

## **Ga East Municipal Assembly (Operation of Commercial Vehicles) Bye-Law, 2016**

In exercise of the powers conferred on the Ga East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

### **Application and Fees**

1. (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, 2004 (Act 683) and any other appropriate enactment at the time in force  
(c) A person shall not use any vehicle or cause or allow any vehicle to be used as a commercial vehicle without being registered by the Assembly. The evidence of the registration shall be:
  - i) A sticker affixed to the windscreen of the vehicle.
  - ii) The sticker shall be renewed annually valid until the date (one year after the expiration of the previous license) upon renewal of the appropriate license.  
(d) A commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration 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 affixed to the vehicle. 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.  
(e) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station.  
(f) A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of Assembly.

### **Issue and display of license**

2. (a) 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.  
(b) The driver of every vehicle operating commercial service 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 with.

(c) 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.

(d) 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 driver's license from the Assembly.

### **Number of passengers**

3. 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.

### **Duties of licensees**

4. (a) Every driver permitted to drive a commercial vehicle under this bye-law shall;
  - i) Observe all traffic regulations including pedestrian crossing;
  - ii) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.
  - iii) Notify the Assembly of any change in his postal, residential or office address within seven days of such change.
  - iv) Keep and maintain the commercial vehicle in good repairs.
- (b) A person permitted to drive a commercial vehicle under this Bye-law shall not;
  - (i) 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 but has no car.
  - (ii) Remove, deface, alter, mutilate or cancel the license or any notice or mark affixed to the commercial vehicle in pursuance of this Bye-law nor, allow or permit any other person to do same.
  - (iii) Permit the commercial vehicle to be used for any unlawful purpose.
  - (iv) Display any advertisement inside or outside the vehicle without the consent of Assembly or the appropriate authorities as required by the Bye-laws of the Assembly with regard to fees.

### **Revocation of license**

5. (a) 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 or any other provisions of this Bye-law.
- (b) The Court 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 force.

### **Records**

6. (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.

### **Monitoring and Enforcement**

7. A task force established under this Bye-law at the transport department of 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 the Assembly driver license by drivers.

### **Inspection of license**

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

### **Lost license**

9. Where a 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.

### **Renewal of license**

10. An applicant submitting an application for the renewal of a license shall submit to the licensing officer, his current driver's license and pay the prescribed fees.

### **Suspension or withdrawal of license**

11. (a) A commercial vehicle driving license shall not be suspended or withdrawn under this Bye-law unless-
  - (i) the driver's license of the holder has become suspended or withdrawn or
  - (ii) a court so orders.
- (b) This Bye-law shall not apply to-
  - (a) Any vehicle which is the property of the Government, a statutory body, a Board or Corporation; or

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

### **False declarations**

- 12. 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.

### **Prohibitions**

- 13.
  - (a) Every driver of a commercial passenger vehicle shall convey passengers to their destination without alighting them along the way and re-boarding them and charging respective fares for each stretch.
  - (b) Every driver of a commercial passenger vehicle shall not conduct himself in abusive manner to passengers and other road users.
  - (c) A commercial vehicle or taxi shall not charge more than the fares prescribed and approved by the Ga East Municipal Assembly in consultation with representatives of the major transport operator unions.
  - (d) A driver shall not blow the horn of his vehicle nor make any unnecessary noise to other users of the road.
  - (e) A commercial vehicle shall not carry any number of persons in excess of the number allowed to be carried by the vehicle provided that for the purpose of this Bye-law, an infant shall not count as a person and every child of twelve years old shall count as one person.
  - (f) Not more than two persons including the driver in case of a taxi, or three if a coach (the driver inclusive) shall sit on the front seat.
  - (g) A driver of a taxi shall not carry luggage on the roof or on the bonnet.
  - (h) A person suffering from an infectious disease shall not be allowed with other passengers on a coach, minibus, bus or taxi.
  - (i) A commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.

### **Taxi Ranks**

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

### **Offence and penalty**

- 15. Any person who contravenes any provision of this Bye-law commits an offence and shall be liable on conviction to a fine of not less than 100 penalty units, and in default to a term of imprisonment not exceeding two weeks or to both.

### **Title**

16. This Bye-law may be cited as the Ga East Municipal Assembly (Operation of Commercial Vehicles) Bye-law, 2016.

### **Interpretation**

17. In this Bye-law, unless the context otherwise requires-
- “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 reward.
- “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.

### **Revocation**

18. Any Bye-law on coaches, minibus, buses and taxis in force immediately before the coming into force as this Bye-law is hereby revoked.

Made at a meeting of the Ga East Municipal Assembly held on the 24<sup>th</sup> April, 2017

SIGNED

**HONOURABLE JESSE NII NOI ANUM**

*Presiding Member  
Ga East Municipal Assembly*

SIGNED

**ALHAJI SHEHU AWUDU KADIRI**

*Municipal Co-ordinating Director  
and Secretary of GEMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Water Resources and Sanitation.

**Regional Minister**

**Regional Co-ordinating Director.**