

## **ACCRA METROPOLITAN ASSEMBLY(Operation of Commercial Vehicles) Bye-laws, 2017**

In exercise of the powers conferred upon the ACCRA METROPOLITAN ASSEMBLY by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is made

### **1.Application and Fees**

- (a) Every application for commercial vehicle registration shall be made to the licensing officer of the Assembly by the responsible executives of the local union or branch under which it intends to operate.
- (b) No commercial vehicle registration shall be approved under this Bye-law, unless the vehicle in respect of which the registration is required, has been licensed as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Act or any other appropriate enactment in force at the time.
- (c) A person shall not paint or spray or equip any vehicle or cause or allow any vehicle to be painted or sprayed or equipped for use as a commercial vehicle without being registered.
- (d) The evidence of the registration shall be:
  - i) A sticker affixed to the windscreen of the vehicle.
  - ii) The sticker shall be renewed annually.
- (e) A commercial passenger vehicle registration shall not be approved unless the vehicle has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate. Every vehicle registered under this Bye-law shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.
- 6)' All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station. A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the Assembly.

### **2.Issue and display of License**

The licensing officer shall issue a vehicle sticker with the registration number of the vehicle inscribed on it which shall be displayed on the front windscreen of the vehicle.

### **3.Display of License**

- (a) The driver of every vehicle operating bus services will be required to boldly display a destination board in front of the vehicle at all times and the vehicle shall have a sticker issued by the union which shall be affixed to it indicating the lorry station it is registered under.

(b) The driver named in the operating permit to drive a commercial vehicle shall have in his possession the commercial driver's license issued by the Assembly whenever he is using the vehicle to work.

(c) Where the owner or driver or union decides to allow another driver to drive the commercial vehicle that driver must have a valid driving license and a valid Assembly driver's license.

#### **4. Number of Passengers**

A licensed commercial vehicle shall not be permitted to carry more than the permitted capacity of the vehicle as determined by the Driver Vehicle Licensing Authority.

#### **5. Duties of License Holders**

(1) Every driver permitted to drive a commercial vehicle under this Bye-law shall;

(a) Observe all traffic regulations including pedestrian crossing;

(b) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.

(c) Notify the Assembly of any change in his postal, residential or office address within seven days of such change.

(d) Keep and maintain the commercial vehicle in good condition.

(2) A person permitted to drive a commercial vehicle under this Bye-law shall not;

(a) Permit any person other than the person licensed under this Bye-law to drive the commercial vehicle, unless the person also holds a commercial driver's license from the Assembly.

(b) Remove, deface, alter, mutilate or cancel the license or any notice mark affixed to the commercial vehicle in pursuance of this Bye-law nor, allow or permit any other person to do same.

(c) Permit the commercial vehicle to be used for any unlawful purpose.

(d) Display any advertisement inside or outside the vehicle without the consent of Assembly or the appropriate authorities as required by the Bye-laws of Assembly.

#### **6. Revocation of License**

(1) A commercial vehicle registered under a permit shall be revoked by the Assembly, if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time, or any other provisions of this Bye-law.

(2) Where a vehicle is found to be violation of any provision of any Bye-law or road traffic regulations as indicated in the preceding paragraph, the Court at which the owner or driver is brought, may make an order for the suspension or the prohibition of the use of the vehicle for

transport services where the driver has been convicted under this Bye-law on two or more occasions for-

- (a) Using the vehicle for illicit purposes;
- (b) Dishonesty; or
- (c) Failing to keep or maintain the vehicle in a manner required by any enactment for the time being in force.

## **7. Records**

- (a) A licensed driver shall, on being requested to do so by an authorized enforcement officer of the Assembly, produce his Assembly commercial driving license for inspection.
- (b) The licensing officer of the Assembly shall keep a record of all commercial vehicles registered under this Bye-law.

## **8. Monitoring and Enforcement**

A task force established under this Bye-law at the Transport Department of the Assembly shall routinely visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicles stickers and Assembly commission driver license by drivers.

## **9. Duty to Produce License**

- (a) A vehicle without such permit shall pay a spot fine to be fixed by a resolution of the AMA before being allowed to regularize its registration under the appropriate operating permit;
- (b) Every licensed driver shall, on being requested so to do by a member of the police service or officers duly authorized by the AMA produce his commercial driving license and sticker to the task force.

## **10. Restrictions**

- (a) Every commercial driver providing transport services within the Assembly shall obtain a commercial driver's license from the Assembly.
- (b) A driver permitted under this Bye-law as a commercial driver must possess a license to drive commercial a vehicle issued by the Driver Vehicle Licensing Authority.

### **11. Duration of License**

A commercial vehicle driver's license shall remain in force for a person of one year unless revoked or suspended.

### **12. Lost License**

Where a commercial driver's license is lost or destroyed the Licensing Officer shall issue a duplicate license upon the production by the applicant of a satisfactory police report supported by an affidavit duly sworn to by the applicant and upon payment of the prescribed fee.

### **13. Production of License**

Every commercial vehicle driver shall have his commercial vehicle driver's license in his possession wherever the driver is acting as a commercial vehicle or when appearing before any court and shall on request produce the license for inspection by police officer or any officer duly authorized by the Assembly.

### **14. Renewal of License**

An applicant submitting an application for the renewal of a license shall submit to the licensing officer.

- (a) His current driver's license and
- (b) Payment of prescribed fees

### **15. Suspension or Withdrawal of License**

A commercial vehicle driving license shall not be suspended or withdrawn under this Bye-law unless-

- (a) The driver's license has become suspended or withdrawn or
- (b) A court law so orders.

### **16. This Bye-laws shall not apply to-**

- (a) Any vehicle which is the property of the Government, Statutory Body, Board or Corporation;  
or

(b) Any commercial vehicle operating under a permit other than by Assembly which is in transit through the Metropolis of Accra, provided that the driver of such a vehicle shall not be guilty of an offence under this Bye-law.

### **17.False Declarations**

Any license obtained under this Bye-law as a result of false declarations or misrepresentations shall be null and void and any fee paid for such license shall not be recoverable.

### **18. Excess Passengers**

(a) A commercial vehicle shall not carry persons in excess of the number allowed to be carried by the vehicle, provided that for the purpose of this Bye-law, an infant and any every child below twelve years old shall not count as a person.

(b) Not more than two persons including the driver in case of taxi or three in the case of a coach (the driver inclusive) shall sit on the front seat.

(c) A driver of a taxi shall not carry luggage on the roof or on the bonnet.

(d) A person suffering from an infectious disease shall not be allowed to be allowed on a vehicle with other passengers.

### **19. Prohibitions**

(1) A driver of a commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way as to obstruct traffic and/or nuisance.

(2) A driver of a commercial passenger vehicle shall ensure that no passenger leaves his/her luggage in the vehicle upon reaching the destination.

(3) A driver of a commercial vehicle shall not retain a portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.

(4) Every driver of a commercial vehicle shall convey passengers to their destination without alighting them along the way and re-boarding them and charging respective fares for each stretch.

(5) Every driver of a commercial passenger vehicle shall conduct himself in a non-abusive manner to passengers and other road users.

(6) A driver of a commercial vehicle shall not charge more than the fares prescribed and approved by the Assembly in consultation with representatives of the major transport operator unions.

## **20. Taxi Ranks**

The Assembly may provide taxi ranks subject to such conditions and rules as to the use, thereof as it may prescribe.

## **21. Nuisance**

A driver shall not blow the horn of his vehicle nor make any unnecessary noise to the annoyance of other users of the road.

## **22. Monitoring and Enforcement**

- (a) The Transport Department of Assembly shall have a standing task force to monitor and ensure compliance with this Bye-law.
- (b) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedback from stakeholders and the general public.
- (c) All complaints arising out of application of this Bye-law should be forwarded to the Metro Chief Executive for investigation and redress.

## **23. Provision of Lorry Park**

Where a lorry park has been provided by the Assembly or provided by a private company and approved by the Assembly, a vehicle shall not load, or unload goods or passengers unless that place has been designated for that purpose.

## **24. Lorry Park Fees**

- (a) There shall be payable for the use of the lorry park in respect of each vehicle a fee fixed by the fee fixing resolution of the Assembly.
- (b) A driver of a motor vehicle shall on entering the lorry park each day pay the prescribed fee to the person appointed by the Assembly to be in charge of the lorry park.
- (c) The attendant shall issue a ticket in respect of each payment specifying the amount paid, the date of issue and the registration number of the vehicle and such ticket shall be available only for the vehicle specified on it and it shall not be transferable.
- (d) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the prescribed fee.

(e) A driver who intentionally fails to pay the prescribed fee shall have the vehicle clamped and made to pay twice the prescribed fee.

(f) The ticket so issued by the collector of parking fees shall be valid from the time the vehicle is parked to the time it is moved away from its parking place in the case of a parking lot.

## **25. Mode of entering a Lorry Park/ Parking Lot**

Every driver entering a lorry park/ Parking Lot shall:

(a) Enter through the entrance and leave through the exit

(b) Upon entering, the vehicle shall park at a designated place as indicated by the management of the Lorry Park/ Parking Lot

(c) Apply handbrake or any other means to secure the vehicle to prevent it from moving unmanned.

## **26. Accredited Bookmen**

(a) A license that is issued to a Bookman to operate as such shall be renewed when it expires upon satisfactory performance.

(b) The Assembly may revoke the license that is issued to a bookman for acts prejudicial to the good discipline and operation of the Lorry Park/ Parking Lot

## **27. Offences**

(a) A person shall not light naked fire or use any unprotected light in a lorry park/ Parking Lot.

(b) A person shall not place or cause to be placed any refuse, garbage, offensive or unwholesome matter in the Lorry Park/ Parking Lot except at such place as may be provided by the Assembly for that purpose

(c) A person shall not use a fuel station as a parking space except for refueling.

(d) A person shall not trade or carry out any business in a lorry park except at designated places in the

(e) A person shall not sell any alcoholic beverage within 2 kilometers of the Lorry Park/ Parking Lot.

(f) A person shall not offload goods, food stuff or animal on the street or lanes adjacent to the Lorry Park/Parking Lot

(g) A person who offloads goods, food stuff or animals at a lorry park / Parking Lot shall convey them to the appropriate market within 2 hours.

## **28. Penalty**

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Accra Metropolitan Assembly

## **29. Interpretation**

In these bye-law unless the context otherwise requires —

*"Assembly"* means Accra Metropolitan Assembly

*"Driver"* means any person who is the owner or has charge or control over a vehicle or being present is entitled to give orders to the person having or control of the vehicle.

*"Motor vehicle"* means any mechanically propelled vehicle intended or adopted for use on roads

*"Coach"*, minibus or bus means any motor vehicle not being a taxi and not being a Government vehicle or that of any corporation, used or intended to be used for carrying passengers for regard.

*"Taxi"* means any motor vehicle designed to carry not more than five persons and used for carrying passengers for reward under a contract expressed or implied for the use of the vehicle as a whole or for an agreed sum. *"Licensing Officer"* means the City Manager or any Officer authorized by him to act as such.

## **30. Revocation:**

The Accra Metropolitan Assembly regulation of vehicle parking places Bye-law, 1995 is hereby revoked.

**Made at a meeting of the Accra Metropolitan Assembly held on the 19<sup>th</sup> of April, 2017**

**Presiding Member**

HON THOMAS MUSTAPHER ASHONG

**Co-ordinating Director/Secretary**

SAMUEL AYEH DARTEY

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government and Rural Development.



.....April, 2017

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Regional Co-ordinating Director and secretary to R.C.C