not overtake another vehicle directly before or on a pedestrian crossing.

6. The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and conditions of the road.

7. A driver of a vehicle which has entered or is about to enter a roundabout or rotary traffic island shall give way to traffic approaching from the left side, regardless of which is the major road.

(7) A driver of a heavy goods vehicle or slow moving vehicle shall, whenever it is necessary or desirable by reason of the width or condition of the road, stop the vehicle in order to allow lighter motor traffic approaching or overtaking the heavy vehicle to pass.

(8) A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. A Police Officer shall enforce the provisions of this sub-regulation by giving

directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with directions of a Police Officer in accordance herewith, the continued slow operation by a driver shall be an offence.

(9) A driver of a vehicle shall, subject to the requirements of road safety, give way to any motor vehicle using a siren or bell as a warning appliance and draw the vehicle as close to the right side of the road as is reasonably possible, and stop to allow the vehicle using the siren or bell to pass.

(10) A Police Officer in uniform shall, where necessary, assume control of traffic in a manner so as to allow the passage of a vehicle using a siren or bell as a warning appliance, in accordance with regulation 66(2).

(11) A person riding in or on any vehicle, other than its driver, shall not make use of hand signals prescribed in Regulation 104.

#### Prohibition on use of communication device while driving

102. 1) A person shall not drive a vehicle on a road—

(a) while holding a cellular or mobile telephone or any other communication device in one or both hands or with any other part of the body.

(b) while using or operating a cellular or mobile telephone or other communication device unless such a cellular or mobile telephone or other communication device is affixed to the vehicle or is part of the fixture in the vehicle and remains so affixed while being used or operated, or is specially adapted or designed to be affixed to the person of the driver as headgear, and is so used, to enable such driver to use or operate such telephone or communication device without holding it in the manner contemplated in sub-regulation (a), and remains so affixed while being used or operated.

2) A person shall not cause or permit any other person to drive a motor vehicle on a road while that other person is using

(a) a hand-held mobile telephone; or

(b) a hand-held device of a kind specified in sub-regulation(4).

3) A person shall not supervise a holder of a Learners Licence if the person supervising is using -

(a) a hand-held mobile telephone; or

(b) a hand-held device of a kind specified in sub-regulation(4),

4) A device referred to in sub-regulation (2)(b) and (3)(b) is a device, other than a two-way radio, which performs an interactive communication

function by transmitting and receiving data.

5) A person does not contravene a provision of this regulation if, at the time of the alleged contravention -

- (a) he is using the telephone or other device to call the police, fire, ambulance or other emergency service
- (b) he is acting in response to a genuine emergency; and
- (c) it is unsafe or impracticable for him to cease driving in order to make the call or, in the case of an alleged contravention of sub-regulation (3)(b), for the provisional licence holder to cease driving while the call was being made.

6) For the purposes of this regulation -

(a) a mobile telephone or other device is to be treated as hand-held if it is, or must be, held at some point during the course of making or receiving a call or performing any other interactive communication function;

(b) interactive communication function includes the following:

- (i) sending or receiving oral or written messages;
- (ii) sending or receiving facsimile documents;
- (iii) sending or receiving still or moving images; and
- (iv) providing access to the internet;

(c) Two-way radio means any wireless telegraphy apparatus which is designed or adapted -

- (i) for the purpose of transmitting and receiving spoken messages;

7) Sub-regulation (1) does not apply to the following persons while driving in execution of their duties:

- a. the driver of a fire-fighting vehicle;
- b. the driver of a rescue vehicle or an ambulance;
- c. a traffic officer;
- d. a Police Officer
- e. the armed forces; and other emergency service providers.

### **Turning right on red**

103. The driver of a motor vehicle may turn right on red on a traffic light junction when the turning does not interfere with traffic on green or pedestrian crossing.

### **Hand signals**

104. On approaching a cross road or a road intersection or junction or wherever the driver of a motor vehicle intends to change the course, direction or speed of the vehicle that driver shall make use of whichever signal as is appropriate for the purpose of indicating ones intention to other users of the road. The signal to be given with the arm projecting from the side of the vehicle should at least as far as to the elbow when;

- (1) one is about to slow down or to stop, extend the left arm with the palm of the hand turned downwards, and shall move the arm slowly up and down, keeping the wrist loose;
- (2) one is about to turn to the left or for any reason to deviate to the left as, for example, when overtaking another vehicle, extend the left arm and hand with the palm turned to the front, and hold them rigid in a horizontal position straight out from the left side of the vehicle;
- (3) one is about to turn to the right extend the left arm and hand below the level of the shoulder and move the arm in a circular motion in an anti-clockwise direction, or extend the left arm and hand upwards and inwards with the palm of the hand turned downwards;
- (4) one is indicating to the following traffic that it may overtake on the left, extend the left arm and hand below the level of the shoulder and move the arm and hand backwards and forwards.

### **Noise**

105. (1) A motor vehicle shall be so constructed as to enable the driver, when the vehicle is stationary, to stop the action of any machinery attached to, or forming part of, the vehicle so far as may be necessary for the prevention of noise.

(2) A motor vehicle shall not be fitted with an apparatus designed to produce or amplify sound other than a motor horn and a person shall not use an apparatus in or on a motor vehicle except under a permit issued by the Licensing Authority or the Police who may prescribe conditions or restrictions to be observed.

(3) A person shall not operate or permit to be operated on a public a vehicle in such a manner as to cause any excessive noise which can be avoided by the exercise of reasonable care on his or her part.

### **Discharge of oil and other substances on a road**

106. An owner or a person in charge of a motor vehicle shall take precautions to ensure that a motor vehicle does not discharge combustion products, steam, lubricating oil or other substances on a road.

### **Placing Injurious Substances on the Road**

107. (1) It shall be an offence for any person to throw or place on any road, tacks nails, wires, scrap metal, glass, crockery, sharp stones or other substances injurious to the feet of persons or animals or to the tyres or wheels of vehicles.

(2) A person who has purposely, accidentally or by reason of an accident, dropped from his/her person or any vehicle any tacks, nails, scrap metal, glass, crockery, sharp stones or other substances injurious to the feet of persons or animals or to the tyres or wheels of vehicles, including motor vehicles, on any road shall immediately make all reasonable efforts to clear the street of the substances.

### **Damage to public roads**

108. A person shall not on a public road:

- a. cause a wheel or a part of a vehicle to drag or spin upon the surface of the roadway, except in the case of an emergency;
- b. make use of chucks or shoes between any wheel of any vehicle moving along the roadway and the surface of such roadway; or
- c. use any vehicle or thing or move any vehicle or thing on the roadway in a manner causing or likely to cause damage thereto.

### **Molesting or obstructing a driver**

109. A person in a motor vehicle shall not obstruct, harass or molest the driver of the motor vehicle whilst in motion.

### **Prohibition of nuisance on commercial vehicles**

110. A person shall not cause or permit to be caused any form of nuisance through preaching, hawking etc, on a public or commercial vehicle while in motion.

### **Maximum driving periods**

111. (1) An owner shall not drive or cause or permit another person employed by the owner to drive a motor vehicle –

- (a) for a continuous period exceeding four hours; or

(b) for periods amounting in the aggregate to more than eight hours in a period of twenty-four hours.

(2) An owner shall not drive or cause or permit another person employed by the owner to drive a motor vehicle –

(a) unless the driver has a compulsory rest of at least thirty minutes after each continuous period of four hours driving; or

(b) unless the driver has at least eight consecutive hours for rest in a period of twenty-four hours calculated from the commencement of any period of driving.

(4) For the purpose of these regulations an owner includes an agent, a servant or a person authorized by the vehicle owner to drive.

(5) A person who contravenes this regulation shall be guilty of an offence unless he satisfies the court that the contravention was due to an unavoidable emergency.

#### **Use of seatbelts**

112 (1) All motor vehicle shall be fitted with seat belts

(2) A person of 18 years or above shall not

(a) drive a motor vehicle on the road or

(b) Sit on the front or rear seat of a motor vehicle being driven on a road without wearing a seat belt.

(3) A person shall not drive a motor vehicle on a road, when a child between the ages of five and eighteen years who is seated on the front seat of the vehicle is not wearing a seat belt.

(4) A person shall not drive a motor vehicle on a road when a child under the age of 18 years is in the rear of the motor vehicle without wearing a seat belt.;

(5) A person shall not drive a motor vehicle on a road when a child of 5 years or below is in the front seat of the motor vehicle;

unless there is provided ,

(a) a restraining or safety device for a child or a carry court or

(b) an equipment designed for the use by a child in conjunction with other restraining device

(6) A person shall not operate a motor vehicle on a road unless seatbelts are fitted to the space on the front seat occupied by the driver, and where the

front seat has seating accommodation for passengers, unless seatbelts are fitted for the driver and the passengers.

(7) The seatbelts fitted to such motor vehicle shall be in good working condition

(8) Seatbelts fitted to a motor vehicle may only be removed for a repair or replacement purpose and such motor vehicle shall not be used on a road whilst the seatbelts are being repaired or replaced.

(9) A seat belt shall comply with the standard specifications as prescribed by the Ghana Standards Board (GSB) on restraining devices for occupants of adult-built in motor vehicles and bear a certification mark or approval mark.

(10) A child restraint shall comply with the standard specification of the Licensing Authority and bear a specification mark or approval mark.

(11) The Licensing Authority may exempt a person from the provisions of these regulations on medical grounds and under conditions as may be prescribed.

### **Manner of fitting of seat belts**

113. (1) A seat belt per seating position in a motor vehicle, and if seating accommodation is provided for more than two persons abreast, whether by means of continuous seat commonly known as bench seat or by separate seats, the seat belts for the person other than those seated next to the body of the car may consist only of the lap strap position of the seatbelt.

2) A person shall not use a motor vehicle or drive on a road after 31<sup>st</sup> December, 2008, unless the motor vehicle is fitted and equipped with seat belts in accordance with these regulations.

## **PART IV – COMMERCIAL VEHICLES**

### **Registration of Commercial Vehicle Operators**

114. (1) A vehicle owner shall not operate a commercial vehicle without belonging to a recognized commercial transport Associations or Unions.

(2) A person shall not operate as a commercial driver without belonging to a recognized commercial transport Association or Union.

(3) All commercial transport Associations or Unions shall be licenced by the Ministry or its accredited agents.

(4) Transport Unions and associations shall have route identification marks as prescribed by the Regulatory Authority.

(5) A person who operates or drives a commercial vehicle in contravention of sub-regulation (1), (2) and (3) of these regulations commits an offence.

### **Issuance of commercial vehicle operating permit**

115. (1) Every category of commercial vehicles shall have an operating permit issued by the Licensing Authority which authorizes that vehicle to render a specified transport service.

(2) A person shall not operate a commercial vehicle without obtaining a Commercial Vehicle Operating Permit (CVOP).

(3) Any person who contravenes sub-regulations (1) or (2) or both commits an offence.

(4) A commercial vehicle operating permit shall be renewed annually after the payment of the prescribed fee and conditions as prescribed by the Licensing Authority.

### **Issuance of commercial vehicle driving permit**

116. (1) A driver of a commercial vehicle shall have in addition to the driving licence, a commercial vehicle driving permit issued by the Licensing Authority for that category of vehicle.

(2) A person shall not drive a commercial vehicle unless he or she holds a Commercial Vehicle Driving Permit.

(3) A person who contravenes sub-regulations (1) or (2) or both commits an offence.

(4) A commercial vehicle driving permit shall be renewed annually after the payment of the prescribed fee and conditions to be prescribed by the licensing Authority.

### **Continuous education of commercial drivers**

117. (1) All licenced or registered commercial transport associations/Unions shall organize periodic re-training or refresher courses for its members.

(2) All licenced commercial drivers shall attend at least one refresher course in defensive driving annually as may be directed by the Licensing Authority.

(3) A person shall not operate a commercial vehicle without first obtaining Metropolitan, Municipal or District Assemblies commercial licence within their jurisdiction.

(4) All transport Unions or Associations shall have approved code of ethics to ensure discipline of their members.

### **Application for licence**

118. An application for a taxi, omnibus or passenger vehicle licence authorizing a motor vehicle to stand or ply for hire for the conveyance of passengers shall be made to the Licensing Authority as in Form N in the First Schedule to these regulations.

### **Licenced passenger vehicle standards and specifications for taxis and buses**

119. The Ministry or its accredited agents shall set standards and specifications relating to the condition of commercial vehicles. Such standards and specifications shall be applicable to all buses and taxis licenced to operate in the Country.

### **Issuance of commercial vehicle licence**

120. (1) Subject to the provisions of the Road Traffic Act, Act 683 and except as in these regulations, the Licensing Authority may issue a taxi, omnibus or passenger vehicle licence as specified in Form O in the First Schedule and shall make the necessary entries in the appropriate register:

except that no licence shall be issued as regards

- (a) A vehicle having a bodywork the whole or part of which is made of wood,
- (b) A vehicle having a bodywork with open sides,
- (c) A vehicle whose condition, in the opinion of the Licensing Authority renders it unsafe or unsuitable for the conveyance of passengers or which does not conform to the regulations applicable to it; or
- (d) A vehicle intended for use as a taxi, if the vehicle has less than four doors.

(2) The Licensing Authority may by notice in the Gazette or, in the case of a particular vehicle, by an instruction conveyed direct by the Chief Executive of the Licensing Authority, prohibit the issue of a taxi, omnibus or passenger vehicle licence as regards a vehicle of a class or type which may be considered to be unsafe for the purpose for which the licence is required, and the Licensing Authority shall thereupon refuse to issue a licence as regards to a vehicle affected thereby.

(3) A person to whom a licence has been refused in accordance with this regulation may appeal to the Chief Executive who, subject to the provisions of these Regulations, may grant or refuse to grant a licence or may direct that the licence be withheld until the repairs or alterations to the vehicle have been made as the licensing Authority may approve.

### **Issuance of taxi identification plate**

121. (1) On first issuing a licence for a taxi, the Licensing Authority shall also issue subject to payment of a prescribed fee, an identification plate in the form set out in the Second Schedule to these regulations.

2. An identification plate shall be securely fixed by the licensee to the rear identification plate of the motor vehicle or in some other conspicuous position at the rear of the vehicle so as to be clearly visible to a person behind the vehicle.

3. Where the holder of a current licence satisfies the Licensing Authority that either the licence or identification plate has been defaced, lost or stolen, the Licensing Authority shall, on the payment of the fee as prescribed by the licensing Authority issue to the holder a new licence together with a new identification plate which the Licensing Authority shall provide, and the new licence and identification plate shall replace the previous ones and have the same effect as the originals.

4. The original licence or identification plate, as the case may be, remaining in the custody of the licence holder shall be returned to the Licensing Authority.

### **Use of taxi**

122. (1) The owner of a taxi shall paint on the wings a shade of yellow to an extent as prescribed by the Licensing Authority and shall carry a neon sign with the word "Taxi" clearly written, visible and fitted at the front end of the roof with the approval of the Licensing Authority.

(2) A taxi shall display its transport Association or Union's affiliation and customer.

(3) A taxi shall not stand or ply for hire if it is in a condition as to be unsafe or unsuitable for the conveyance of passengers or does not conform to the requirements of these Regulations.

(4) Taxis may be fitted with an independent communication system capable of providing two-way voice communication.

(5) A taxi shall at all times be kept in a clean and sanitary condition.

(6) A taxi shall not be used for the conveyance of any marketable livestock or for the conveyance of any uncovered meat, fish, or the uncovered carcass of an animal.

### **Taxi fares**

123. (1) The Ministry or its accredited Agency shall prescribe tables of maximum and, where necessary, minimum fares for taxis.

(2) A taxi shall carry and exhibit a copy of the table of fares applicable to it printed in large and legible type and placed in a position on the vehicle as the Regulatory Authority may direct.

(3) Taxis may be fitted with a taxi meter of a type approved by the Licensing Authority or the Regulatory Authority.

(4) Matters concerning taxis shall be regulated by an accredited Agency of the Ministry and any person aggrieved thereby may appeal to the Minister.

(5) Where a person is not satisfied with the decision of the Minister that person may appeal to the High Court.

### **Use of omnibus**

124. (1) For the purposes of this regulation an omnibus shall include, minibuses, trotros, charter buses, mass transit buses, school buses, coaches and all other high occupancy buses.

(2) An omnibus shall at all times be kept in a clean and sanitary condition.

(3) An omnibus shall not stand or ply for hire if it is in a condition as to be unsafe or unsuitable for the conveyance of passengers or does not conform to the requirements of these Regulations.

(4) An omnibus shall not be used for a purpose other than the conveyance of passengers together with their luggage.

(5) A person other than the driver of an omnibus shall not be permitted to occupy a space set apart for the driver.

(6) Adequate luggage space shall be provided external to the passenger compartment either after the rear most seat or underneath which ever is appropriate.

(7) Roof racks, roof bars and carriers are not permitted on omnibuses unless specified and approved by the Licensing Authority.

(8) The entrances and exits of an omnibus shall be kept clear of all passengers and obstructions, and no article likely to cause an obstruction shall be placed in the gangway.

(9) An omnibus may carry a conductor registered in accordance with these Regulations, who may be the driver if the vehicle is licenced to carry not more than fourteen persons.

(10) An indication of its final destination shall be clearly exhibited on the omnibus where applicable.

(11) An omnibus shall carry a first-aid kit and appliances as the Licensing Authority may direct.

(12) In the case of a passenger vehicle intended for the carriage of mixed loads of passengers and goods the seats shall be movable and each seat is firmly fixed in position when in use.

(13) Each person shall be taken as weighing 70kg. hand luggage, and in no case shall the number of persons being carried at any one time exceed the number determined by dividing the registered freight or load which the vehicle is constructed to carry expressed in kilogrammes divided by the number 70kg.

### **Private use of omnibus**

125. Where an omnibus which has been licenced to ply for hire is hired by a person to be used for a particular purpose the omnibus shall carry in a conspicuous place on the front of the omnibus a sign marked "PRIVATE" in large and legible letters, and shall not on that occasion be used for purposes other than the conveyance of passengers together with their hand luggage.

### **Omnibus routes**

126. The Ministry or its authorized Agency shall make regulations for licenced omnibus to operate on specified routes.

### **Construction of omnibus**

127. (1) An omnibus licence shall not be issued for an omnibus unless the vehicle is constructed in accordance with the following conditions –

- (a) the vehicle is capable of carrying a load not more than its designed capacity,
- (b) the body shall be soundly constructed and designed for the sole purpose of carrying passengers and luggage,
- (c) all seating accommodation shall be securely fixed in the body of the vehicle,
- (d) all seating accommodation shall conform to the standards prescribed by the Licensing Authority.
- (e) the width of seats from the front to the back shall be at least 40cm or as prescribed by the Licensing Authority.
- (f) in the case of seats facing the same direction there shall be provided a space of at least 66cm between the front of the back of one seat and the back of the seat immediately in front, of which space 25cm at least shall be clear of obstruction,
- (g) in the case of seats arranged facing each other there shall be a space of at least 48cm clear of obstruction between the front edge of one seat and the front edge of the seat facing it,
- (h) the gangway shall be at least 38cm wide,
- (i) at least two entrances or exits shall be provided for passengers, one of which may be an emergency exit, as approved by the Licensing Authority,
- (j) At least one entrance for passengers shall be 54cm or more in width and if there is no exit at the rear of the vehicle there shall be an emergency exit on the left side of the vehicle.
- (k) each entrance or exit, other than emergency exit, shall be on the right side or rear side of the vehicle,

- (l) each emergency exit shall be fitted with a door which shall be kept closed except in an emergency and every entrance or exit door shall be capable of being opened by one operation of the locking mechanism and shall be so designed as to be readily opened in case of need from both the inside and the outside of the vehicle,
- (m) the risers of all steps at the entrances and exits shall be closed and the maximum height from the ground of the lowest steps shall be 46cm,
- (n) the driver's seat is separated from the passengers' accommodation in a manner approved by the Licensing Authority,
- (o) there shall be provided a bell or other device electrically or manually operated which will allow the conductor to transmit signals to the driver from a part of the interior of the vehicle and
- (p) the seats are be fitted with seat belts.

### **Passenger vehicle carrying freight and persons**

128. (1) A passenger vehicle carrying only goods shall be permitted to carry a weight equal to its registered freight or load.

(2) Where a passenger vehicle carries persons as well as goods, the total combined weight of the persons calculated with hand luggage at 70 kg each and goods shall not exceed the registered freight or load of such vehicle:

except that the number of persons carried on a vehicle shall not exceed the maximum number allowed by the Licensing Authority and provided also that proper seating accommodation is available for each passenger.

### **Maximum number of passengers**

129. (1) The maximum number of persons allowed to be carried at a time in a taxi, omnibus or passenger vehicle shall be determined by the Licensing Authority and stated on the licence.

(2) In calculating the number of persons that an omnibus or passenger may be allowed to carry, the Licensing Authority shall take into consideration the standing room available for passengers in addition to the actual available seating accommodation.

### **Particulars to be painted on commercial vehicles**

130. (1) The owner of a commercial vehicle shall cause to be painted in a conspicuous place on both sides of the vehicle, so as to be clearly visible to a person standing beside the vehicle –

- (a) the owner's name and registered address;
- (b) the net weight of the vehicle;
- (c) the gross weight of the vehicle;
- (d) where required by the Licensing Authority, the axle weight;  
and
- (e) the maximum number of persons allowed to be carried in the vehicle at any one time.

(2) The particulars shall be painted in letters and figures not less than 2.5cm in height and in all the shape and colour as to be legible and clearly distinguishable from the colour of the part whereon the letters and figures are painted or marked.

(3) An owner of the vehicle shall cause the paint or marking to be renewed or repaired as often as may be necessary to keep the letters and figures legibly and clearly distinguishable.

### **Property left in vehicle**

131. Where the driver of a taxi or the conductor or driver of an omnibus or passenger vehicle finds any property left in the vehicle after the completion of a journey the driver shall without delay take it to the nearest police station.

### **Offences in omnibus**

132. A person shall not while traveling in or on an omnibus -

- (a) Use offensive, quarrelsome language or gesture, or behave in a manner likely to provoke or insult any other person,
- (b) interfere with the comfort of any passenger,
- (c) spit on or willfully soil any part of the omnibus,
- (d) damage or deface the omnibus or any part of its equipment,

- (e) do or cause to be done with respect to any part of the omnibus or of its equipment anything which is calculated to obstruct or interfere with the working of the omnibus or to cause injury or discomfort to any person on the omnibus,
- (f) obstruct or impede the driver or conductor in the performance of his or her duty,
- (g) enter into conversation with the driver of the omnibus while it is in motion,
- (h) smoke or carry a lighted pipe, cigar or cigarette while on the omnibus,
- (i) sell or offer for sale or distribute goods or any printed matter of any description,
- (j) throw any article from the omnibus; or
- (k) refuse to pay the fare when demanded.

#### **Other offences relating to Commercial Vehicles**

133. A person shall not

- (a) cause or permit any vehicle to stand or ply for hire or carry passengers for reward when the vehicle is not licenced to operate as such.
- (b) cause or permit a taxi to stand or ply for hire which does not carry an identification plate as provided in Regulation 121.
- (c) cause or permit any taxi to ply for hire without exhibiting the number of persons the vehicle is licenced to carry,
- (d) while in charge of a taxi, omnibus or passenger vehicle contravene or permit the contravention of any applicable provision of Regulations 122 to 133.
- (e) while in charge of a taxi, omnibus or passenger vehicle cause or permit a breach of a condition attached to the issuance of a licence as regards the vehicle,
- (f) while driving a taxi or acting as conductor of an omnibus or a passenger vehicle, act in a way so as to make oneself

objectionable or a nuisance to another person or so as to cause annoyance or inconvenience to any person.

## **PART V – INTERNATIONAL CONVENTION PROVISION**

### **Documents for vehicles being taken out of Ghana**

134. 1) The Licensing Authority or an appropriate agency may issue in connection with the use outside Ghana of a motor vehicle registered under Part I of these Regulations -

- (a) a registration document, certifying the particulars of that vehicle shown in the register kept by that Authority.
- (b) an International Vehicle Certificate for the vehicle in the form specified in the Vienna Convention of 1968,
- (c) an international fiscal permit for the vehicle in the form set out in the Geneva Convention of 1931
- (d) ECOWAS brown card

(2) The Licensing Authority may issue in connection with the use outside Ghana of a motor vehicle or a trailer registered under Part I of these Regulations a document certifying –

- (a) the net weight of the maximum load which it is permitted to carry,
- (b) the maximum weight a vehicle is permitted to carry under these regulations, and
- (c) the permissible maximum gross weight of the vehicle when ready for the road and carrying the maximum load so specified.

(3) The Licensing Authority shall assign to a trailer an identification mark to be carried on the trailer outside Ghana.

(4) The Licensing Authority or the appropriate agency shall not issue an International Vehicle Certificate under the 1968 Convention unless the Authority is satisfied that the vehicle is fit for use on a road and may before

issuing the certificate, or any other documents under this regulation, require the vehicle or trailer to be examined.

(5) The Licensing Authority shall keep a register of documents issued under this regulation.

(6) Fees shall be charged for documents issued under this regulation as prescribed in the Fifth Schedule to these regulations.

### **Documents for drivers going outside Ghana**

135. (1) The Licensing Authority may issue for use outside Ghana an international driving permit in the form laid down in the 1968 Convention to a person who has attained the age of 18 years and satisfies the Authority –

- (a) that the person is competent to drive a motor vehicle of the description for which the permit is issued,
- (b) that the person is resident in Ghana; and
- (c) that the person is not disqualified under any of the provisions of the Road Traffic Act, Act 683 from driving any motor vehicle of that description.

(2) The Licensing Authority may require an applicant for an international driving permit to present oneself for examination by an officer appointed by the Authority as to the competency of the applicant to drive a motor vehicle of the relevant description.

(3) A prescribed fee shall be charged for an International Driving Permit as prescribed in the Fifth Schedule to these regulations.

(4) where a court makes an order disqualifying a person from holding a driving licence under the provisions of the Road Traffic Act, Act 683, the court may also order that an International Driving Permit held by that person shall be cancelled and surrendered to the Licensing Authority.

(5) The Licensing Authority shall keep a register of all permits issued under this regulation and record in it the cancellation of the permit.

(6) An International Driving Permit is not transferable.

### **Visitors vehicles**

136. (1) A person who brings a motor vehicle into Ghana may be granted;

- (a) an International Transit Permit and
- (b) an International Circulation Permit in Form P in the First Schedule and,

that person satisfies the Licensing Authority –

- (i) that he or she is resident outside Ghana and that the motor vehicle is only temporarily in Ghana; and
- (ii) that the provisions of section 3 of the Motor Vehicles (Third Party Insurance) Act, 1958, as they apply to the use by that person of that motor vehicle will be complied with while the permit is in force,

and furnishes the following particulars –

- i. Full name and home address of the applicant,
- ii. Date and place of entry of the vehicle into Ghana,
- iii. Make and chassis number of the vehicle and other particulars of the vehicle as the Licensing Authority may require,
- iv. The letters and the number on the registration plates of the vehicle and, if different, trailer drawn by the vehicle, together with the country of registration,
- v. Where the vehicle is drawing a trailer, the manufacturer or make of the trailer and its serial or other identification number, and
- vi. The address of the applicant in Ghana.

(2) An International Circulation Permit or an International Transit Permit shall not be issued for a period or any part of the area which falls after the ninetieth day from the date on which the vehicle was last brought into Ghana, and the periods for which International Circulation Permit or International Transit Permit may be granted to a person in one calendar year shall not exceed ninety days.

(3) Each person granted an international circulation permit or International Transit Permit under this regulation shall when the vehicle is being used on a road keep the permit for the vehicle displayed and shall, on demand, permit any Police Officer in uniform to examine the permit.

(4) After the expiration of an International Circulation Permit or International Transit Permit, or where a vehicle in respect of which an international circulation permit or International Transit Permit is in force –

- (a) is sold or transferred;

- (b) is finally taken outside Ghana, or
- (c) is destroyed

in a case where the vehicle has been sold or transferred, the holder of the International Circulation Permit or International Transit Permit shall as soon as possible surrender it and inform the Licensing Authority or an appropriate Authority.

(5) The Licensing Authority shall keep a register of international circulation permits and International Transit Permit issued under this regulation and for that purpose any other person issuing an international circulation permit shall forward to the Licensing Authority such particulars relating to the issuance of that permit as that Authority may require.

#### **Exemption of visitors vehicles**

137. A vehicle in respect of which an international circulation permit is in force shall be exempt from the requirements of Section 38 of the Road Traffic Act, Act 683.

#### **Registration Plates and Nationality Signs**

138. (1) A motor vehicle for which an international circulation permit is in force shall carry –

- (a) in the case where a visitor's document in respect of the vehicle is produced to the authorized person issuing the International Circulation Permit or International Transit Permit, the registration mark recorded in that document and a nationality sign indicating the law of which the country under which that registration mark was issued; and
- (b) in the case where a visitor's registration document is not so produced, a registration mark assigned to that vehicle by the person issuing the international circulation permit.

(2) Regulation 10 and the Second Schedule shall apply to a registration mark to be carried under this regulation as they apply to registration marks under Part I of these Regulations, except that a registration mark under sub-regulation (1)(a) of this regulation –

- (a) need not conform to any provision of the Second Schedule to these Regulations if it conforms to the corresponding requirements of the law under which the registration mark was issued and except that a letter in the registration mark is

in Roman characters and figures in ordinary European numerals; and

- (b) need not be exhibited at the front of the vehicle if that is not required by the law under which the registration mark was issued.

(3) A nationality sign to be carried on a vehicle under this regulation shall be exhibited at the back of the vehicle so as to be clearly distinguishable.

(4) The requirements of these Regulations as regards the illumination of identification marks assigned to a vehicle under Part I of these Regulations shall also apply in all respects to the illumination of the registration mark and the nationality sign to be carried on a vehicle under this regulation so long as the International Circulation Permit or International Transit Permit is in force.

(5) Neither a registration mark under sub-regulation (1)(a) of this regulation nor a nationality sign of a country outside Ghana shall be carried on a motor vehicle in respect of which a International Circulation Permit or International Transit Permit is not in force.

#### **Visitors driving permits**

139. (1) Subject to the provisions of this regulation a person resident outside Ghana who holds a driving permit issued under the Vienna Convention in a foreign country which is a party to that Convention, shall, while the permit is in force, be exempt from the requirements of Section 53 of the Road Traffic Act, Act 683, which makes it unlawful to drive without a licence issued under the Road Traffic Act, Act 683, as respects any motor vehicle of the category specified in the driving permit.

(2) This regulation shall not apply to a person –

- (a) who under the Road Traffic Act, (Act 683) is disqualified from holding a driving licence, or
- (b) who has not attained the age of 18 years.

(3) where a person holding a driving permit issued under the Vienna Convention in a foreign country is convicted of an offence in connection with the driving of a motor vehicle the court by or before whom the person is convicted may, in addition to any other penalty to which the person may be liable, make an order depriving that person of his right to drive motor vehicles in Ghana for a period specified in the order, and shall cause particulars of the order to be endorsed on the permit.

(4) Regulation 32 shall apply to a driving permit issued under the Vienna Convention.

#### **Use of foreign drivers licence**

140. (1) A person shall not use a foreign driving licence to drive in Ghana.

(2) A holder of a foreign driver's licence shall convert his or her licence in accordance with Section 55, 56 and 57 of the Road Traffic act, Act 683 to enable that person drive in the Country.

## **PART VI – TRAFFIC OTHER THAN MOTOR TRAFFIC**

#### **Definition**

141. in this Part –

“Vehicle” does not include a motor vehicle or trailer.

#### **Rules of the road**

142. A driver, rider or person having control of a vehicle on a road shall -

- (a) make use of the hand-signals prescribed for drivers of motor vehicles in regulations 104;
- (b) between sunset and sunrise show a white light to the front sufficient to warn persons on the road and a red light or red reflex glass to the rear,
- (c) except when overtaking traffic proceeding in the same direction, keep to the right of the road;
- (d) when overtaking traffic proceeding in the same direction pass the traffic only on the left,
- (e) whenever necessary, give audible and sufficient warning of approach by sounding a bell, horn or other appliance which the vehicle is required to be fitted;
- (f) shall where designated lanes, carriage ways or other facilities are provided make use of these facilities,

- (g) Comply with the signs illustrated in the Fourth Schedule and traffic signs placed on or near a road by order of the local authority or other authority responsible for the maintenance of the road for the guidance of drivers of vehicles.

**Bicycles, Hand Carts, Animal Drawn Carts, roller skates etc.**

143. (1) A person shall not operate a hand cart, hand trolley/trucks or a similar non-motorable vehicle without registration number and operating permit from the Metropolitan, Municipal and District Assemblies.

(2) Any person who operates such non-motorized vehicle contrary to sub-regulation (1) above commits an offence.

(3) A person shall not on a road -

- (a) ride a bicycle abreast of more than one person also riding a bicycle except in an authorized guided racing event;
- (b) whilst riding a bicycle hold on to any motor vehicle or other vehicle while the vehicle is in motion.
- (c) ride a bicycle which at least 23cm of the lowest part of the rear mudguard is not painted white on the outside which is reflective,
- (d) leave a vehicle to which an animal is attached unattended,
- (e) propel a barrow, truck, hand-cart or similar vehicle other than by holding the pole or shafts,
- (f) ride or drive furiously an animal or vehicle or drive at a speed of more than 10km/h any vehicle carrying a load which projects more than 90cm beyond either end of the vehicle,
- (g) willfully or negligently prevent, hinder or interrupt the free passage of a person, vehicle or animal,
- (h) draw up any vehicle so as to obstruct free passage along a road,
- (i) drive, ride, propel or park vehicle or animal on footway or pavement provided for the use of pedestrians, or
- (j) fasten an animal so as to obstruct or endanger a person lawfully using the road.

(4) A person shall not operate a roller skate on a public road except at a pedestrian and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply at designated play grounds authorized by the appropriate Metropolitan, municipal or district Assemblies.

(5) A person shall not hold on to a motor vehicle in motion while operating a roller skate, skateboard or ride in or by means of any coaster, toy vehicle, or similar device.

(6) A person upon roller skates, bicycles or skateboards or riding in or by means of any coaster, toy vehicle, or similar device shall interfere with the intended uses of sidewalks, parking lots, or court areas.

### **Animals on road at night**

144. (1) Any person driving or herding an animal along a road between sunset and sunrise shall carry a red light visible along the road in both directions.

(2) A person riding a horse along a road between sunset and sunrise shall carry either a red light visible along the road to the rear or a red reflex glass directed to the rear.

### **Transportation of Animals in vehicles**

145. (1) A person shall not carry a pet animal in a motor vehicle unless it is properly restrained in a manner to ensure safety of the driver, occupants of the vehicle and other road users.

(2) A person shall not leave or allow a bovine animal, horse, ass, mule, sheep, goat, pig, ostrich etc, to be on a section of a public road where that section is fenced or in a manner closed along both sides, and the person shall not leave the animal in a place from where it may stray onto the sections of a road.

(3) The provision in sub-regulation (1) shall not apply –

- (a) to an animal which is being ridden or is being used to draw a vehicle along a public road; or
- (b) to an animal which is being driven from one place to another in a manner as not to constitute a source of danger or injury to a person or vehicle using such road.

(4) in any prosecution for a contravention of sub-regulation (1), it shall, in the absence of evidence to the contrary, be assumed that an animal referred to in sub-regulation (1) was left or allowed to be on the section of the road or public place concerned by its owner and a section of a road shall be regarded as fenced or enclosed along both sides even though there is an opening providing access to the road in the fence.

(5) A person shall not carry a pet animal on a road unless it is properly restrained to ensure the safety of other road users.

## **PART VII – GENERAL**

### **Use of Road by Pedestrians**

146. (1) Where a Police Officer or an authorized person is directing vehicular traffic on a road a person who proceeds across or along the carriage way in contravention of a direction to stop commits an offence.

(2) A person who jaywalks or ignores traffic light signals commits an offence.

### **Boarding and Alighting from Vehicles**

147. (1) Any person who boards or alights from a vehicle at an unauthorized place commits an offence.

(2) Any driver who stops at an unauthorized place commits an offence.

(3) A person shall not enter or alight from any vehicle on a road unless the vehicle is stationary.

(4) A person shall not open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

### **A person being an excess passenger on vehicle**

148. Any person who boards a vehicle in excess of the allowable or permitted sitting capacity of a vehicle commits an offence.

### **Spot fines**

149. (1) A person who commits any offence specified under the Seventh Schedule to these regulations shall be liable to the payment of spot fine in lieu of court proceedings.

(2) A Police Officer of the rank of an Inspector or above may impose a spot fine on a person who commits an offence provided for under the Seventh Schedule to these regulations where,

(a) the offence is committed in the presence of the Police Officer and

(b) the relevant fine for the offence is prescribed under the Seventh Schedule to these regulations.

(3) Subject to sub-regulation(1), a Police Officer in whose presence an offence is committed shall give the offender a ticket and the offender shall be given the option to pay the spot fine at the place where the offence was committed or be prosecuted for the offence.

(4) Where a person pays a spot fine for the commission of an offence no prosecution shall be brought against that person in respect of same offence.

(5) Where a person denies the commission of an offence or fails to pay the spot fine, the case shall be processed for court.

(6) The ticket shall be in the form provided in under the Seventh Schedule to these regulations and shall provide details of the offence and state the fine payable.

(7) The offender shall pay the spot fine at the place where the offence was committed or at any Motor Traffic and Transport Unit (MTTU) office designated by the Police Officer within 24 hours and the offender shall be given a receipt in the form provided in under the Seventh Schedule to these regulations.

(8) Where an offence is committed because a part of vehicle is defective, the offender shall be given a further 24 hours after the payment of the spot fine to correct the defect and shall not be liable within that period for the same offence.

(9) Notwithstanding sub-regulation (3) a Police Officer may, having regard to the seriousness of the act constituting the offence process the offender for court without the option of paying a spot fine.

(10) Any person who contravenes or fails to comply with any of the provisions of these regulations commits an offence.

(11) Without prejudice to sub-regulation (1) a person who contravenes or fails to comply with a provision of the Seventh Schedule to these regulations commits an offence. and is liable

- (a) for a first offence and two subsequent offences to a fine not exceeding 5 penalty units for each offence
- (b) for a fourth offence to a fine of 10 penalty units;
- (c) for a Fifth offence to a fine of 15 penalty units;
- (d) on summary conviction by a court for a sixth offence, to an order from the court for the cancellation of the person's driving licence by the Authority for not less than 12 months and re-testing by the Authority before the issue of a new driving licence.

(12) Where a person is summarily convicted by a court for failure to pay a spot fine the person is liable to a spot fine not exceeding 250 penalty units or imprisonment for a term not exceeding 12 months.

### **Highway Patrol**

150. (1) Highway Patrol Units shall be established under the Minister to control the use of public roads.

(2) The highway patrol unit shall be empowered to ensure

- (a) safety on the use of public roads
- (b) timely removal of broken down and abandoned vehicles
- (c) check other traffic infractions such as over speeding, drink driving, over loading, etc as may be prescribed by law.

### **Power to Inspect, Impound and Prohibit the use of Vehicles**

151. (1) An Examiner appointed by the Licensing Authority or a Police Officer may inspect a motor vehicle or trailer with a view to ascertaining whether the provisions of the Road Traffic Act, Act 683 or of any regulation made or permit issued under the Act are being complied with.

(2) In the event of non-compliance with the provisions, an examiner or Police Officer not below the rank of Inspector may by order in writing prohibit the further use of the motor vehicle or trailer until the provisions have been complied with.

(3) A person shall not use or permit a motor vehicle or trailer to be used in contravention of an order specified under sub-regulation (2).

(4) An Examiner or a Police Officer in uniform may stop a motor vehicle or a trailer with a view to ascertaining whether the motor vehicle or a trailer drawn thereby is being used in contravention of the Road Traffic Act, Act 683 or any regulation made under it or permit or licence issued. In the event of a motor vehicle or trailer being used in that manner, a Police Officer may impound the motor vehicle or trailer or cause them to be taken to any police station or place of safety and detained there until the motor vehicle or trailer and driver can be identified and dealt with as provided for under these regulations.

(5) An owner or driver of a motor vehicle shall, on demand by an examiner or a Police Officer not below the rank of Inspector, produce the vehicle or trailer drawn thereby at the time and place as the Examiner or Police Officer may appoint and submit it for inspection and test as may be required with a view to ascertaining whether the provisions of the Road Traffic Act, Act 683 or a regulation, permit or licence issued are being complied with.

### **Traffic wardens**

152. A person employed by a Metropolitan, Municipal and District Assembly as a traffic warden, who is in control of vehicular and pedestrian traffic on a road within the jurisdiction of the local authority may stop a vehicle on a road in order to facilitate the safe conduct of traffic on a pedestrian crossing and, where necessary, for the purpose of road safety generally in connection with road construction or other road works.

### **Prohibition of use of certain roads**

153. (1) Where the Minister is of the opinion that it might be unsafe to permit a particular class or type of vehicle to use a road, the Minister may by

notice published in the Gazette prohibit the class or type of vehicle from using the road, and shall cause suitable warning signs to be erected on the approaches to the road.

(2) A person shall not contravene a warning sign erected in accordance with this regulation.

### **Application for Police Report on Accidents**

154. (1) A person may apply in writing for a Police Report relating to an accident involving a motor vehicle, to the Police Officer in charge of the jurisdiction within which the accident occurred.

(2) An application for a Police Report shall be accompanied by a fee as prescribed in the Fifth Schedule to these regulations.

(3) On receipt of an application for a Police Report the Police Officer to whom the application is submitted shall, as soon as practicable, cause a copy of the report made on the accident to be sent to the applicant in duplicate.

(4) A person to whom a Police Report has been supplied may obtain additional copies of the report upon payment of a fee as prescribed in the Fifth Schedule to these regulations.

### **Exemption from Registration and Licensing of Motor Vehicles and Trailers**

155. The provisions of these Regulations relating to the registration and licensing of motor vehicles or trailers shall not apply to a motor vehicle or trailer run by any branch of the Armed Forces, Police Service, Fire Service and Prisons Service.

### **Speed Limits**

156. Except otherwise indicated by the Road Authority a maximum permissible speed limit of;

- a. 50km per hour shall apply in respect of every road or section thereof, situated within an urban or built up area;
- b. 80km per hour shall apply in respect of every road or section thereof, other than a motorway, situated outside an urban area; and
- c. 100 km per hour shall apply in respect of every motorway.

### **Speed limits for particular class of vehicles**

157. Notwithstanding Regulation 156, a maximum permissible speed limit of;

- a. 60km per hour shall apply in respect of all Heavy Goods Carrying Vehicles when loaded;

- b. 80kms per hour shall apply in respect of;
  - i. A bus; and
  - ii. An omnibus used for the conveyance of persons for reward.
  - iii. A saloon car or light vehicle with a trailer attached.
- c. 30km per hour shall apply in respect of agricultural vehicles and slow moving vehicles.
- d. For all other motor vehicles, the provisions in regulation 156 shall apply.

### **Reasonable and prudent speed for conditions to be observed**

158. A person shall not drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards relating to the environment then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when travelling upon any narrow or winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or road conditions.

### **Exemption from speed limit**

159. The provisions of regulations 156 and 157 or bye-laws made under the Road Traffic Act, Act 683 imposing a speed limit on motor vehicles shall not apply to a vehicle on an occasion when it is being used for Fire Brigade, Ambulance or Police purposes, if the observance of those provisions would be likely to hinder its use for that purpose on that occasion.

### **Obedience to Police and Fire Service officials**

160. A person shall not willfully fail or refuse to comply with any lawful order or direction of a police officer or firefighter.

### **Fleeing or attempting to elude police officer**

161. It shall be an offence for any driver of a motor vehicle to willfully fail or refuse to bring his/her vehicle to a stop or otherwise flee or attempt to elude a pursuing police vehicle, when given visual or audible signal to bring the vehicle to a stop. The signal given by the police officer may be by hand, voice, emergency lights or siren.

### **Authorized Emergency Vehicles**

162. (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in these regulations.

- 2) The driver of an authorized emergency vehicle may:
  - a. Park or stand any restricted area by the provisions of these regulation;
  - b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  - c. Exceed the maximum speed limits as prescribed in these regulations so long as the driver does not endanger life or property;
  - d. Disregard regulations governing direction of movement or turning in specified directions.

3) The exemptions granted in these regulations to an authorized emergency vehicle responding to an emergency situation shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, horn, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light, blue for ambulance, fire or emergency rescue vehicles, visible under normal atmospheric conditions from a distance of 150m to the front of such vehicle.

4) The foregoing sub-regulations shall not relieve the driver of an authorized emergency vehicle from the responsibility to drive with due regard for the safety of all persons, nor shall such sub-regulations protect the driver from the consequences of the driver's reckless disregard for the safety of others.

### **Obstructing intersections and pedestrian crossings**

163. A driver shall not enter an intersection, pedestrian crossing and other marked areas unless there is sufficient space on the other side of the intersection, pedestrian crossing and other marked areas to accommodate the vehicle he/she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

### **Disregarding signs and barricades**

164. A person shall not operate any vehicle over, on, or across any newly constructed pavement or newly marked pavement on a road, over or circumventing where there is a barrier or sign authorized by lawful authority prohibiting such vehicle operation.

### **Exceeding weight limits on certain roads**

165. (1) No truck, trailer or motor vehicle shall use certain roads when the licence plate designation or gross weight designation on the vehicle exceeds the posted weight limit.

(2) Posted weight limits shall not apply to:

- a) Emergency vehicles; or
- b) Trucks used in providing essential services or carrying goods, merchandise, or other articles to or from any location abutting upon any of such roads. Such trucks shall be permitted to enter at the nearest point to the said location and provide such services or deliver or receive such goods, merchandise or other articles but shall not proceed farther than the nearest point of exit.

(3). A road agency shall erect appropriate signs and markings to designate those roads on which trucks are prohibited.

### **Racing on Streets and Roads**

166. A person shall not drive a vehicle on a road in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test or exhibition, except in an area designed or authorized for that purpose.

### **Obedience to stop lights, stop signs and yield right-of-way signs**

167. (1) In accordance with these regulations when signs are erected giving notice thereof, drivers of vehicles shall stop or yield right-of-way, as the case may be, at every intersection marked by a stop or yield sign in obedience to such signs so erected and posted.

(2) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield or stop the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle at the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of such driver's failure to yield right-of-way.

(3) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the pedestrian crossing on the near side of the intersection, or, in the event there is no pedestrian crossing, at a clearly marked stop line, but if none, then at the point nearest the intersecting road where the driver has a view of approaching traffic on the intersecting road.

(4) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the pedestrian crossing on the near side of the intersection, or, in the event there is no pedestrian crossing, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting road where the driver has a view of approaching traffic on the intersecting road before entering the intersection.

(5) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by sub-regulation (4), and after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the road as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

### **Obedience to signal indicating approach of train**

168. (1) Whenever a person driving a vehicle approaches a railway line at grade crossing, the driver of such vehicle shall stop within 15m but not less than 5m from the nearest rail of such railway line, and shall not proceed until such driver can do so safely. The foregoing requirements shall apply when:

- a. A clearly visible electric or mechanical or signal device gives warning of the immediate approach of a train or rail car;
- b. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train or rail car;
- c. An approaching train or rail car is plainly visible and is in hazardous proximity to such crossing.

(2) A person shall not drive any vehicle through, around or under any crossing gate or barrier at a railway crossing while such gate or barrier is closed or is being opened or closed.

### **Passing of Vehicles stopped at Pedestrian Crossing**

169. Whenever any vehicle is stopped at a marked pedestrian crossing or at any unmarked pedestrian crossing at any intersection to permit a pedestrian to cross the road, the driver of any other vehicle approaching from the rear or front shall not overtake and pass such stopped vehicle.

### **Passing of school buses**

170. The driver of a vehicle on any road, upon meeting or overtaking from either direction any school bus which has stopped for the purpose of receiving or discharging any schoolchildren and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching any such school bus and shall not proceed until the school bus resumes motion or until signaled by its driver to proceed.

### **Obedience to Traffic Control Officers and Devices**

171. The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of these regulation, unless otherwise directed by a traffic or police officer, subject to the exceptions granted a driver of an authorized emergency vehicle.

### **Restricted use of bus stops and taxi stands**

172. A person shall not stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxi stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxi waiting to enter or about to enter such zone.

### **Parking for the Physically Challenged**

173. (1) It shall be an offence for any person to park a vehicle in any space designated or reserved by a sign for physically challenged parking whether on public or private property open to public use, unless the vehicle bears a licence plate or placard for the disabled.

(2) It shall be an offence for any vehicle operator not physically disabled to use the physically challenged parking space unless there is a physically disabled person in the vehicle, or the vehicle is being used to transport a physically disabled person.

### **Driving in processions**

174. A driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

### **Driving through processions**

175. A driver of a vehicle shall not drive between the vehicles of a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this division. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

### **Stopping, standing, and parking of buses and taxis regulated**

176. (1) A driver of a bus or taxi shall not stand or park such vehicle on a road at any place other than a designated taxi stand or bus stop.

(2) A driver of a bus or taxi shall not stop such vehicle on a road or at any place for the purpose of loading or unloading passengers or their baggage other than at a designated bus stop, taxi stand or passenger loading except in case of an emergency.

### **Provision for facilities for the physically challenged on public transport**

177. Wherever possible, provision shall be made to facilitate the movement of physically challenged people in the provision of transport infrastructure and services.

### **Causing danger to road users**

178. A person shall not without lawful authority or reasonable excuse cause anything to be on or over a road to interfere with the movement a motor vehicle, trailer or motor cycle.

### **Highway Code**

179. (1) The Minister may issue a Highway Code for the guidance of persons using a road.

(2) Failure to observe any provision of the Highway Code shall not in itself render a person liable to criminal proceedings of any kind, but may in any proceedings, whether criminal or civil, including proceedings for an offence under these Regulations, be relied upon by any party to the proceedings as tending to establish or to negate any liability which is in question to those proceedings.

### **Penalties**

180 (1) A person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence and liable on

conviction to a fine, or in the case of a subsequent conviction for the same offence to a fine or to imprisonment or to both.

(2) Any person who contravenes or fails to comply with any condition attached to a licence or permit issued under these Regulations shall be deemed to have contravened or failed to comply with the provisions of these Regulations.

## **Interpretation**

181. In these Regulations, unless the context otherwise requires -

**“Act”** means Road Traffic Act 2004, Act 683 under which these regulations are made.

**“abnormal load”** means or relates to a load, which by its nature unavoidably exceeds the legal load and or dimensional limits and thus requires a special permit to travel.

**“articulated vehicle”** means a combination of vehicles comprising of a motor vehicle and a semi-trailer coupled to the motor vehicle;

**“awkward load”** means a load which by its nature or by the nature of the container of vehicle in which it is carried, is difficult to handle or store, such load is divisible and therefore not an abnormal load. Such loads are bitumen, volatile liquids or gases and perishable goods etc;

**“Freight container”** – a container having volume of 20 or 40 tons equivalent units (TUE’s) designed and constructed to permit being lifted with its contents intact and intended primarily for containing packages during transportation.

**“Hazardous goods”** – a substance or material which is capable of posing unnecessary risk to health, safety and property when transported in commercial quantities.

**“axle-load”** weight transmitted on road by an axle bearing two or more pneumatic tyres;

**“axle weight”** means, in relation to an axle of a heavy motor vehicle or of a trailer, the aggregate weight transmitted to the

surface beneath by the several wheels attached to that axle, when the heavy motor vehicle or the trailer is loaded except that where there are wheels which are independently attached, or mounted on jointed or separately suspended axles, in the same transverse plane, the wheels shall for the purpose of this definition be deemed to be mounted on a single axle;

**“agricultural tractor”** means a vehicle used exclusively for hauling agricultural implements or loads within a farm area, and includes wheeled or tracked vehicles so used and any implements or loads, but does not include a vehicle used for the purposes of timber extraction;

**“animal”** a living creature with all the five senses of sight, taste, hearing, touch and smell other than a human being.

**“articulated vehicle”** includes a prime mover with a hook-on trailer when loaded with a log or logs;

**“authorized officer”** means any person authorized to enforce or perform a specific function under these regulations.

**“Carriage of goods”** includes the haulage of goods

**“Convention of 1931”** means the International Convention on the Taxation of Foreign Motor Vehicles concluded at Geneva on the 30<sup>th</sup> of March, 1931;

**“Dealer”** includes a person who stocks motor vehicles for sale, a person who carries on business as a tester of motor vehicles and a person who exposes for sale a motor vehicle.

**“gross vehicle weight”** means the weight of the motor vehicle or the trailer together with the weight of any load (including any person or animal) thereon where any motor vehicle has any trailer together with the weight of any load be deemed to be part of the motor vehicle and references in these Regulations to a motor vehicle shall be construed as references to the motor vehicle together with such trailer.

**“Tell-tail device”** A device that informs or signals to the driver in the vehicle about the operation of other working devices around the vehicle.

**“Highway Code”** means the Highway Code issued by the Minister under section 36 of the Road Traffic Act 2004, Act 683 and Regulation 179 of these regulation;

Authority

**“illuminating surface”** means the visible surface of a reflex reflector from which light is reflected;

**“licensing Authority”** means the Driver and Vehicle Licensing

**“local authority”** means any Metropolitan, Municipal Or District Assembly established under an enactment for the time being in force relating to local government;

**“Minister”** means the Minister responsible for Transportation

**“motor-cycle”** means any motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground;

**“multi-axle combination”** means a group of axles consisting of more than three (3) axles suspended together with a spacing between the axles from 1.2 to 2.5;

**“nationality sign”** means a sign complying with the provisions of Annex (3) to the 1968 Vienna Convention and bearing the distinctive letters specified in or under the Vienna Convention for the country under the law of which the vehicle is registered;

**“Owner”** means in relation to a motor vehicle the person by whom the motor vehicle is kept and used and in the case of a motor vehicle which is the subject of an agreement for hire, hire purchase or loan, the person in possession of the motor vehicle under that agreement.

**“visitor’s registration document”** means –

- (a) in the case of a vehicle registered in a foreign country which is a party to the Convention of 1968, a registration certificate issued under the law of that country and containing the serial number or registration number, the name or the trade mark of the maker of the vehicle, the maker’s identification or serial number, the date of its registration and the full name and permanent place of residence of the applicant for the said certificate; or

an international vehicle certificate in the form in the Convention of 1968 issued under the law of a foreign country which is a party to that Convention.

**“omnibus”** means any motor vehicle specifically designed and constructed for the exclusive purpose of carrying seven or more passengers and their hand luggage for hire or reward;

**“overall width”** means the width measured between parallel planes passing through the extreme projecting points of a vehicle exclusive of any driving mirror;

**“overhang”** means the distance measured horizontally and parallel to the longitudinal axis of a vehicle between two vertical planes at right angles to such axis the one passing through that point of the vehicle which projects farthest to the rear and the other passing –

- (a) in the case of a motor vehicle having three axles, one of which is not a steering axle, through the centre point of that axle; and
- (b) in the case of a motor vehicle having three axles,
  - (i) where the front axle is the only steering axle, through a point 10.2cm in rear of the centre of a straight line joining the centre points in the rear and middle axles; and
  - (ii) where the rear axle is the only steering axle, through the centre point of the middle axle; and
  - (iii) where all the axles but one are steering axles, through the centre point of the axle which is not a steering axle; and
- (c) in the case of a motor vehicle (whether two axles or three axles) where all the axles are steering axles, and in the case of a motor vehicle having four or more axles, through a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

**“overload”** means that the axle load, the load from group of axles, the load from other multi-axle combinations or gross vehicle weight on a vehicle exceeds the prescribed legal limits for any particular part of public roads;

**“P-Plate”** means a plate issued to a newly passed driver.

**“Pedestrian Crossing”** means that portion of a road at an intersection included within the prolongation or connection of the curb line and adjacent boundary, line of such road whether such portion is marked or not, or any other portion of a road designated as a pedestrian crossing by appropriate road traffic signs.

**“chevron”** means a shape like a “V” or an upside down “V” used as a road sign to indicate a severe or acute bend in the road.

**“L-Plate”** means a learner driver’s licence plate

**“passenger vehicle”** means any motor vehicle (other than an omnibus) used or intended to be used for carrying seven or more passengers for hire or reward, the passengers paying at the rate of separate or distinct fares for their respective places;

**“class one towing”** vehicle means a vehicle designed to lift and tow other vehicles maximum weight of 5500kgs

**“class one towing”** vehicle means a vehicle designed to lift and tow all kinds of vehicles.

**“Commercial driver”** includes a paid driver and the driver of any vehicle licenced to ply for hire or reward;

**“Reflex reflector”** means a device used to indicate the presence of a vehicle by reflection of light emanating from a light source unconnected with that vehicle, the observer being placed near the source.

**“Road Authority”** means the Ghana Highways Authority as establish by Ghana Highway Authority Act, 1997 or any authorized agency responsible for the provision and management of road infrastructure;

**“safety Glass”** means transparent glass or other transparent material so constructed or treated that, when fractured, the possibility of large flying fragments or splinters is minimized.

**“Spot fine”** a fine payable under these regulations where the offence was committed.

**“single axle”** means one axle with at least two pneumatic tires;

**“super load”** means a load which is extraordinarily large and indivisible, and which has special route requirements, a special vehicle and a permit such as giant indivisible cranes or large prefabricated structures;

**“super single tyre”** means a single mounted tire specially designed for replacing the combination of dual mounted tires on axles with air suspension;

**“tandem axle”** means two (2) axles suspended together with spacing between the axles from 1.2m to 2.5m and interconnected in such a manner that any load imposed upon them will automatically be distributed in proportions predetermined by the design of the suspension system, regardless of the road profile or road condition;

**“taxi”** means any motor vehicle designed or constructed to carry not more than seven persons (inclusive of the driver), used or intended to be used for carrying not more than six passengers for hire or reward;

**ton or tonne”** means metric ton or 1,000kg;

**“Tremcard”** means the transport emergency card listing the hazards and emergency information for a material being transported for use by the driver during an incident, or by the emergency services, if required.

**“triple axle”** means three (3) axles suspended together with a spacing between the axles from 1.2m to 2.05m and interconnected in such a manner that any load imposed upon them will automatically be distributed in proportions pre-determined by the design of the suspension system, regardless of the road profile or road condition;

**“vehicle”** includes a motor vehicle, a motor cycle and a bicycle

**“width”** in relation to a tyre means the maximum thickness of a tyre, from one side of the tyre to the other, measuring parallel to the axle as specified on the tyre by the manufacturer.

**“road”** includes a street, highway and any other road or public place to which the public has access by vehicle or cycle and the bridge over which a road passes.

### **Revocation**

182. The Road Traffic Regulations, 1974 (L.I. 953) as subsequently amended are hereby repealed.

### **Commencement**

183. These Regulations shall come into force on the .....day or.....2006.

## **SCHEDULES**