
BILLS**SUPPLEMENT No. 6****28th June, 2019****BILLS SUPPLEMENT***to The Uganda Gazette No. 30, Volume CXII, dated 28th June, 2019*Printed by UPPC, Entebbe, by Order of the Government.

Bill No. 14*Traffic and Road Safety Act 1998
(Amendment) Bill***2019****THE TRAFFIC AND ROAD SAFETY ACT 1998
(AMENDMENT) BILL, 2019****MEMORANDUM****1. POLICY AND PRINCIPLES.**

The object of this Bill is to amend the Traffic and Road Safety Act, 1998, Cap. 361 to strengthen road transport regulation and road safety management in Uganda. The Act was enacted in 1998 and in the course of operationalization of the Act, a number of technical hitches and deficiencies have been encountered making it difficult to ensure its full operationalization due to previously unforeseen omissions and inadequacies in the Act. Additionally, there are a number of challenges that have emerged since the Act was enacted; including the new and emerging trends and dynamics of road transport and road safety management, the increased number of road users, including motor cycles on Uganda's road networks, increased road accidents and the need to conform to the regional and international agreements that Uganda is a signatory to.

It is therefore imperative to substantially amend the Act to address the existing challenges and to also take into account new government policies.

2. DEFECTS IN THE EXISTING LAW.

Since the enactment of the current law was enacted in 1998 and the emerging changes in road transport regulation and road safety

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management in Uganda which are not adequately addressed have led to deficiencies in the current law. Some of the defects include lack of definition for careless, reckless and dangerous driving in the Act so as to guide the Uganda Police in their application. There is also ambiguity and contradiction in sections 111, 112 and 118 on drunk driving. Currently the Act does not impose a duty for physical possession of the original driving permit but instead requires that a driver produces it within forty eight hours after request by the traffic police. The Act does not provide for proper guidelines for liability or insurance cover to enhance safety. Sections 15 to 17 of the Act provide for the annual road licence which has since been abolished, rendering these sections redundant. There is, instead, need to introduce provisions for annual vehicle inspections of all vehicles for road worthiness.

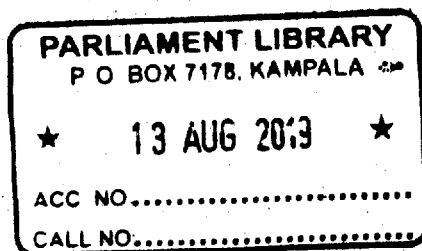
There is also need to reform the law to address emerging issues not currently addressed in the law including third party rights in motor vehicles, regrouping of motor vehicles for purposes of driving permits to harmonise with international standards, provision of a five year validity period of driving licences, licensing and regulation of special categories of transport network companies using online digital platforms for the provision of passenger and goods transport services in Uganda; organisation of public transport including by requiring public transport providers to form companies, cooperatives or savings and credit cooperative societies, conditions for market entry, oversight and exit in public transport services in Uganda, punitive penalties for causing bodily injury through careless, reckless or dangerous driving, demerit point system for traffic offences, duties of other road users and communities near scenes of road accidents and legal protection of first responders who make an effort to save lives of road accident victims and provision for safer vehicles, modification of vehicles and inspection of vehicles among others.

3. REMEDIES PROPOSED TO DEAL WITH THE DEFECTS.

The object of the Traffic and Road Safety Act 1998 (Amendment) Bill, 2019 is to address the gaps that have been identified in the

- (l) to harmonise the provisions relating to driving under the influence of alcohol or drugs so as to remove ambiguity;
- (m) to provide for duties of drivers, other road users, communities and first responders in case of road accidents;
- (n) to revise offences and penalties to take into account inflation and to provide for related matters.

HON. MONICA AZUBA NTEGE,
Minister of Works and Transport.



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current law by strengthening road transport regulation and road safety management. The Bill therefore seeks to amend the Traffic and Road Safety Act, 1998, Cap 361—

- (a) to repeal sections relating to road licences;
- (b) to require drivers to be in physical possession of a valid driving licence and a copy of the registration book while driving or in charge of a motor vehicle;
- (c) to amend the grouping of motor vehicles to conform to international standards;
- (d) to provide for licensing of driving schools and instructors;
- (e) to provide for a graduated driver licensing system;
- (f) to provide for a driver's licence valid for a period of five years;
- (g) to provide for a new lapsing period for driving licences;
- (h) to provide for the licensing and regulation of a special category of transport network companies using online digital platforms for provision of passenger and goods services;
- (i) to empower the minister to organise public transport;
- (j) to provide for conditions of market entry, oversight and exit in public transport services in Uganda;
- (k) to provide for a demerit point system;

THE TRAFFIC AND ROAD SAFETY ACT, 1998
(AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause

1. Short title.
2. Amendment of Cap 361.
3. Insertion of new section 3A in principal Act.
4. Amendment of section 7 of principal Act.
5. Amendment of section 8 of principal Act.
6. Amendment of section 10 of principal Act.
7. Amendment of section 11 of principal Act.
8. Substitution of section 12 of principal Act.
9. Amendment of section 13 of principal Act.
10. Substitution of section 14 of principal Act.
11. Repeal of section 15 of principal Act.
12. Repeal of section 16 of principal Act.
13. Repeal of section 17 of principal Act.
14. Amendment of section 18 of principal Act.
15. Repeal of section 20 of principal Act.
16. Repeal of section 23 of principal Act.
17. Amendment of section 29 of principal Act.
18. Amendment of section 31 of principal Act.
19. Amendment of section 33 of principal Act.
20. Amendment of section 35 of principal Act.
21. Amendment of section 36 of principal Act.

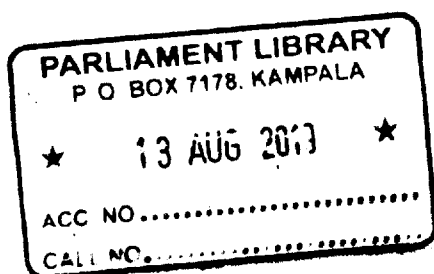
Clause

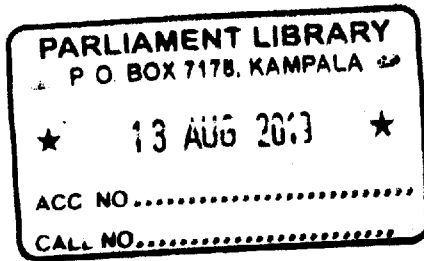
22. Amendment of section 37 of principal Act.
23. Amendment of section 41 of principal Act.
24. Amendment of section 42 of principal Act.
25. Amendment of section 45 of principal Act.
26. Amendment of section 51 of principal Act.
27. Amendment of section 54 of principal Act.
28. Amendment of section 57 of principal Act.
29. Substitution of section 61 of the principal Act.
30. Repeal of section 62 of principal Act.
31. Repeal of section 63 of principal Act.
32. Repeal of section 64 of principal Act.
33. Repeal of section 65 of principal Act.
34. Repeal of section 66 of principal Act.
35. Amendment of section 70 of principal Act.
36. Insertion of new section 70A in principal Act.
37. Amendment of section 71 of principal Act.
38. Insertion of new sections 71A to principal Act.
39. Amendment of section 76 of principal Act.
40. Amendment of section 77 of principal Act.
41. Amendment of section 82 of principal Act.
42. Amendment of section 94 of principal Act.
43. Amendment of section 97 of principal Act.
44. Amendment of section 99 of principal Act.
45. Repeal of section 101 of principal Act.
46. Repeal of section 102 of principal Act.

Clause

47. Amendment of section 104 of principal Act.
48. Amendment of section 105 of principal Act.
49. Amendment of section 107 of principal Act.
50. Amendment of section 108 of principal Act.
51. Repeal of section 109 of principal Act.
52. Repeal of section 110 of principal Act.
53. Substitution of section 111 of principal Act.
54. Substitution of section 112 of principal Act.
55. Substitution of section 113 of the principal Act.
56. Repeal of section 117 of principal Act.
57. Repeal of section 118 of principal Act.
58. Amendment of section 119 of principal Act.
59. Amendment of section 120 of principal Act.
60. Amendment of section 121 of principal Act.
61. Insertion of new section 122A in principal Act.
62. Amendment of section 123 of principal Act.
63. Amendment of section 125 of principal Act.
64. Insertion of section 125A to principal Act.
65. Amendment of section 126 of principal Act.
66. Amendment of section 127 of principal Act.
67. Amendment of section 128 of principal Act.
68. Amendment of section 129 of principal Act.
69. Amendment of section 130 of principal Act.
70. Insertion of Part VIA in principal Act.
71. Amendment of section 134 of principal Act.

- 72. Substitution of section 146 of principal Act.
- 73. Amendment of section 165 of principal Act.
- 74. Repeal of Part IX of principal Act.
- 75. Amendment of section 176 of principal Act.
- 76. Amendment of section 179 of principal Act.
- 77. Consequential Amendment to principal Act.





A Bill for an Act

ENTITLED

THE TRAFFIC AND ROAD SAFETY ACT 1998
(AMENDMENT) ACT, 2019

An Act to amend the Traffic and Road Safety Act, 1998, Cap 361 to strengthen road transport regulation and road safety management; to abolish the Transport Licensing Board and the National Road Safety Council; to repeal sections relating to road licences; to require drivers to be in physical possession of a valid driving licence and a copy of the registration book while driving or in charge of a motor vehicle; to amend the grouping of motor vehicles to conform to international standards; to provide for licensing of driving schools and instructors; to provide for a graduated driver licensing system; to provide for a driver's licence valid for a period of five years; to provide for new lapsing period of driving licences; to strengthen the department of transport regulation and safety as the competent Authority; to provide for the licensing and regulation of a special category of transport network companies using online digital platforms for provision of passenger and goods services; to empower the minister to organise public transport; to provide for condition of market

entry, oversight and exit in public transport services in Uganda; to provide for a demerit point system; to provide for duties of drivers, other road users and first responders in case of road accidents; to revise offences and penalties to take into account inflation and to provide for related matters.

BE IT ENACTED by Parliament as follows:

1. Short title.

This Act may be cited as the Traffic and Road Safety Act, 1998 (Amendment) Act, 2019.

2. Amendment of Cap 361.

The Traffic and Road Safety Act, 1998, Cap 361, in this Act referred to as the principal Act is amended in section 2 by substituting for subsection (1), the following—

“(1) In this Act, unless the context otherwise requires—

“bicycle” means any vehicle which has at least two wheels propelled by means of pedals or hand cranks solely by the muscular energy of the person riding it;

“carriageway” means a portion of a public road including the various traffic lanes and auxiliary lanes, but excludes shoulders;

“chief licensing officer” means the chief licensing officer of motor vehicles designated under section 3 and includes a deputy chief licensing officer;

“country taxicab” means a public service vehicle, not being a town taxicab with a seating capacity not exceeding seven excluding the driver and marked in a manner prescribed by regulations;

“Competent Authority” means the department of transport regulation and safety in the Ministry responsible for transport;

“currency point” has the value assigned to a currency point in the First Schedule to this Act;

“dealer” means a person who trades in, manufactures, assembles or repairs motor vehicles, trailers or engineering plants for financial reward or gain on their own account in accordance with section 29;

“demerit points system” means a method by which numerical values are assigned to traffic offences in proportion to the seriousness of the offence;

“digital network” means a set of communication standard for simultaneous digital transmission of voice, video, data and other network services over the traditional circuits of the public switched telephone network;

“driver”—

- (a) in relation to a motor vehicle, means a person who drives or attempts to drive or is in charge of a motor vehicle or other vehicle (including a cycle) or an instructor of a learner driver;
- (b) in relation to a towed vehicle, means a person who drives the towing vehicle; and
- (c) in relation to digital transport network, means a person who—
 - (i) receives via a digital network a request for the provision of pre-arranged rides from one or more potential user;

- (ii) uses a vehicle to offer or provide one or more potential user through a request with a pre-arranged ride following connection with the passenger via a digital network; and
- (iii) has met the safety requirements prescribed under this Act;

“driving school” means a school established under section 37 where a person intending to drive a motor vehicle, trailer or engineering plant receives instructions in driving a motor vehicle, trailer or engineering plant;

“dual-purpose vehicle” means a vehicle that is constructed or adapted for the carriage of passengers and of goods or burden of any description, the unladen weight of which does not exceed two tonnes;

“engineering plant” means movable plant or equipment being a self-propelled vehicle or trailer designed or constructed for special purposes of engineering operations which, when proceeding on a road, does not carry any load other than such as is necessary for its propulsion or equipment;

“examining officer” means a person appointed as an examining officer under section 4(1) (c) for purposes of testing drivers for issuance of a drivers’ licence;

“goods operator’s licence” means a licence issued under section 83;

“goods vehicle” means a heavy motorcar which is constructed or adapted for use for the conveyance of goods or burden of any description;

“heavy goods vehicle” means a heavy motorcar which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding a weight prescribed by regulations;

“heavy motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers, the permissible maximum weight of which exceeds twelve thousand kilograms;

“heavy omnibus” means a motor vehicle used for the carriage of persons, having a seating accommodation exceeding 30 seats in addition to the driver’s seat and may be coupled to a trailer whose permissible maximum mass exceeds seven hundred fifty kilograms;

“heavy tractor” means a tractor the weight of which exceeds two tonnes;

“insurance” carries the same meaning as defined in the Insurance Act;

“licence” means a licence issued under this Act;

“licensed instructor” means a person licensed under section 37(3) to instruct a person to drive a motor vehicle, trailer or engineering plant

“licensing officer” means a person appointed as a licensing officer under section 4(1)(a) for purposes of licensing and registering motor vehicles, trailers and engineering plants under this Act;

“licensing year” has the meaning assigned to it in sections 6 and 60;

“light goods vehicle” means a motor vehicle which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding three thousand five hundred kilograms but does not exceed seven thousand five hundred kilograms. Motor vehicles of this category may be coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilograms;

“light omnibus” means a vehicle having seating accommodation for more than eight people in addition to the driver’s seat but not exceeding sixteen people in addition to the driver’s seat and may be coupled to a trailer, the permissible maximum mass of which does not exceed seven hundred fifty kilograms; or, may be coupled to a trailer, not used for the carriage of persons, the permissible maximum mass of which exceeds seven hundred fifty kilograms but does not exceed the un-laden mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 12,000 kg;

“manufacture” with its grammatical variations and cognate expressions, means to subject any physical matter to any process—

- (a) which materially changes the matter in substance, character or appearance; and
- (b) which results in the matter, after being so processed, being spare parts” as defined in section 29(7);

“medium goods vehicle” means a medium motor vehicle which is constructed or adapted for use for the conveyance of goods or burden of any description exceeding three thousand five hundred kilograms but not exceeding twelve thousand kilograms;

“medium motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers the permissible maximum weight of which exceeds three thousand five hundred kilograms but does not exceed twelve thousand kilograms;

“medium omnibus” means a motor vehicle used for the carriage of passengers and having more than eight seats in addition to the driver’s seat but not exceeding 30 seats in addition to the driver’s seat. Motor vehicles of this category may be coupled to a trailer the permissible maximum mass of which does not exceed seven hundred kilograms.

“Minister” means the Minister responsible for transport;

“motorcar” means a motor vehicle, not being a motorcycle, which is constructed to carry a load or passengers, the permissible maximum weight of which does not exceed three thousand five hundred kilograms, and in the case of a passenger vehicle having not more than eight seats in addition to the driver’s seat;

“motorcycle” means any two-wheeled motor vehicle, with or without a side car equipped with a propelling engine;

“motor vehicle” means any self-propelled vehicle intended or adapted for use on the road;

“owner” means, in the case of a vehicle which is for the time being registered under this Act, the person or persons appearing as the owner or owners of the vehicle in the register kept by the chief licensing officer under this Act;

“owner’s transport vehicle” means a goods vehicle of an employer of labour in respect of which a permit is granted under section 88 to carry the employees or agents of that employer;

“passenger vehicle” means a vehicle that is constructed or adapted solely for the carriage of passengers and their effects and includes a dual-purpose vehicle;

“pedestrian crossing” means a crossing for foot passengers of the part of a road normally used by vehicular traffic established under this Act and indicated by traffic signs in accordance with the regulations applicable to that crossing;

“pre-arranged rides” means the provision of a platform whereby a driver accepts a request for a ride from a passenger;

“private omnibus” means a motor vehicle used for the carriage of persons, not being a public service vehicle, having seating accommodation for more than eight persons in addition to the driver’s seat;

“public omnibus” means a public service vehicle that carries passengers at separate fares on a previously determined route;

“public service vehicle” means a passenger vehicle licensed to carry passengers for hire or reward;

“quadricycle” means a motor cycle with four wheels used only for pleasure purposes;

“register” means a register which includes information stored for use in a computer and any other apparatus;

“registered practitioner” has the meaning assigned to it under the Medical and Dental Practitioners Act;

“rental vehicle” means a passenger vehicle which is a public service vehicle not carrying passengers at separate fares

and which plies for hire at a licensed fixed place of business not being a taxi rank, taxi park, bus park or road, on daily, weekly or monthly basis or for a specific journey;

“road” has the same meaning as defined in the Roads Act, 2019;

“semitrailer” means any trailer designed to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle and that a substantial part of its weight and of the weight of its load is borne by the motor vehicle;

“special machinery” includes tractors and earth moving equipment including graders, bulldozers and compacters;

“town taxicab” means a motorcar used as a passenger vehicle which stands on a rank or plies for hire on a road or a fixed place of business and is licensed to carry passengers for hire or reward under a contract express or implied for the use of the vehicle as a whole at the authorised fee and rates displayed on the vehicle and the sum indicated on the meter;

“traffic warden” means a person appointed as a traffic warden under section 166(1);

“trailer” means any vehicle designed to be drawn or propelled by a motor vehicle but does not include—

- (a) an integral sidecar, integral fore car or integral trailer attached to a motorcycle (which shall be regarded as forming part of the vehicle to which it is attached);
- (b) engineering plant; or

- (c) agricultural implement not constructed or adapted for the conveyance of goods or burden of any description when drawn by a farmer's power-driven vehicle;

“transportation Network Company” means a person that uses a digital network to connect motor vehicles to willing users for a fee;

“tricycle” means a motorcycle with three wheels;

“vintage motor vehicle” means a motor vehicle registered in Uganda before the first day of January, 1980 and which is used solely for purposes of exhibition at motor shows or similar events;

“vehicle” includes a machine or implement of any kind drawn or propelled along roads whether by animal, mechanical, electrical or any other motive power;

“vehicle inspector” means a person appointed as a vehicle inspector under section 4(1).”

3. Insertion of new section 3A in principal Act.

The principal Act is amended by inserting immediately after section 3 the following—

“3A. Functions of the chief licensing officer of motor vehicles.

The person designated as chief licensing officer under section 3 shall perform the following functions—

- (a) administer the provisions of this Act relating to motor vehicle registration and licensing;
- (b) advise the Minister on matters of policy for motor vehicles and driver licensing;

- (c) keep, in the prescribed form, registers of motor vehicles, registration plates, licences and driving licences;
- (d) furnish to an applicant, a certified copy of any entry in any register;
- (e) approve and record the modification of motor vehicles or cancel particulars of registration;
- (f) issue 'L' identification plates to licensed instructors in the prescribed specifications for the motor vehicle, trailer or engineering plant used by the instructor for purpose of instruction;
- (g) issue motor vehicle dealers' plates and registration plates for all registered motor vehicles, trailers and engineering plants;
- (h) cancel or suspend the registration of any motor vehicle, trailer or engineering plant for breach of this Act and regulations made under this Act;
- (i) cancel or suspend a driving licence or a class of driving licence for breach of this Act and regulations made under this Act;
- (j) licence all dealers of motor vehicles, trailers or engineering plant, assembly plants, manufacturers and motor vehicle repair facilities;
- (k) keep custody of all confiscated, cancelled and suspended registration plates and driving licences; and
- (l) give directions to licensing officers, vehicle inspectors and examining officers.

4. Amendment of section 7 of the principal Act.

Section 7 of the principal Act is amended in subsection (1) by inserting immediately after paragraph (b), the following new paragraph—

“(c) register of all holders of driving licences;”

5. Amendment of section 8 of the principal Act.

Section 8 of the principal Act is amended by numbering the current provision as subsection (1) and inserting after it the following new subsection (2)—

“(2) A ministry, department or agency of government is exempted from paying the fees prescribed under subsection (1).”

6. Amendment of section 10 of principal Act.

Section 10 of the principal Act is amended by numbering the current provision as subsection (1) and inserting after it the following new subsection (2)—

“(2) A person who commits an offence under subsection (1) is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.”

7. Amendment of section 11 of principal Act.

Section 11 of the principal Act is amended in subsection (1)—

- (a) by repealing paragraphs (f), (h) and (l); and
- (b) by inserting the following new paragraphs immediately after paragraph (m)—
 - “(n) tricycles, except those used by persons with disability; and
 - (o) quadricycles.”

8. Substitution of section 12 of principal Act.

The principal Act is amended by substituting for section 12 the following—

“12. Application for registration of motor vehicles.

An application for the registration of a motor vehicle, trailer or engineering plant shall be made to the chief licensing officer in the manner prescribed by regulations.”

9. Amendment of section 13 of principal Act.

Section 13 of the principal Act is amended—

- (a) by substituting for subsection (5), the following—

“(5) Where a motor vehicle, trailer or engineering plant is owned by more than one person, the registration shall be effected in the names of all the owners.”;

- (b) by inserting immediately after subsection (5), the following new subsections—

“(5a) A person who has an interest, including through a lease, security or loan in a motor vehicle, trailer or engineering plant shall register the interest under the Security Interest in Moveable Property Act, 2019.

“(5b) The Registrar under the Security Interest in Moveable Property Act, 2019 shall immediately submit to the chief licensing officer returns of all interests registered under subsection (5a).

(5c) The chief licensing officer, shall upon receipt of the returns under subsection (5b) and proof of payment of registration fees, enter the interests in the relevant registration books.

(5d) The chief licensing officer shall endorse the words “tax free” on all registration books relating to motor vehicles, trailers or engineering plants brought into the country duty free.”

- (c) in subsection (7) (h), by substituting for the words “not less than one year and not exceeding three years” the words “not exceeding five years.”; and
- (d) in subsection (7) (i), by substituting for the words “not less than two years and not exceeding five years” the words “not exceeding seven years.”

10. Substitution of section 14 of principal Act.

The principal Act is amended by substituting for section 14 the following—

“14. Re-registration of motor vehicles.

(1) An owner of a motor vehicle, trailer or engineering plant whose registration is cancelled or otherwise de-registered may apply to the chief licensing officer for re-registration of the motor vehicle, trailer or engineering plant.

(2) An application under subsection (1) shall be in a manner prescribed by regulations and shall be accompanied by the prescribed fee.

(3) The chief licensing officer may, where he or she is satisfied with an application made under this section, and upon payment of the prescribed fee by the applicant, re-register the motor vehicle, trailer or engineering plant.”

11. Repeal of section 15 of principal Act.

The principal Act is amended by repealing section 15.

12. Repeal of section 16 of principal Act.

The principal Act is amended by repealing section 16.

13. Repeal of section 17 of principal Act.

The principal Act is amended by repealing section 17.

14. Amendment of section 18 of principal Act.

Section 18 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) The owner of a motor vehicle, trailer or engineering plant shall, if change of circumstances affect the accuracy of the registered particulars of his or her motor vehicle, trailer or engineering plant, within fourteen days, forward the registration book with the prescribed fee to the chief licensing officer to enable the register and the registration book to be amended, and shall supply the chief licensing officer with such information as the licensing officer may require.”;

- (b) by inserting the following new subsections immediately after subsection (1)—

“(1a) A person shall not drive any class of motor vehicle, trailer or engineering plant on a public road unless he or she is in possession of a copy of the registration book in respect of the motor vehicle, trailer or engineering plant.”;

- (c) by inserting the following new subsections immediately after subsection (3)—

“(4) Whenever required by a police officer, a person shall provide the original copy of the registration book referred to in subsection (1a) within forty eight hours.

“(5) A person who contravenes subsection (1) or (1a) commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or imprisonment not exceeding six months or both.”

15. Repeal of section 20 of principal Act.

The principal Act is amended by repealing section 20.

16. Repeal of section 23 of principal Act.

The principal Act is amended by repealing section 23.

17. Amendment of section 29 of principal Act.

Section 29 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) Notwithstanding any other written law, a person shall not repair motor vehicles, trailers or engineering plant; trade, manufacture, deal in new, second hand or reconditioned motor vehicles, trailers or engineering plant, unless he or she—

- (a) has an approved place of business;
- (b) is in possession of a licence issued by the chief licensing officer; and
- (c) has a licence or a trading licence issued under the Trade (Licensing) Act or the Industrial Licensing Act, as the case may be.”; and

- (b) by substituting for subsection (6), the following—

“(6) A person who commits an offence under subsection (5) is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.”

18. Amendment of section 31 of principal Act.

Section 31 of the principal Act is amended by inserting immediately after subsection (4), the following new subsections—

“(5) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

(6) For the avoidance of doubt, both the owner and the buyer of a motor vehicle, trailer or engineering plant shall be liable under subsection (5).”

19. Amendment of section 33 of principal Act.

Section 33 of the principal Act is amended—

- (a) in subsection (1), by repealing paragraph (c);
- (b) in subsection (1) (e), by repealing the words “or licence”;
- (c) in subsection (2), by repealing paragraph (b);
- (d) in subsection (3), by repealing paragraph (b);
- (e) in subsection (4), by repealing paragraph (b);
- (f) in subsection (5), by repealing paragraph (d); and
- (g) by repealing subsection (6).

20. Amendment of section 35 of principal Act.

Section 35 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) A person shall not drive any class of motor vehicle, trailer or engineering plant on a road unless he or she holds and is in physical possession of a valid driving

licence or a valid learner driving licence endorsed in respect of that group of motor vehicle, trailer or engineering plant.”; and

- (b) by repealing subsection (2).

21. Amendment of section 36 of principal Act.

Section 36 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) For purposes of issuing driving licences, motor vehicles shall be divided into the following groups—

- (a) Group A: motorcycles;
- (b) Group A1: motorcycles with a cubic capacity not exceeding 125 cm³ and a power not exceeding 11 Kw (light motorcycles);
- (c) Group B:
 - (i) motor vehicles, having a permissible maximum mass not exceeding 3,500 kg and not more than eight seats in addition to the driver’s seat;
 - (ii) motor vehicles of category B coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg; or
 - (iii) motor vehicles of category B coupled to a trailer, the permissible maximum mass of which exceeds 750 kg but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 3,500 kg;

- (d) Group BI:
tricycles and quadricycles;
- (e) Group BE:
 - (i) motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg and exceeds the unladen mass of the motor vehicle; or
 - (ii) motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg, where the combined permissible maximum mass of the vehicles or motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg, where the combined permissible maximum mass of the vehicles so coupled exceeds 3,500 kg;
- (f) Group C:
motor vehicles, other than those in category D, having a permissible maximum mass exceeding 3,500 kg or motor vehicles of category C coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg;
- (g) Group C1: Motor vehicles, with the exception of those in category D, the permissible maximum mass of which exceeds 3,500 kg but does not exceed 7,500 kg or motor vehicles of subcategory C1 coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg;
- (h) Group C1E: Motor vehicles of subcategory C1 coupled to a trailer the permissible maximum mass of which exceeds 750 kg but does not exceed

the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 12,000 kg;

- (i) Group CE: motor vehicles of category C coupled to a trailer whose permissible maximum mass exceeds 750 kg;
- (j) Group D:
motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat but not exceeding 30 seats in addition to the driver's seat or motor vehicles of category D coupled to a trailer the permissible maximum mass of which does not exceed 750 kg;
- (k) Group D1: motor vehicles used for the carriage of passengers and having more than 8 seats in addition to the driver's seat but not more than 16 seats in addition to the driver's seat or motor vehicles of subcategory D1 coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg;
- (l) Group D1E: motor vehicles of subcategory D1 coupled to a trailer, not used for the carriage of persons, the permissible maximum mass of which exceeds 750 kg but does not exceed the unladen mass of the motor vehicle, where the combined; the permissible maximum mass of the vehicles so coupled does not exceed 12,000 kg;
- (m) Group DE: motor vehicles used for the carriage of passengers Seating accommodation exceeding 30 seats in addition to the driver's seat and motor

vehicles of this subcategory category may be coupled to a trailer whose permissible maximum mass exceeds 750 kg;

(n) Group F: special machinery including tractors and earth moving equipment including graders, bulldozers and compacters; and

(o) Group G: Agricultural tractors.”

(b) by substituting for subsection (3), the following-

“(3) A person may possess a driving licence allowing him or her to drive all the possible classes or a combination of motor vehicles, including Group A.”

22. Amendment of section 37 of principal Act.

Section 37 of the principal Act is amended—

(a) by substituting for the title “director of transport and communications” wherever it appears, the title “director of transport”;

(b) in subsection (6) by substituting for the words “not less than ten currency points and not more than fifty currency points” the words “not exceeding one hundred currency points.”;

(c) in subsection (7) by substituting for the words “not less than ten currency points and not exceeding fifty currency points”, the words “not exceeding one hundred currency points.”; and

(d) by inserting immediately after subsection (6) the following new subsection—

“(6a) Notwithstanding subsection (6), the Minister may, by regulations, prescribe procedures and conditions for persons to undergo private driving instructions without going to licensed driving schools.”

23. Amendment of section 41 of principal Act.

The principal Act is amended in section 41 by inserting immediately after subsection (2) the following new subsection—

“(2a) The Minister may, in accordance with the Public Private Partnerships Act, 2015, enter into an agreement with a private entity to undertake driver testing on behalf of the Government for purposes of issuing driving licences.”

24. Amendment of section 42 of principal Act.

Section 42 of the principal Act is amended—

- (a) by substituting for subsection (3), the following—

“(3) A driving licence shall be valid for twelve months, three years or five years from the date of issue but may, on application being made in the prescribed form and on payment of the prescribed fee, be renewed for further periods of twelve months, three years or five years at a time, as the case may be.”;

- (b) by inserting the following new subsections immediately after subsection (3)—

“(3a) Notwithstanding subsection (3), the Minister may, by statutory instrument, prescribe other validity periods for driving licences, including shorter or longer validity periods.

(3b) A person applying for the renewal of his or her driving licence for the first time shall be required to undergo a retesting for competence before the licence can be renewed.”;

- (c) by substituting for subsection (4), the following—

“(4) A person whose driving licence has for any reason not been renewed within a period of two years from the date of expiry, shall, on application for renewal, undergo theory and practical tests before the licence can be renewed and he or she is allowed to retain the group of motor vehicles endorsed in his or her driving licence.”;

- (c) by inserting immediately after subsection (4), the following new subsection—

“(4a) An applicant under subsection (4) shall pay the prescribed fee and fine before his or her driving licence can be renewed.”

- (d) by inserting immediately after subsection (7), the following new subsection—

“(7a) The Minister shall, by regulations, prescribe special conditions and procedure for recognition and conversion of foreign driving licences.”

25. Amendment of section 45 of principal Act.

Section 45 of the principal Act is amended—

- (a) by substituting for subsection (1) the following—

“(1) Notwithstanding anything in this Part, a person shall not drive a public service vehicle with seating capacity of eight seats and above, a private omnibus or goods vehicle—

- (a) unless he or she has held a driving licence for a Group B motor vehicle for not less than five years;
- (b) unless—
 - (i) his or her driving licence has been extended to include the appropriate group;
 - (ii) he or she has completed such tests and complied with all the prescribed requirements;
 - (iii) he or she holds a certificate to that effect signed by the chief licensing officer; and
 - (iv) he or she has been issued with a driver's badge by the chief licensing officer.”; and
- (b) in subsection (2) by substituting for the words “not less than two years and not exceeding five years”, the words “not exceeding seven years.”

26. Amendment of section 51 of principal Act.

Section 51 of the principal Act is amended in subsection (4) by substituting for the words “not exceeding thirty currency points or imprisonment not exceeding twelve months or both” the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

27. Amendment of section 54 of principal Act.

Section 54 of the principal Act is amended by substituting for paragraph (b) the following—

- “(b) where the cause of the cancellation was reckless driving under section 108; or”

28. Amendment of section 57 of principal Act.

Section 57 of the principal Act is amended by substituting for the words “not less than ten currency points and not exceeding forty currency points or imprisonment of not less than six months and not exceeding three years or both”, the words “not exceeding one hundred currency points or imprisonment not exceeding year or both.”

29. Substitution of section 61 of the principal Act.

The principal Act is amended by substituting for section 61, the following—

“61. Competent Authority.

(1) The department of transport regulation and safety in the Ministry responsible for transport is designated as the competent authority for purpose of this Act.

(2) The competent authority shall—

- (a) carry out its duties under this Act and the regulation;
- (b) regulate the use of public service vehicles, private omnibuses and goods vehicles other than owner’s transport and producer sellers’ vehicles throughout Uganda;
- (c) provide strong and central organisation in order to intensify road safety activities and interventions and to fully and continuously exploit available knowledge and experience in all matters connected to road safety in its role as the lead government agency responsible for road safety management;
- (d) provide a stronger central organisation to intensify activity and exploit fully and continuously available knowledge and experience in all matters connected with the road safety;

- (e) promote and use research into causes of traffic road accidents;
- (f) promote and use statistical research as to the number, type and cost of traffic accidents;
- (g) diagnose from research and statistical records or any other sources, causes of road accidents and suggest countermeasures;
- (h) combat accidents;
- (i) identify local accident hazards, devise and suggest remedies and advise the authorities concerned to promote action;
- (j) make proposals for amending traffic and road safety legislation with a view to reducing road traffic accidents;
- (k) encourage and provide training and education for road users;
- (l) increase the road user's knowledge of particular hazards, how they arise and how to cope with them;
- (m) induce a more positive attitude to road safety through lectures, demonstrations, campaigns or any other means;
- (n) alter the road user's behaviour so that he or she does not put himself or herself or others at risk;
- (o) review road designs for safety before and during construction, rehabilitation or upgrading of public road;

- (p) collect, prepare and disseminate educational material on road safety;
- (q) prepare and promulgate fully integrated programmes of public information and publicity by means of all appropriate media of mass communication;
- (r) advise on current or projected ideas concerning motor vehicle, trailer or engineering plant design, equipment and maintenance with particular reference to safety devices; and
- (s) discharge such other functions as the Minister may, by statutory instrument, prescribe.

(3) The Competent Authority may, in liaison the Uganda Police Force, carry out joint enforcement of the provisions of this Act.

30. Repeal of section 62 of principal Act.

The principal Act is amended by repealing section 62.

31. Repeal of section 63 of principal Act.

The principal Act is amended by repealing section 63.

32. Repeal of section 64 of principal Act.

The principal Act is amended by repealing section 64.

33. Repeal of section 65 of principal Act.

The principal Act is amended by repealing section 65.

34. Repeal of section 66 of principal Act.

The principal Act is amended by repealing section 66.

35. Amendment of section 70 of principal Act.

Section 70 of the principal Act is amended by substituting for subsection (1), the following—

“(1) Licences issued by the competent authority under this Part shall be categorised into the following classes—

- (a) public omnibus operator’s licence;
- (b) private omnibus operator’s licence;
- (c) contract or temporary omnibus operator’s licence;
- (d) goods operator’s licence;
- (e) country taxicab operator’s licence;
- (f) rental vehicle operator’s licence;
- (g) commercial motorcycles and tricycles licence; and
- (h) tourist vehicle licence.”

36. Insertion of new section 70A in principal Act.

The principal Act is amended by inserting immediately after section 70, the following new section—

“70A. Licensing and regulation of special networks using online digital application.

(1) A person who wishes to provide an online digital platform for the provision of public service transport to passengers or goods shall apply to the competent authority for authorisation to operate the online digital network in a manner prescribed by regulations.

(2) The competent authority may, before granting a licence to an applicant under subsection (1)—

- (a) carry out background checks on the applicant;
- (b) require that the drivers to be hosted on the digital platform are accredited and issued with badges;
- (c) require the applicant to submit a tax clearance from the Uganda Revenue Authority;

- (d) require the applicant to obtain the relevant insurance; and
- (e) require the applicant to submit periodic reports and information to the competent authority.

(3) A person who wishes to carry passengers or goods for reward through an online digital network referred to in subsection (1) shall apply to the competent authority for an operator's licence in a manner prescribed by regulations."

37. Amendment of section 71 of principal Act.

Section 71 of the principal Act is amended by inserting immediately after subsection (1), the following new subsections—

"(1a) The Minister may in organising public transport under subsection (1), require public transport providers to form companies, registered associations, partnerships, cooperatives or savings and credit cooperative societies in a manner prescribed by regulations in order to qualify for a licence under this Act.

(1b) The Minister may by regulations, require public transport providers to make special provisions for persons with disabilities."

38. Insertion of new sections 71A to principal Act.

The principal Act is amended by inserting immediately after section 71 the following new sections—

"71A. Regulation of entry into the market.

The minister may by regulations—

- (a) specify conditions for entry into the transport sector;
- (b) prescribe the criteria for qualification and requirements for entry into the transport sector in Uganda, including management, financial capacity and size and quality of fleet;

- (c) prescribe operational standards to be followed by all entrants;
- (d) provide a procedure for exiting the transport services industry; and
- (e) prescribe conditions under which a driving licence may be cancelled including for commission of a criminal offence.”

39. Amendment of section 76 of principal Act.

Section 76 of the principal Act is amended in subsection (2) by substituting for the words “not less than ten currency points and not exceeding fifty currency points”, the words “not exceeding one hundred currency points.”

40. Amendment of section 77 of principal Act.

Section 77 of the principal Act is amended by substituting for subsection (4), the following—

“(4) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

41. Amendment of section 82 of principal Act.

The principal Act is amended in section 82 by substituting for subsection (2), the following—

“(2) A licensee who fails to comply with any condition of a licence granted to him or her in accordance with this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points.”

42. Amendment of section 94 of principal Act.

Section 94 of the principal Act is amended in subsection (1) by inserting the following new paragraph immediately after paragraph (f)—

“(g) Class M—
commercial motorcycles (two wheeled).”

43. Amendment of section 97 of principal Act.

Section 97 of the principal Act is amended in subsection (1) by substituting for the words “not less than twice the fare and not exceeding twenty-five currency points”, the words “not exceeding one hundred currency points”.

44. Amendment of section 99 of principal Act.

Section 99 of the principal Act is amended by substituting for subsection (2), the following—

“(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

45. Repeal of section 101 of principal Act.

The principal Act is amended by repealing section 101.

46. Repeal of section 102 of principal Act.

The principal Act is amended by repealing section 102.

47. Amendment of section 104 of principal Act.

Section 104 of the principal Act is amended by substituting for subsection (3), the following—

“(3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction, to a fine of not exceeding one hundred currency points.”

48. Amendment of section 105 of principal Act.

Section 105 of the principal Act is amended—

- (c) in subsection (1), by substituting for the words “of not less than fifteen currency points and not exceeding sixty and fifty currency points or a term of imprisonment of not less than six months and not exceeding three years or both” the words “not exceeding one hundred currency points or imprisonment not exceeding year or both.”; and
- (d) in subsection (2) by substituting for the words “of not less than five currency points and not exceeding thirty currency points or to imprisonment of not less than three months and not exceeding twelve months or both” the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.

49. Amendment of section 107 of principal Act.

Section 107 of the principal Act is amended—

- (a) in subsection (1) by substituting for the word “repair” the word “condition”; and
- (b) in subsection (5), by substituting for the words “not less than fifteen currency points and not exceeding sixty currency points or imprisonment of not less than six months and not exceeding two years or both”, the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

50. Amendment of section 108 of principal Act.

The principal Act is amended by substituting for section 108, the following—

“108. Causing bodily injury or death through reckless driving

(1) A person who causes the death of any person by reckless driving of a motor vehicle, trailer or engineering plant commits an offence and is liable, on conviction, to imprisonment of not exceeding ten years.

(2) A person who causes bodily injury to any person by reckless driving of a motor vehicle, trailer or engineering plant commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding three years or both.

(3) A person who causes an accident by reckless driving commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

(4) A police officer in uniform may arrest without warrant the driver of any motor vehicle, trailer or engineering plant who commits an offence under this section within his or her view—

- (a) if the driver refuses to give his or her name and address;
- (b) if the police officer has reason to believe that the name or address so given is false;
- (c) if the motor vehicle, trailer or engineering plant does not bear an identification plate; or
- (d) for any other reason as the minister may prescribe by regulations.

(5) The court which convicts a person under subsection (1) or (2) may award to any person injured as a result of the offence,

or to the dependent of any person whose death arises out of the commission of the offence, compensation not exceeding fifty percent of any fine paid or that would be paid under this Act by the person convicted in respect of the offence.

(6) Where a person is convicted of aiding, abetting, concealing, procuring or inciting the commission of an offence under this section, and it is proved that he or she was present in the vehicle at the time of the offence of which he or she is convicted, the conviction shall, for the purposes of the provisions of this Act relating to disqualification from holding or obtaining a driving licence, be taken to be in respect of an offence in connection with the driving of a motor vehicle, trailer or engineering plant.

(7) For the purposes of this section “reckless driving” means disregard for the rules of the road or driving without proper caution; and includes—

- (a) driving over the prescribed limit;
- (b) failing to use signals;
- (c) disobeying traffic signs and signals;
- (d) drifting into another lane;
- (e) distracted driving;
- (f) using a hand held mobile phone while driving;
- (g) driving a vehicle on a public road without due care and attention or reasonable consideration for other persons using the public road;
- (h) driving while under the influence of drink or drugs contrary to this Act; or
- (i) failing to stop for a pedestrian at a designated pedestrian crossing.”

51. Repeal of section 109 of principal Act.

The principal Act is amended by repealing section 109.

52. Repeal of section 110 of principal Act.

The principal Act is amended by repealing section 110.

53. Substitution of section 111 of principal Act.

The principal Act is amended by substituting for section 111, the following—

“111. Driving with blood alcohol concentration above the prescribed limit.

(1) A person who drives or attempts to drive or is in charge of a motor vehicle, trailer or engineering plant on a road or other public place, having consumed alcohol in such quantity that the proportion of the alcohol in his or her blood or breath, as ascertained from a laboratory test for which he or she subsequently provides a specimen under section 113 or a breath analyser test under subsection (2), exceeds the prescribed limit at the time he or she provides the specimen, commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding three years or both.

(2) A police officer in uniform may carry out on any person who may be required by him or her to provide a specimen of blood under section 113 or a breath analyser test under subsection (4) and (5) of section 113 shall, with the necessary modifications, apply to him or her as they apply to a person required to provide a specimen of blood and who fails or refuses to do so.

(3) Notwithstanding subsection (1) or (2), a person who is driving or who is in charge of a vehicle licensed under section 94 or a vehicle belonging to a ministry, department or agency of government shall have a zero-alcohol limit at all times when driving or in charge of the vehicle.

(4) A person who contravenes subsection (3) commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or imprisonment not exceeding two years or both.

(5) Any person who induces or entices any driver or person in charge of a motor vehicle licensed under section 94 or a vehicle belong to a ministry, department or agency of government to drink any alcohol commits an offence and is liable, on conviction, to the same penalties prescribed under subsection (4).

(7) A police officer in uniform may, in a manner prescribed by regulations impound the vehicle of a person who contravenes this section.

(8) For the purpose of this Act, “prescribed limit” means such proportion of alcohol in such proportion of blood as the Minister may by regulations prescribe.”

54. Substitution of section 112 of principal Act.

The principal Act is amended by substituting for section 112 the following—

“112. Driving under the influence of drugs.

(1) A person who, while under the influence of a drug drives a motor vehicle, trailer or engineering plant or attempts to drive a motor vehicle, trailer or engineering plant on any road, commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding three years or both.

(2) For the avoidance of doubt, reference to drug under this section means drugs prohibited under the Narcotic Drugs and

Psychotropic Substances (Control) Act, 2016 and the National Drug Policy and Authority Act and includes pharmaceutical drugs or prescribed drugs.”

55. Substitution of section 113 of the principal Act.

The principal Act is amended by substituting for section 113 the following—

“113. Blood tests.

(1) A police officer in uniform may require a person driving or attempting to drive or in charge of a motor vehicle, trailer or engineering plant or motorcycle or bicycle on a public road or other public place to accompany him or her to a police station or to a hospital, clinic; or health centre of a registered practitioner to provide a specimen of blood for a laboratory test, if the police officer has reasonable cause—

- (a) to suspect him or her of having alcohol or drugs in his or her body or system; or
- (b) to suspect him or her of having committed a traffic offence while the motor vehicle, trailer or engineering plant was in motion.

(2) Notwithstanding subsection (1), a police officer in uniform may require any pedestrian or any person driving or attempting to drive or in charge of a motor vehicle, trailer, engineering plant or motorcycle or bicycle on a public road or other public place to provide a specimen of urine for testing for drug or alcohol level with quick medical kits, if the police officer has reasonable cause—

- (a) to suspect him or her of having alcohol or drugs in his or her body or system; or

(b) to suspect him or her of having committed a traffic offence while the motor vehicle, trailer or engineering plant was in motion.

(3) Where an accident occurs owing to the presence of a motor vehicle, trailer or engineering plant on a road or other public place, a police officer in uniform may require any person who he or she has reasonable cause to believe was driving or attempting to drive or in charge of the motor vehicle, trailer or engineering plant at the time of the accident to accompany him or her to a police station, a hospital, clinic or health centre of a registered practitioner to provide a specimen of blood for a laboratory test.

(4) A person shall not be required to provide a specimen of blood under subsection (4) while at a hospital as a patient if the registered practitioner in immediate charge of his or her care is not first notified of the proposal to make the requirement, or objects to the provision of a specimen of blood on the ground that its provision or the requirement to provide it would be prejudicial to the proper care or treatment of the patient.

(5) Where a person required by a police officer in uniform under subsection (1), (2) or (4) to provide a specimen of blood for a laboratory test fails to do so and the police officer has reasonable cause to suspect him or her of having alcohol in his or her body, the police officer may arrest that person without warrant, except while he or she is at a hospital as a patient.

(6) A person required to provide a specimen of blood under this section who refuses to provide the specimen, commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points, and the failure to provide a specimen of blood shall be taken by the court as prima facie evidence that the accused's blood alcohol level is above the prescribed limit or the person is under the influence of drugs."

56. Repeal of section 117 of principal Act.

The principal Act is amended by repealing section 117.

57. Repeal of section 118 of principal Act.

The principal Act is amended by repealing section 118.

58. Amendment of section 119 of principal Act.

Section 119 of the principal Act is amended by substituting for the words “of not less than five currency points and not exceeding thirty currency points or imprisonment of not less than one month and not exceeding one year or both”, the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

59. Amendment of section 120 of principal Act.

Section 120 of the principal Act is amended in subsection (1) by substituting for the words “of not less than fifteen currency points and not exceeding sixty currency points or imprisonment of not less than six months and not exceeding two years or both” the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

60. Amendment of section 121 of principal Act.

Section 121 of the principal Act is amended—

- (a) in subsection (2) by substituting for the words “of not less than thirty currency points and not exceeding ninety currency points or imprisonment of not less than one year and not exceeding three years or both”, the words “not exceeding three hundred currency points or imprisonment not exceeding three years or both.”; and
- (b) in subsection (3) by substituting for the words “of not less than fifteen currency points and not exceeding sixty currency points or imprisonment of not less than six months

and not exceeding two years or both”, the words “not exceeding two hundred currency points or imprisonment not exceeding two years or both.”

61. Insertion of new section 122A in principal Act.

The principal Act is amended by inserting immediately after section 122, the following new section—

“122A. Assignment of demerit points on conviction for certain offences.

(1) The Minister may, by regulations, prescribe a demerit point system for purposes of this Act.

(2) Regulations made under subsection (1) shall provide for—

- (a) the categorisation of offences according to the degree of severity;
- (b) a schedule of offences and the number of points deductible for each offence;
- (c) the demerit points to be recorded in relation to an offence against any licence held by that person;
- (d) the manner of calculating the demerit points to be deducted; and
- (e) any other matter that the Minister may deem necessary.”

62. Amendment of section 123 of principal Act.

Section 123 of the principal Act is amended in subsection (6) by substituting for the words “not less than fifteen currency points and not exceeding sixty currency points or imprisonment of not less than six months and not exceeding two years or both” the words “not exceeding two hundred currency points or imprisonment not exceeding two years or both.”

63. Amendment of section 125 of principal Act.

Section 125 of the principal Act is amended—

- (a) by inserting immediately after subsection (1), the following new subsections—

“(1a) Notwithstanding subsection (1), where an accident, arising directly or indirectly from the use of a motor vehicle, trailer or engineering plant occurs to any person or to any motor vehicle, trailer or engineering plant, any other road user or person shall stop if, having regard to all the circumstances, it is reasonably safe to do so and shall ascertain whether any person has been injured, in which event it shall be his or her duty to render all practicable assistance to the injured person.

(1b) Assistance referred to under subsection (1) and (1a) may include—

- (a) calling for help and contacting emergency services;
- (b) taking action to secure the scene of the accident;
- (c) organising people and resources to enable first responders to conduct rescue operations;
- (d) administering First Aid; or
- (e) transporting the injured persons to a hospital if no ambulance vehicle is available.

(1c) A road user or person who stops to assist an accident victim under subsection (1) or (1b) or who renders First Aid or emergency care in good faith shall not be liable for any civil damages resulting from any act or failure to act to provide or arrange for further medical treatment or care for the injured person.

(1d) Subsection (1c) does not prevent the victim from claiming damages from the person responsible for the accident or the prosecution of the offender.

(1e) A member of any organised rescue squad, a police officer, a member of a volunteer organisation, emergency medical responders, a licensed medical practitioner, allied health practitioner, a nurse, members of medical military assistance team or any emergency care trained community member engaged in the performance of emergency medical service acts for accident victims shall not be liable for any personal injury as a result of the care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as a prudent person would have acted under the same or similar circumstances.

(1f) The protection under subsection (1c) does not extend to damages or personal injury that may result from gross negligence of a person rendering emergency care”.

(1g) A road user or person who transports a road traffic accident victim to a hospital or health facility in good faith to save a life shall not be victimised or unnecessarily inconvenienced by authorities.”

(b) by substituting for subsection (6), the following—

“(6) If, as result of being involved in a road accident, a motor vehicle, trailer or engineering plant appears to a police officer at the rank of assistant inspector of police and above in uniform to be in such condition that it would not be fit or safe for use on a road, the officer may remove the vehicle’s registration plates and return them to the chief licensing officer or impound the vehicle until investigations are complete.”

64. Insertion of section 125A to principal Act.

The principal Act is amended by inserting immediately after section 125, the following new sections—

“125A. Access to care without regard to ability to pay.

A person involved in an accident shall have access to medical treatment at a hospital clinic or any other health facility without proof of financial ability to pay until he or she has been stabilised.

125B. Custody or care of accident patients.

(1) Where a law enforcement officer is at the scene of an accident when an emergency medical service provider arrives, the law enforcement officer may prevent the emergency medical service provider from entering the scene of the accident to provide emergency medical service until the law enforcement officer determines that it is safe for the emergency medical service provider to enter.

(2) The law enforcement officer shall permit the emergency medical service provider access to the patient to provide emergency medical care before transportation to a hospital or health facility.”

65. Amendment of section 126 of principal Act.

Section 126 of the principal Act is amended by substituting for subsection (3), the following—

“(3) A person who contravenes any provision of this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

66. Amendment of section 127 of principal Act.

Section 127 of the principal Act is amended by substituting for subsection (2), the following—

“(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine of not exceeding two hundred currency points or imprisonment not exceeding two years or both.”

67. Amendment of section 128 of principal Act.

Section 128 of the principal Act is amended by substituting for subsection (3), the following—

“(3) A person who contravenes this section commits an offence and is liable, on conviction, to a fine of not exceeding one hundred currency points or imprisonment not exceeding one year or both.”

68. Amendment of section 129 of principal Act.

Section 129 of the principal Act is amended by numbering the current provision as subsection (1) and inserting after it the following new subsection—

“(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine of not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

69. Amendment of section 130 of principal Act.

Section 130 of the principal Act is amended by substituting for subsection (1), the following—

“(1) Any person, whether employed by the owner of the motor vehicle, trailer or engineering plant or not, who takes and drives away or attempts to take and drive away any motor vehicle, trailer or engineering plant without the consent of the owner or his or her agent commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

70. Insertion of Part VIA in principal Act.

The principal Act is amended by inserting the following new Part immediately after Part VI—

“PART VIA—SAFER VEHICLES

“131A. Standards for safety and environmentally compliant motor vehicles.

(1) The Minister may, by statutory instrument, determine safe and environmentally friendly vehicle standards for motor vehicles, trailers and engineering plants.

(2) In determining safe vehicle standards under subsection (1), the Minister may incorporate international best practice and standards and consult any relevant stakeholder.

131B. Procedures for testing motor vehicles.

The Minister may, by statutory instrument, prescribe procedures and arrangements for determining whether motor vehicles, trailers or engineering plants comply with this Act including the procedure for—

- (a) testing and inspection of roadworthiness of vehicles or vehicle components;
- (b) inspection of procedures followed in the manufacture of vehicles or vehicle components;
- (c) testing and inspection of materials, machinery, appliances, articles or facilities used in the manufacture of vehicles or vehicle components;
- (d) the operation of facilities used in the carrying out testing and inspection of vehicles; or

- (e) the keeping of records relating to the manufacture, testing or inspection of vehicles or vehicle components and the examination of those records by inspectors appointed under section 29.

131C. Modification of motor vehicles.

(1) A person shall not modify a chassis of a motor vehicle, trailer or engineering plant without prior written permission of the manufacturer of the chassis of the motor vehicle, trailer or engineering plant.

(2) Notwithstanding subsection (1), the Minister may, in consultation with the chief licensing officer make regulations for the modification of motor vehicles, trailers or engineering plants.

(3) Subject to subsection (2), a person who wishes to modify a motor vehicle, trailer or engineering plant shall apply to the chief licensing officer in a manner prescribed by regulations for authorisation to undertake the modification of the motor vehicle, trailer or engineering plant.

131D. Importation and supply of motor vehicles.

(1) Subject to this Act, a person shall not import into or sell a motor vehicle, trailer or engineering plant in Uganda unless it is in compliance with the standards issued by the Uganda National Bureau of Standards in consultation with the Minister.

(2) Notwithstanding subsection (1), a person may supply a motor vehicle under prescribed conditions and with the written approval of the Minister, with or without conditions.

131E. Importation and supply of used motor vehicles.

(1) A person commits an offence if he or she supplies to the market a used imported vehicle where—

- (a) the vehicle does not comply with the prescribed standards;
- (b) the vehicle does not have a used import plate; and
- (c) the supply is not authorised under the applicable law.

(2) The minister may, by regulations, prescribe the maximum age of vehicles to be imported into Uganda.

(3) A person who commits an offence under subsection (1) is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding five years or both.

131F. Importation of vehicles requiring modification.

A person may import a nonstandard motor vehicle, trailer or engineering plant for purposes of modification with the written approval of the chief licensing officer and upon such terms and conditions as the chief licensing officer may determine.

131G. Use of vintage, specialist and enthusiast vehicles.

(1) The Minister may make regulations for the use of vintage, specialist or enthusiast motor vehicles and shall cause to be kept, a register of all such motor vehicles.

(2) Regulations made under subsection (1) may provide for—

- (a) the form in which the Register is to be kept;
- (b) the procedure for application;
- (c) the procedure for registration;
- (d) the criteria to be satisfied before the motor vehicle, trailer or engineering plant may be entered on the Register;

- (e) the inspection of the Register;
- (f) the procedures to be followed for removing a motor vehicle, trailer or engineering plant from the Register; and
- (g) any other matter that the minister may deem necessary.

131H. Periodic inspection of motor vehicles for environmental and road safety compliance.

A motor vehicle above the age of two years from the year of manufacture shall not be permitted on the road without a certificate of fitness issued in accordance with regulations prescribed by the Minister under this Act."

71. Amendment of section 134 of principal Act.

The principal Act is amended in subsection (2) by substituting for the words "of not less than three currency points and not exceeding ten currency points", the words "not exceeding ten currency points."

72. Substitution of section 146 of principal Act.

The principal Act is amended by substituting for subsection 146, the following—

"146. Power to demand production of driving licence.

(1) Any person driving a motor vehicle, trailer or engineering plant on a road shall carry his or her valid driving licence at all times while driving and, on being so required by a police officer in uniform, produce it immediately for examination.

(2) Any person driving a motor vehicle, trailer or engineering plant on a road shall be in possession of a copy of the registration book in respect of the motor vehicle, trailer or

engineering plant and, on being so requested by a police officer in uniform, produce the original registration book within forty eight hours.

(3) Notwithstanding subsections (1) and (2), any person intending to drive a motor vehicle, trailer or engineering plant across the Uganda border shall carry—

- (a) his or her driving licence;
- (b) a copy of the registration book bearing such certificate as may be prescribed by the Minister by regulations; and
- (c) the insurance certificate in respect of the motor vehicle, trailer or engineering plant,

and shall produce them on demand to a police officer in uniform or customs officer before he or she is permitted to drive his or her motor vehicle, trailer or engineering plant across the Uganda border.

(4) Subsection (3) shall not limit or be construed to limit the authority of a customs officer or any other officer to require the production of any other document required to be produced by any other written law at any customs post or any other post of exit from Uganda.

(5) A person who contravenes any provision of this section commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding six months or both.”

73. Amendment of section 165 of principal Act.

Section 165 of the principal Act is amended—

- (a) in subsection (3) by substituting for the words “twenty-eight days”, the words “seventy-two hours”;

- (b) in subsection (4) by substituting for the words “twenty-eight days”, the words “seventy-two hours”;
- (c) in subsection (9) by substituting for the words “of not less than three currency points and not exceeding fifteen currency points or imprisonment of not less than one month and not exceeding six months”, the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both”;
- (d) by substituting for subsection (10), the following—

“(10) The fixed penalty for an offence under this section is one hundred currency points, except that the minister may by regulations provide for the fixed penalty to be less than one hundred currency points or more than one hundred currency points.”

- (e) by inserting immediately after subsection (10), the following—

“(10a) A person who defaults on an operator’s licence or forges a licence or any other document required or issued under this Act commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding three years or both, and in the case of a continuing contravention, is liable to an additional fine not exceeding fifty currency points in respect of each day on which the offence continues.

(10b) A person who commits a second or subsequent offence is liable, on conviction, to a fine not exceeding five hundred currency points or imprisonment not exceeding five years or both.”

- (e) in subsection (13) (d), by substituting for the words “not more than ten currency points”, the words “not exceeding one hundred currency points.”

74. Repeal of Part IX of principal Act.

The principal Act is amended by repealing Part IX.

75. Amendment of section 176 of principal Act.

Section 176 of the principal Act is amended—

- (a) in subsection (1) by substituting for the words “not exceeding thirty currency points or imprisonment not exceeding one year or both” the words “not exceeding three hundred currency points or imprisonment not exceeding six months or both.”;
- (b) in subsection (2) by substituting for the words “of not less than five currency points and not exceeding thirty currency points or imprisonment not exceeding one year or both” the words “not exceeding one hundred currency points or imprisonment not exceeding one year or both.”; and
- (c) in subsection (3) by substituting for the words “not exceeding thirty currency points or imprisonment not exceeding one year or both” the words “not exceeding one hundred currency points or imprisonment not exceeding one year or both.”

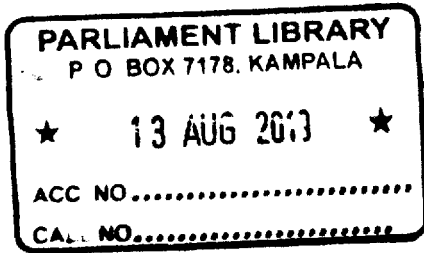
76. Amendment of section 179 of principal Act.

Section 179 of the principal Act is amended by renumbering the current provision as subsection (1) and inserting after it the following new subsection—

“(2) The Minister may, by statutory instrument amend the Second Schedule to this Act.”

77. Consequential Amendment to principal Act.

The principal Act is amended by substituting, wherever they appear, for the words “driving permit” the words “driving licence”



Cross References

Industrial Licensing Act, Cap. 91.

Insurance Act, Cap. 213.

Narcotic Drugs and Psychotropic Substances (Control) Act, 2016,
Act 3 of 2016.

National Drug Policy and Authority Act, Cap. 206.

Security Interest in Moveable Property Act, 2019, Act 8 of 2019.

Trade Licensing Act, Cap. 101.

Roads Act, Cap. 358.

Medical and Dental Practitioners Act, Cap. 272.