

IN exercise of the powers conferred on the Sekondi Takoradi Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made.

Title

I. This Bye law may be cited as Sekondi Takoradi Metropolitan Assembly (Control of Vehicles) Bye-law, 2017 and shall apply to the area of administration of the Sekondi Takoradi Metropolitan Assembly (hereinafter called "the Assembly").

PART 1 - LICENSING AUTHORITY

Approval by Examining Officer

1. No person shall be granted a vehicle license, taxi license or a taxi driver's license by the Licensing Authority, acting by the Licensing Officer, unless the grant of such license shall first have been approved by the Examining Officer.
2. (1) Any license granted by the Licensing Officer under this Bye-law may at any time be .revoked, suspended or varied by him/her or any person or persons authorized by him/her so to do.
 1. The holder of any license so revoked, suspended or varied shall within seven days of such revocation, suspension or variation deliver the license to the Licensing Officer for the removal of any notice affixed in pursuance of this Bye-law.
 2. Any person who is aggrieved by the decision of the Licensing Officer in suspending, revoking or varying any license within seven days of such decision may notify the Licensing Officer, in writing, of his/her intention to appeal against such decision to the Metropolitan Chief Executive.
 3. The aggrieved person shall present a petition for redress to the Metropolitan Chief Executive whose decision shall be final in such matters.

False Representations

1. If any person, for the purposes of obtaining the grant of a license for himself/herself, or for any other person, partnership or company, knowingly makes any false statement or withholds any material information, he/she shall be guilty of an offence under this Bye-law.

Fees

2. The prescribed fees payable for an application form for a license or for the grant of any license under this Bye-law shall be as provided in the Fees Fixing Resolution of the Assembly for any particular year.

Application

3. All applications tendered to the Licensing Authority in respect of the grant of a license shall be dealt with as soon as practicable.

PART 11 - TAXI/ COMMERCIAL VEHICLE LICENCE

License

1. No person shall allow, cause or permit any motor vehicle to be used as a taxi or commercial vehicle nor drive any motor vehicle within the Metropolis unless in addition to being licensed under the Motor Traffic Ordinance, it has also been licensed for use as a taxi or commercial vehicle under this Bye-law.

Application Form

2. Every application for a taxi license or a commercial vehicle license shall be made to the Licensing Authority on the form prescribed in the First Schedule, which may be obtained from the Licensing Officer at a specified fee and shall be signed by the owner of the vehicle; or where the vehicle is jointly owned, by one of the owners; or where the owner is a partnership or company, by the senior partner or the secretary or the manager or other duly authorized officer of the company, as the case may be, on its behalf.

Refusal of Grant

3. The Licensing Officer shall make such enquires into the applicant's character and circumstances as he may think fit and may refuse to grant such license if he is satisfied:
 - a. That the applicant has been convicted of any indictable offence or any offence involving dishonesty; or
 - b. That the vehicle in respect of which the application is made does not conform to the required conditions of fitness laid down by the Examination Officer
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Procedure for Grant

10. (l) If after examining a motor vehicle presented to him/her for examination the Examining Officer finds that it conforms to the conditions of fitness and is fit for public use, he/she shall give a certificate in respect of the vehicle on the application form.
 1. The applicant shall then produce the application form to the Licensing Officer who shall endorse thereon his approval for the issuance of the license.
 2. The Licensing Officer or an officer authorized by him/her shall then grant to the applicant the relevant license in respect of the vehicle to which the certificate relates and issue an appropriate sticker accordingly.

Form Duration and Conditions for Grant

11. Every taxi or commercial vehicle license shall be in the form prescribed in the Second Schedule hereto and shall be in force until the end of year in which it was issued unless sooner revoked or suspended, and shall be granted subject to the provisions therein specified and subject also to the following conditions:
 1. Every licensed driver shall when so requested by a member of the Ghana Police Service or a member of the Metropolitan Guard Unit or Metropolitan Traffic Unit or an Officer of the Assembly produce the License for examination.
 2. The license holder, if he/she changes his/her address during the currency of the license, shall notify the licensing officer within fourteen (14) days from the date of such change and shall at the same time send or deliver the license to the Licensing Officer who shall endorse thereon the licensee's new address and return the license to him/her forthwith.
 3. The licensee shall not alter, deface, mutilate or obliterate the license by erasure or otherwise.
 4. The licensee shall not permit any person to act as the driver of a taxi when it is hired or plying for hire unless such a person is the holder of a valid taxi driver's license issued in accordance with provisions of this Bye-law or in the case of a commercial vehicle unless such a person is the holder of a valid professional driver's license issued by the Driver & Vehicle Licensing Authority.
 5. The licensee shall at all reasonable times allow the Licensing Officer or any such person authorized by him/her to inspect and examine the vehicle.
 6. The licensee shall not remove or cancel any notice affixed to the vehicle in pursuance of this Bye-law, nor cause or permit any person not authorized by the Licensing Officer to remove or conceal any such notice, nor cause or permit any person not so authorized to alter, deface, mutilate or obliterate any notice placed on the vehicle by the Licensing Officer.
 7. The licensee shall not knowingly permit the vehicle to be used for any unlawful purpose.
 8. The licensee shall keep the vehicle in good repair and/order at all times.
 - i. The licensee shall not cause or permit any object or any printed, written or other matter to appear or be displayed on the outside or the inside of the vehicle by way of advertisement without the express approval of the Licensing Officer.
 - j. If the licensee ceases to be the owner of the vehicle to which a license relates during the currency of the license, he shall forthwith notify the License Officer and return such license to him/her for cancellation before delivering the vehicle to its new owner.

Defaced License etc.

1. (1) A license which is defaced or on which there is unauthorized erasure or alternation of any material particular shall be void and the holder thereof ceased to be licensed.

1. If any person uses or has in his possession any altered or irregular taxi or commercial vehicle license or any altered or irregular notice required for the purpose of this Bye-law, he/she shall be guilty of an offence.

Renewal

2. (I) the licensee shall, not later than fifteen days after the expiration of the period for which the license in respect of the vehicle was granted, deliver up the license and present the vehicle for renewal thereof.
 1. If the licensee conforms to the provisions of this Bye-law and the vehicle complies with the conditions necessary for granting of a license, the Licensing Officer. shall renew the license.

License Issued to Companies

3. Where a license issued under this Part is held by any person on behalf of a partnership or company, both that person and such partnership or company or as the case may be shall be deemed to be the licensee in respect of that license and shall as such be liable for any breach of the provision of the Bye-law or any of the provisions or conditions subject to which the license was granted.

PART 111 - TAXI DRIVER'S LICENCE Age

Limit

4. A taxi driver's license shall not be granted to any person under the age 18 years and if so granted to any person under that age, shall be void.

License

5. No person shall drive any taxi when it is plying for hire or conveying any goods or passengers unless he holds a taxi driver's license granted in pursuance of this Bye-law.

Application form

6. Every applicant for a taxi driver's license shall apply to the Licensing Authority in the form prescribed in the Third Schedule and provide adequate proof to a committee appointed by the Licensing Officer that he/she has sufficient knowledge of the Metropolis and the provisions of this Bye-law.
7. (I) The Licensing Committee shall meet as often as necessary at such time and place as shall be specified by the Licensing Officer.
 1. The Licensing Committee may refuse to approve the grant of a taxi driver's license to any applicant and endorse its refusal on the application form if it is satisfied that the applicant is not of good character or has insufficient knowledge of the Metropolis or of the provisions of this Bye-law.
 2. No taxi driver's license shall be granted to any person who is not in possession of a current valid professional driving license issued by the Driver & Vehicle Licensing Authority authorizing him/her to drive motor vehicles of the class used as taxis and any taxi driver's license issued hereunder shall be void if the holder thereof • ceases to hold a current valid professional driver's license.
 3. If the Committee on the other hand is satisfied, it shall approve the grant of a license and the Licensing Officer shall accordingly issue the license to the applicant.

Form and Duration of License

1. Every taxi driver's license shall be in such form as prescribed in the Fourth Schedule hereto and shall, unless sooner revoked or suspended, be in force for a period of one calendar year from the date of issue subject to its subsequent renewal.

Inspection

2. A taxi driver shall have his license in his taxi at all times or when appearing before any court, and shall produce it for inspection on demand by a person hiring his taxi, a Police Officer, a member of the Metropolitan Guard Unit or Metropolitan Traffic Unit or an Officer of the Assembly.

Failing to Stop etc.

3. If any holder of a taxi driver's license fails to stop or fails to produce his license when so demanded by a member of the Metropolitan Guard Unit or Metropolitan Traffic Unit or fails to report at the Guards' offices when so demanded by a member of the Metropolitan Guard Unit or Metropolitan Tramcar Unit or an Officer of the Assembly, he/she shall be guilty of an offence.

PART IV - MISCELLANEOUS

4. (1) No person, including the driver, shall be carried on any taxi or commercial vehicle in excess of the number of persons which it is licensed to carry, provided that, in computing such numbers, an infant in the arms Of another person shall not count as one person.
 1. Not more than one person other than the driver shall sit on the front seat of any taxi, and in such case no luggage shall be carried in the front part of the taxi.
 2. No luggage shall be carried on the roof of any taxi unless it is fitted with a roof rack approved by the Licensing Officer.

Illumination Sign

1. When a taxi is provided with means of illuminating a sign bearing the word "Taxi" fitted with the approval Of the Licensing Officer. the driver when plying for hire between 6:00 pm and 6:00 am shall cause the sign to be illuminated.

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2. (I) The fare payable for the hire or use of a taxi or a commercial vehicle shall be in accordance with the rates fixed by the person or institution given such a responsibility by the Assembly or the government of Ghana.
 - (2) No driver of any taxi or commercial vehicle shall demand more than the authorized fare nor shall he either before, during or at the end of the hiring solicit or in any way bargain for any sum in excess of the said fare.

Loitering

1. Except by reason of accident or other unavoidable cause, no driver of a taxi or commercial vehicle shall cause the same to loiter, and except as aforesaid or in the case of a taxi for the purpose of picking up a passenger, no such driver shall cause such vehicle to stop at any public place other than at a taxi rank, lorry park or parking lot.

Lost Items

2. (I) any person who finds any item or property accidentally left in a taxi or a commercial vehicle shall immediately hand it over to the driver.
 1. Any driver who finds any item or property left in a taxi or to whom any such property is handed shall, within twenty-four hours, deposit any such items or property at the offices of the Metropolitan Guards Unit in the state in which it was found or handed to him/her and shall truly state the particulars of such finding; provided that such property is sooner claimed by the owner forthwith instead of being deposited at a police station.

Offence and Penalty

3. (1) Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine of not less than 100 penalty units and not exceeding 250 penalty units, or to a term of imprisonment not exceeding six months, or to both.
 1. There shall be a further fine of 25 penalty units for each day on which the offence is continued after written notice of the offence has been served on the offender in the case of a continuing offence.
 2. . Alternative to penalty 27(2) above, there shall be a minimum spot fine of twenty (20) penalty units or GHC200.OO — whichever is greater — to be exacted where necessary by authorized officers of the Assembly and for which an appropriate receipt shall be issued.

Interpretation

28. In this Bye-law, unless the context otherwise requires —

"Commercial Vehicle " includes any motor vehicle used for commercial purposes other than a taxi, such as buses, vans, tankers, and trucks;

"Commercial Vehicle License " a license granted in accordance with Part I I of this Bye-law;

"Company" includes a company limited by liability or otherwise;

"Examining Officer" means any member of the Drivers and Vehicle Licensing Authority authorized by the Ministry of Roads and Transport to test and report on vehicles which are proposed to be used as taxis or commercial vehicles;

"Licensee " means any person to whom a taxi license, commercial vehicle license or taxi driver's license is granted;

"licensing Authority" means either the Licensing Officer or any person so authorized by the Assembly;

"Licensing Officer " means the Metropolitan Coordinating Director or any person(s) designated by him/her for the granting of such license;

"Loiter " means to proceed in a street at a slower speed than that which other passenger vehicles would normally be driven in the same street at the same time;

"Officer of the Assembly " means the Metropolitan Chief Executive, Metropolitan Coordinating Director, Metropolitan Works Engineer, Metropolitan Finance Officer and Metropolitan Solicitor.

"Public Way " includes any highway, market place, lorry park, square, street, bridge or any other way, which is lawfully used by the public;

"Taxi " means any motor vehicle designed or constructed to carry not more than five or seven persons or used or intended to be used for carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole or for a fixed or agreed rate or sum;

"Taxi Driver's License" means a license granted in accordance with Part III of this Bye-law.

"Taxi Rank" means any place designated by the Assembly as a standing place for taxi awaiting hire.

SCHEDULE 1

(Section 8)

SEKONDI TAKORADI METROPOLITAN ASSEMBLY (STMA) (CONTROL OF VEHICLES) BYE-LAW, 2017

APPLICATION FORM FOR TAXI / COMMERCIAL VEHICLE LICENCE

I,hereby apply for a Taxi / Commercial Vehicle License on my own behalf/ on behalf of. as follows:

A. Particulars of Applicant/Owner

B. Particulars of Partnership/Company

Name.....

Name.....

Address.....

Address of Head Office.....

Nationality.....

Address of Local Office.....

Age.....

Profession.....

D. Particulars of Insurance Policy/Cover Note

C. Particulars of Vehicle:

Brand.....

Insurer.....

Type..

N

Policy/Cover Note o..... Certificate No..

H.P.....

Colour.....

Date of Issue.....

Index No.....

Date of Expire,.....

I hereby declare that the above particulars are true to the best of my knowledge.

Date:.....

Signature of Applicant

SCHEDULE 2

(Section 11)

SEKONDI TAKORADI METROPOLITAN ASSEMBLY (STMA)

(CONTROL OF VEHICLES) BYE-LAW, 2017

TAXI/COMMERCIAL VEHICLE LICENCE

License No:.....

StickerNo:.....

I, Licensing Officer of the Sekondi Takoradi Metropolitan Assembly authorized to grant Taxi/Commercial Vehicle License under the Sekondi Takoradi Metropolitan Assembly (Control of Commercial Vehicles) Bye-Law, 2017, hereby grant to a Taxi License/Commercial Vehicle License in respect of the Taxi/Commercial Vehicle with Index No..... permitting such vehicle to operate within the area of Jurisdiction of the Assembly.

This license is granted subject to compliance by the licensee with the provision of:

- i. Sekondi Takoradi Metropolitan Assembly (Control of Commercial Vehicle) Bye-law, 2017.

This license shall remain in force from the date hereof until the 31st day of December . unless sooner revoked or suspended.

Date:.....

Licensing Officer

SCHEDULE 3

(Section 17)

LOCAL GOVERNMENT BULLETIN, 17TH AUGUST, 2018
SEKONDI TAKORADI METROPOLITAN ASSEMBLY (STMA)
(CONTROL OF VEHICLES) BYE-LAW, 2017

APPLICATION FORM FOR TAXI DRIVER'S LICENCE

I, hereby apply for a Taxi Driver's License.

PARTICULARS OF APPLICANT

Mailing Address..... Eyes.....
..... Mouth....

Residential Address.....
.....

Date of Birth..... Nose.....
.....

Profession..... Complexion.....

Driving License Number..... Peculiarities.....
.....

Right Thumbprint

I hereby declare that the above particulars are true to the best of my knowledge.

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Signature of Applicant

.....
Date

FOR OFFICIAL USE ONLY

Approval is hereby given for the issue of a taxi driver's license to the applicant whose description appears above.

Date:

For: Licensing Committee

Taxi Driver's License No. is hereby granted to accordingly.

Date.....

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Licensing Officer

SCHEDULE 4
(Section 19)

LOCAL GOVERNMENT BULLETIN, 17TH AUGUST, 2018
TAXI DRIVER'S LICENCE

I, Licensing Officer of the Sekondi Takoradi Metropolitan Assembly authorized to grant Taxi/commercial Vehicle License under the Sekondi Takoradi Metropolitan Assembly (Control of Commercial Vehicles) Bye-law, 201 7 hereby grant to . _____ . . a Taxi License/Commercial Vehicle License in respect of the Taxi/Commercial Vehicle with Index No... permitting such vehicle to operate within _____ the area of Jurisdiction of the Assembly.

This license is granted subject to compliance by the licensee with the provision of:

1. Sekondi Takoradi Metropolitan Assembly (Control of Commercial Vehicle) Bye-law, 2017
2. All ordinances, rules, regulations and other laws relating to taxis and commercial vehicles for the time being in force. This license shall be valid for one year from the date hereof and shall expire on _____ unless sooner revoked or suspended or renewed.

Date:.....

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Licensing Officer

