

ACT

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SIGNED this 4th day of September, 2003.

ALHAJI AHMAD TEJAN KABBAH,
President.



No. 5



2003

Sierra Leone

The Road Transport Authority (Amendment) Act, 2003

Short title.

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

[11th September, 2003] Date of com-
mencement.

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

The Road Transport Authority Act, 1996 is amended by the
insertion of the following sections immediately after section 26
thereof: —

Amendment
of Act No. 4
of 1996.

*Establishment
of corps of
traffic
wardens.

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

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

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

Functions of
traffic
wardens.

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

Act No. 62 of
1994

(a) Road Traffic Act, 1964;

S. I. No. 77 of
1960

(b) Road Traffic Regulations, 1960;

Cap. 133

(c) Motor Vehicle (Third Party Insurance) Act.

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

(a) to control and regulate traffic;

(b) to render the roads free from unnecessary obstruction and ensure the free flow of traffic;

(c) to educate the public on road safety;

(d) in the case of an accident—

- (i) to divert traffic from the scene when necessary;
- (ii) to keep onlookers away and render first aid to any injured person;
- (iii) to dispatch the injured, if any, to the nearest health centre or hospital without delay;
- (iv) to report the accident to the nearest police station; and
- (e) to enforce all rules and regulations pertaining to the conduct of road users, including pedestrians, for the promotion of road safety.

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

Power of
traffic warden
to issue
tickets.

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

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

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

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

Report to
police in
certain cases.

26D. Where—

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

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

Power of
traffic warden
to clamp or
tow vehicle.

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

Act No. 62 of
1964.

S.I. No. 77 of
1960.

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

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

Traffic
wardens to
wear uniform.

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

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

Traffic
wardens to
have
protection.

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

Power to
amend
Schedules.

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

FIRST SCHEDULE

(Section 26C (1))

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