



STATUTORY INSTRUMENT.

No. 2 of 2017

Road Traffic (Offences and Penalties) Regulation 2017.

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STATUTORY INSTRUMENT.

No. 02 of 2017.

Road Traffic (Offences and Penalties) Regulation 2017

Being a regulation to create offences and impose penalties on road traffic and for related purposes,

MADE by the Head of State, acting with, and in accordance with the advice of the National Executive Council, under Section 55 of the *Road Traffic Act 2014* to come into operation by notice in the National Gazette.

1. INTERPRETATION.

- (1) In this regulation, unless the context otherwise requires -
- “Act” means the Road Traffic Act 2014;
 - “Authority” means the Road Traffic Authority established under Section 4 of the Act;
 - “land transport document” means a licence, permit, approval, authorisation, exemption, certificate, or a similar document issued under the Act;
 - “overloading offence” means an offence that is specified in Schedule 2;
 - “proceedings” in relation to an infringement offence, means proceedings under the *Summary Offences Act 1977*, and includes the issue of a traffic infringement notice under section 36 of the Act.
 - “provision” means a section of the Act or a section of the Road Traffic Rules;
 - “Road Traffic Rules” or “Rules” mean the ordinary rules made under Section 56 of the Act;
 - “stationary vehicle offence” means an offence that is specified under Schedule 3.

(2) A reference in this regulation to any provision includes every provision for the time being in force amending or made in substitution for that provision.

(3) The brief description of an offence given in the second column of Schedules 1 and 3 is intended only to be an indication of the content of the offence it describes, and is not intended to be used in interpretation of the provision.

(4) Abbreviations or terms used in the second column of Schedules 1 and 3 have the meanings given to those abbreviations or terms in the Act and the Road Traffic Rules.

2. OFFENCES AND PENALTIES.

(1) A breach of a provision referred to in the first column of Schedule 1 or Schedule 3 is an offence against the Act.

(2) A person who commits an offence referred to in Subsection (1) is liable, on summary conviction, to a fine not exceeding the amount specified in relation to that offence in the fourth column of Schedule 1 or Schedule 3.

(3) For the purposes of Subsections (1) and (2), a traffic summons may be issued under Section 37 of the Act in accordance with Form 28.

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(4) For the purpose of any proceedings under this section and notwithstanding any other law, the description of an offence briefly described shall be deemed to include the offence prescribed in the relevant section of the Act or the Road Traffic Rules, referred to in the first column of Schedule 1 or Schedule 3.

(5) Penalties referred to in Subsection (2) shall be paid to the Clerk of the Court named in the traffic summons.

3. INFRINGEMENT OFFENCES AND PENALTIES.

(1) A breach of a provision referred to in the first column of Schedule 1 or Schedule 3 for which an infringement fee is specified in that schedule is an infringement offence against the Act.

(2) The penalty for an offence referred to in Subsection (1) is the infringement fee specified in the third column of Schedule 1 or Schedule 3.

(3) The infringement fee referred to in Subsection (1) shall be paid to the enforcement authority specified in the notice.

4. ISSUE OF TRAFFIC INFRINGEMENT NOTICE.

(1) If a Traffic Enforcement Officer has reasonable cause to believe an infringement offence is being or has been committed by a person, a traffic infringement notice in respect of that offence may be issued under Section 36 of the Act to that person by a Traffic Enforcement Officer.

(2) A traffic infringement notice may be served -

- (a) by attaching it, or a copy of it, to the vehicle to which the notice relates; or
- (b) by delivering it, or a copy of it, personally to the person who appears to have committed the infringement offence; or
- (c) by sending it, or a copy of it, by post addressed to him or her at his last known place of residence or business or postal address; or
- (d) if the person is a holder of a land transport document, by serving it, or a copy of it, by post on that person at his last address for service provided for the purposes of that document.

(3) For the purposes of the *Summary Offences Act 1977* -

- (a) a traffic infringement notice attached to a vehicle under Paragraph (a) of Subsection (2) is to be treated as having been served when it is attached to the vehicle; and
- (b) a traffic infringement notice sent to a person by post under Paragraph (c) or Paragraph (d) of that subsection is to be treated as having been served on the person when it would have been delivered in the ordinary course of post.

5. FORMS OF TRAFFIC INFRINGEMENT NOTICE.

(1) A traffic infringement notice in respect of an infringement offence, other than an overloading offence or a stationary vehicle offence, must be in accordance with Form 29 in Schedule 4.

(2) A traffic infringement notice for an overloading offence must be in accordance with Form 29A in Schedule 4.

(3) A traffic infringement notice for a stationary vehicle offence must be in accordance with Form 29B in Schedule 4.

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6. REMINDER NOTICE.

A reminder notice must be in accordance with Form 29C in Schedule 4.

7. OWNER LIABILITY FOR STATIONARY VEHICLE OFFENCE.

(1) Proceedings for a stationary vehicle offence may be taken against one or more of the following persons (whether or not, in the case of a person referred to in Paragraph (b) or (c), the person is an individual or was the driver, person in charge, or user of the vehicle at the time the alleged offence was committed):

- (a) the person who allegedly committed the offence; or
- (b) the person who, at the time of the alleged offence was registered as the owner, or one of the owners, under section 6 of the *Road Traffic Rules -- Registration of Motor Vehicles*, in respect of the vehicle involved in the offence; or
- (c) the person who, at the time of the alleged offence, was lawfully entitled to possession of the vehicle involved in the offence (whether or not jointly with any other person).

(2) Subject to subsection (4), in any proceedings taken against a person under subsection (1)(b) or (c), in the absence of proof to the contrary, it must be presumed that -

- (a) the person was the driver, person in charge, and user of the vehicle at the time of the alleged offence (whether or not the person is an individual); and
- (b) the acts or omissions of the driver, person in charge, or user of the vehicle at that time, were the acts or omissions of the first-mentioned person.

(3) It is a defence to proceedings taken against a person for a stationary vehicle offence if the person proves that another person has, by virtue of an order under the *Criminal Justice (Sentences) Act 1986* or the *Summary Offences Act 1977*, become liable to pay a fine or costs, or both, in respect of the offence.

(4) It is a defence to proceedings taken against a person under Subsection (1)(b) or (c) if -

- (a) the person proves that, at the time the alleged offence was committed -
 - (i) he was not lawfully entitled to possession of the vehicle (either jointly with any other person or individually); or
 - (ii) another person was unlawfully in charge of the vehicle; and
- (b) as soon as practicable after becoming aware of the alleged offence, he advised the enforcement authority in writing that, at the time the offence was committed, he was not lawfully entitled to possession of the vehicle or another person unlawfully had charge of the vehicle, as the case may be; and
- (c) he has given the enforcement authority a statutory declaration that -
 - (i) identifies another person who was, at the time of the alleged offence, lawfully entitled to possession, or was unlawfully in charge, of the vehicle by providing -
 - (A) the full name and full address of the other person; and
 - (B) any other identifying particulars of the other person that are known to the person making the declaration (for example, the other person's date of birth, occupation, and telephone number); or
 - (ii) establishes that the person making the declaration was unable to identify the other person after taking all reasonable steps to do so.

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(5) In the case of any stationary vehicle offence, any defence available under subsection (3) or (4) is, in addition to and not in substitution, for any defences available under the enactment creating the offence.

8. OVERLOADING OFFENCES.

(1) A person operating a heavy motor vehicle or combination of vehicles commits an infringement offence if the person operates the vehicle or combination of vehicles in breach of the applicable prescribed maximum gross weight limits for motor vehicles or prescribed maximum weight limits for axles or groups of axles of motor vehicles.

(2) Separate offences are committed in respect of every axle, every group of axles, and the total number of axles of a heavy motor vehicle or combination of vehicles, if the weight on that axle or axles exceeds the relevant prescribed maximum gross weight limit or prescribed maximum weight limit.

(3) If a person commits an infringement offence against this section, the person must pay the infringement fee prescribed in Schedule 2.

9. LIABILITY FOR OFFENCES INVOLVING INSECURE LOADS AND LOADS FALLING FROM VEHICLES.

(1) In proceedings for an offence against section 28 of the *Road Traffic Rules – Road User Rules* (which relates to fastening of loads) -

- (a) it is not necessary for the prosecution to prove that the defendant knew or should have known that the load was not secured or contained in such a manner that it could not fall or escape from the vehicle; or
- (b) it is not necessary for the prosecution to allege or prove that a load did fall or escape from the vehicle; or
- (c) it is no defence that the defendant's conduct was not materially different from that of other operators of heavy motor vehicles; or
- (d) it is no defence that the defendant took some steps to ensure that the load was secured or contained unless the court is satisfied that those steps were such that no fault could be attributed to the defendant; or
- (e) it is no defence that the defendant believed that the weight or nature of the load was such that it was not necessary to secure or contain it.

(2) Notwithstanding Subsection (1), it is a defence to any proceedings for an offence against section 28 of the *Road Traffic Rules – Road User Rules* if -

- (a) the load was secured on or contained in the vehicle; and
- (b) a failure to ensure that the securing or containing of the load was in such a manner that it could not fall or escape from the vehicle occurred without fault on the defendant's part.

(3) If the court is satisfied that a load has fallen or escaped from the vehicle or a vehicle being towed by the vehicle, it is to be presumed that the operator of the vehicle has not ensured that the load was secured or contained in such a manner that it could not fall or escape from the vehicle, unless the falling or escaping of the load occurred without fault on the defendant's part.

(4) In proceedings for an offence against section 28 of the *Road Traffic Rules - Road User Rules*, the Court must, in determining whether or not the operator of a vehicle has been at fault, have regard to any of the following provisions if the Court considers the operator was or should have been aware of them:

- (a) the provisions of any code of practice issued by the Authority (or any amendment or addition to any such code); and
- (b) the provisions of the Rules.

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10. SEIZURE OF MOTOR VEHICLES UNDER SECTION 51 OF THE ACT.

Notices relating to seizure of motor vehicles under section 51 of the Act must be in accordance with Forms 30 to 33 in Schedule 4.

SCHEDULE 1 – OFFENCES & PENALTIES.

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|--|---|------------------|---------------------------------------|
| Road Traffic Rules - Licensing of Drivers | | | |
| 7(a) | Driving a motor vehicle without holding a current learner's permit or licence to drive that class of vehicle | K500 | K2,500 |
| 7(b) | Causing or permitting a person to drive a motor vehicle when the person did not have a learner's permit or licence to drive that class of vehicle | K500 | K2,500 |
| 12 (1) | Learner driver without licenced driver in adjoining seat | K200 | K1,000 |
| 12 (2) | Failing to display "L" plates (other than motor cycle) | K200 | K1,000 |
| 12 (4) | Learner driver carrying passenger on motor cycle | K200 | K1,000 |
| 12 (5) | Failing to displaying "L" plate (motor cycle) | K200 | K1,000 |
| 12 (7) | Learner driver driving public motor vehicle, taxicab or private hire car while plying for hire or carrying passengers | K500 | K2,500 |
| 12 (8) | Allowing learner driver to breach section conditions | K300 | K1,500 |
| 12 (9) | Failing to take reasonable precautions to prevent learner driver from breaching conditions | K300 | K1,500 |
| 17 (3) | Failing to hand in licence when cancelled or suspended (provisional driver's licence) | K1,000 | K5,000 |
| 20 (1) | Failing to display "P" plates (other than for motor cycle) | K200 | K1,000 |
| 20(3) | Failing to display "P" plate (motor cycle) | K200 | K1,000 |
| 25(3) | Failing to hand in licence when cancelled or suspended (full driver's licence) | K1,000 | K5,000 |
| 26(1) | Failing to advise change of address | K200 | K1,000 |
| 27(1) | Failing to provide statutory declaration for lost, defaced or stolen licence or permit | K300 | K1,500 |
| 31(1) | Failing to wear spectacles when driving | K500 | K2,500 |
| 32(1) | Failing to produce learner's permit or driver's licence | K200 | K1,000 |
| 32(2) | Failing to correctly state name, date of birth, place of abode or contact details | K200 | K1,000 |
| 33 | Failing to provide information | K200 | K1,000 |
| 34(1)(a) | Making false statement or representation to obtain driver's licence or learner's permit | K300 | K1,500 |
| 34(1)(b) | Furnishing false or misleading information to obtain driver's licence or learner's permit | K300 | K1,500 |
| 34(1)(c)(i) | Holding driver's licence or learner's permit not lawfully issued to that person | K300 | K1,500 |
| 34(1)(c)(ii) | Holding article resembling a driver's licence or learner's permit calculated to deceive | K300 | K1,500 |
| 34(1)(d) | Forging, fraudulently altering or using, or allowing another person to use, a driver's licence or learner's permit | K300 | K1,500 |
| 34(1)(e) | Selling, disposing of, or buying, or attempting to sell, dispose of or buy, driver's licence or learner's permit | K300 | K1,500 |
| 34(2) | Failing to comply with conditions of learner's permit or driver's licence | K300 | K1,500 |
| 35 | Failing to produce driver's licence to court | - | K2,000 |

Road Traffic (Offences and Penalties)

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|-------------------------------------|---|------|--------|
| 37(1)(b), (2)(a) & (b) & 3(a) | Failing to comply with conditions or requirements of a foreign driver's licence | K300 | K1,500 |
| 37(3)(b) | Driving a motor vehicle with a foreign driver's licence that has been cancelled for acceptance in PNG | K300 | K1,500 |
| 37(7) | Failing to carry a foreign driver's licence or produce the licence when requested | K200 | K1,000 |

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|--|--|------------------|---------------------------------------|
| Road Traffic Rules - Registration of Motor Vehicles | | | |
| 12(1) | Failing to provide statutory declaration for lost, defaced or stolen certificate of registration or registration label | K300 | K1,500 |
| 13(1)(a) | Making false statement or representation to obtain certificate of registration or registration label | K300 | K1,500 |
| 13(1)(b) | Furnishing false or misleading information to obtain certificate of registration or registration label | K300 | K1,500 |
| 13(3) | Defacing a certificate of registration | K300 | K1,500 |
| 13(4) | Lending or parting with a certificate of registration or registration label | K300 | K1,500 |
| 13(5) | Holding a certificate of registration or registration label without lawful excuse | K300 | K1,500 |
| 13(6) | Holding an article that resembles a certificate of registration or registration label calculated to deceive | K300 | K1,500 |
| 13(7) | Transferring certificate of registration or registration label | K300 | K1,500 |
| 13(9) | Selling, disposing of or buying a certificate of registration or registration label | K300 | K1,500 |
| 18(1) | Failing to provide statutory declaration when number plate lost or destroyed | K300 | K1,500 |
| 19(1)(a) | Making false statement or representation to obtain a number plate | K500 | K2,500 |
| 19(1)(b) | Furnishing false or misleading information to obtain a number plate | K500 | K2,500 |
| 19(5) | Lending or parting with a number plate | K500 | K2,500 |
| 19(6) | Holding number plate without lawful excuse | K500 | K2,500 |
| 19(7) | Holding an article that resembles a number plate calculated to deceive | K500 | K2,500 |
| 19(8) | Transferring number plate | K500 | K2,500 |
| 19(10) | Selling, disposing of or buying, a number plate | K500 | K2,500 |
| 21(4) | Failing to hand in certificate of registration and registration label when registration cancelled or suspended | K1,000 | K5,000 |
| 22(7) | Failing to operate an unregistered vehicle in accordance with the permit | K300 | K1,500 |
| 23(1)(a) | Failing to advise change of address for motor vehicle registration | K200 | K1,000 |
| 23(1)(b) | Failing to deliver certificate of registration upon of change of address | K200 | K1,000 |
| 24(1)(a) | Failing to advise alterations to vehicle | K200 | K1,000 |
| 24(1)(b) | Failing to provide certificate of registration for alterations to vehicle | K200 | K1,000 |
| 24(4) | Driving motor vehicle that differs from description in certificate of registration | K300 | K1,500 |
| 24(5) | Permitting a person to drive a motor vehicle that differs from description in certificate of registration | K300 | K1,500 |

Road Traffic (Offences and Penalties)

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|----------|---|--------|--------|
| 25(1)(a) | Failing to advise sale or disposal of vehicle (owner) | K200 | K1,000 |
| 25(1)(b) | Failing to provide certificate of registration upon sale or disposal of vehicle (owner) | K200 | K1,000 |
| 25(2)(a) | Failing to advise sale or disposal of vehicle (third party) | K200 | K1,000 |
| 25(2)(b) | Failing to provide certificate of registration upon sale or disposal of vehicle (third party) | K200 | K1,000 |
| 25(2)(c) | Failing to provide written authority for transfer of registration (third party) | K200 | K1,000 |
| 25(4) | Purchaser failing to apply for transfer of registration | K200 | K1,000 |
| 25(6) | Failing to hand in certificate of registration and number plates for vehicle not capable of being driven | K500 | K2,500 |
| 26(1) | Failing to apply for permit for visiting motor vehicle | K200 | K1,000 |
| 26(4) | Visiting motor vehicle having number plates other than those issued to it | K200 | K1,000 |
| 26(5) | Failing to apply for registration of a visiting vehicle | K200 | K1,000 |
| 30(1) | Trader's plate affixed to a vehicle used other than for listed purpose | K200 | K1,000 |
| 32(4) | Failing to hand in plates and certificate when revoked or suspended | K1,000 | K5,000 |
| 32(5) | Using, or causing or permitting to be used, a trader's plate when the right has been suspended or revoked | K500 | K2,500 |
| 33(1)(a) | Failing to advise Authority of change of address of holder of trader's plate | K200 | K1,000 |
| 33(1)(b) | Failing to deliver trader's plate certificate on change of address | K200 | K1,000 |
| 34(1) | Failing to provide statutory declaration for lost, defaced or stolen trader's plate certificate | K300 | K1,500 |
| 35(1) | Failing to provide statutory declaration for lost, defaced or stolen trader's plate | K200 | K1,000 |
| 35(5) | Failing to hand in defaced trader's plate | K200 | K1,000 |
| 36(1) | Operating a motor vehicle with a trader's plate when not a listed person | K200 | K1,000 |
| 36(2) | Failing to require a prospective purchaser to produce driver's licence | K200 | K1,000 |
| 36(3) | Failing to ensure that a prospective purchaser is accompanied while driving a vehicle with a trader's plate | K200 | K1,000 |
| 37(1) | Defacing a trader's plate certificate or plate | K200 | K1,000 |
| 37(2) | Lending or parting with a trader's plate certificate or trader's plate | K300 | K1,500 |

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|--|---|------------------|---------------------------------------|
| Road Traffic Rules - Vehicle Standards and Compliance | | | |
| 6(1) | Exhaust system or silencer not in good working condition | K500 | K2,500 |
| 6(3) | Emitting excessive smoke | K500 | K2,500 |
| 6(4) | Emitting oil or grease | K500 | K2,500 |
| 8 | No rear view mirror | K500 | K2,500 |
| 8 | Rear view mirror not in prescribed position | K500 | K2,500 |
| 9(1) | Steering gear or associated mechanism not in a safe and efficient working condition | K500 | K2,500 |
| 10 | No sun visor | K200 | K1,000 |
| 12 | Trailer attached by an inadequate coupling | K1,000 | K5,000 |
| 13 | Unsafe load or ornament | K500 | K2,500 |

Road Traffic (Offences and Penalties)

| | | | |
|----------|---|--------|---------|
| 14(1) | Inadequate warning device | K500 | K2,500 |
| 14(2) | Inappropriate warning device | K500 | K2,500 |
| 16 | No efficient mechanically operated windscreen wiper | K500 | K2,500 |
| 26 | No approved fire extinguisher (public motor vehicle) | K2,000 | K10,000 |
| 29 | Width of load exceeds 2.5 m without permit | K750 | K4,000 |
| 30 | Side overhang of load more than 300mm without permit | | |
| 31 | Height of load exceeds 4.3 m without permit | K750 | K4,000 |
| 34(1) | Load projecting more than 1.5 m without prescribed warning device | K300 | K1,500 |
| 34(2) | Load projecting more than 3.0 m without permit | K750 | K4,000 |
| 38 | Name of owner, address of the owner, maximum GVW or tare weight not displayed | K300 | K1,500 |
| 47 | No effective service brakes | K2,000 | K10,000 |
| 47 | No effective parking brake | K750 | K4,000 |
| 48 | Trailer without effective parking brake | K2,000 | K10,000 |
| 49(1)(a) | Operating a motor vehicle without required lamps or reflectors | K750 | K4,000 |
| 49(1)(a) | Operating a motor vehicle with lamps or reflectors not in a clean and serviceable condition | K300 | K1,500 |
| 49(1)(c) | Defective headlights at night | K1,000 | K5,000 |
| 49(1)(c) | Defective motor cycle headlights at night | K1,000 | K5,000 |
| 49(1)(c) | Defective forward facing side lights at night | K750 | K4,000 |
| 49(1)(c) | Defective side marker lights at night | K750 | K4,000 |
| 49(1)(c) | Defective rearward facing lights at night | K1,000 | K5,000 |
| 49(1)(c) | Defective motor cycle rearward facing lights at night | K1,000 | K5,000 |
| 49(1)(c) | Defective number plate light at night | K500 | K2,500 |
| 49(3) | Operating a laden motor vehicle at night without required marker lights | K300 | K1,500 |
| 49(4) | Failing to dip headlights in specified situation | K300 | K1,500 |
| 49(5)(a) | Driving a motor vehicle displaying a red light or reflecting surface towards the front | K500 | K2,500 |
| 49(5)(b) | Driving a motor vehicle displaying a light that is not red or amber towards the rear | K500 | K2,500 |
| 57(5) | Failing to disengage flashing direction indicator light when likely to mislead | K300 | K1,500 |
| 57(6) | Flashing direction indicator light signalling device not maintained | K500 | K2,500 |
| 59(2) | Misuse of rotating or flashing lights | K750 | K4,000 |
| 64 | Vehicle displaying non-complying lights | K750 | K4,000 |
| 66(3) | Failing to produce motor vehicle and key or other device necessary for starting the engine | K1,500 | K7,500 |
| 67(3) | Acting contrary to the directions contained in Part A of a defect notice | K1,500 | K7,500 |
| 70(1) | Testing officer issuing a certificate of roadworthiness or safety sticker for a vehicle that does not comply with the Rules | K500 | K2,500 |
| 72(1) | Failing to comply with duties of authorised inspection station | K500 | K2,500 |
| 72(3) | Representing that repairs must be made at a particular inspection station | K1,000 | K5,000 |
| 73(2)(a) | Hindering, or refusing or failing to comply with, a person authorised by the Authority to inspect an inspection station | K300 | K1,500 |
| 75(a) | Purporting to operate authorised inspection station when station is not authorised | K2,000 | K10,000 |
| 75(b) | Purporting to issue certificate of roadworthiness or safety sticker when premises are not authorised | K1,000 | K5,000 |
| 75(c) | Issuing a certificate of roadworthiness or safety sticker when not an approved testing officer | K500 | K2,500 |
| 76 | Tampering or interfering with a weightbridge | K5,000 | K30,000 |
| 77 | Other non-compliance with vehicle standards rule | K1,000 | K5,000 |

Road Traffic (Offences and Penalties)

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|---|--|------------------|---------------------------------------|
| 33 | Failing to comply with instruction or direction of a Traffic Enforcement Officer | K500 | K10,000 and / or 1 year imprisonment |
| 33 | Obstructing a Traffic Enforcement Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 33 | Assisting or inciting a person to disobey or obstruct a Traffic Enforcement Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 33 | Impersonating a Traffic Enforcement Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 35 | Obstructing an Authorised Collection Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 35 | Assisting or inciting a person to obstruct an Authorised Collection Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 35 | Impersonating an Authorised Collection Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| 35 | Impersonating an Authorised Collection Officer | K1,000 | K10,000 and / or 1 year imprisonment |
| Road Traffic Rules - Road User Rules | | | |
| 5(3) | Providing or operating an unauthorised traffic control device | K500 | K2,500 |
| 5(5) | Installing a sign, device or object that may be mistaken for a traffic control device | K500 | K2,500 |
| 5(6)(a) | Damaging or interfering with a traffic control device | K500 | K2,500 |
| 5(6)(b) | Unlawfully removing or obscuring a traffic control device | K500 | K2,500 |
| 9(1)(a) & (b) | Failing to stop at a stop sign | K500 | K2,500 |
| 9(1)(c) | Failing to give way at a one-lane bridge | K500 | K2,500 |
| 9(1)(d) | Failing to give way at an intersection or joining carriageway | K500 | K2,500 |
| 9(1)(e) | Failing to comply with a "no entry" sign | K500 | K2,500 |
| 9(1)(f) | Overtaking where a no overtaking sign is exhibited | K500 | K2,500 |
| 9(1)(g) | Driving in the opposite direction to that indicated by a one way traffic sign | K500 | K2,500 |
| 9(1)(h) | Failing to keep left where a keep left sign is exhibited | K500 | K2,500 |
| 9(1)(i) | Creating an unnecessary noise where a hospital sign is exhibited | K500 | K2,500 |
| 9(1)(j) | Driving in excess of the speed limit indicated by a speed limit sign | K500 | K2,500 |
| 9(1)(k)(i) | Driving through a pedestrian crossing at a speed in excess of 25km/h | K500 | K2,500 |
| 9(1)(k)(ii) | Failing to stop at a pedestrian crossing to allow a person to cross | K500 | K2,500 |
| 9(1)(k)(iii) | Passing or overtaking a motor vehicle at a pedestrian crossing | K500 | K2,500 |
| 9(1)(k)(iv) | Approaching a pedestrian crossing at such a speed as to be unable to stop or to reduce speed to 25km/h | K500 | K2,500 |

Road Traffic (Offences and Penalties)

| | | | |
|---------------------|---|--------|--------|
| 9(1)(l) | Failing to give way to sheep or cattle where a stock crossing sign is exhibited | K500 | K2,500 |
| 9(1)(m)(i) | Driving through a children crossing at a speed in excess of 25km/h | K500 | K2,500 |
| 9(1)(k)(iii) | Passing or overtaking a motor vehicle at a pedestrian crossing | K500 | K2,500 |
| 9(1)(k)(iv) | Approaching a pedestrian crossing at such a speed as to be unable to stop or to reduce speed to 25km/h | K500 | K2,500 |
| 9(1)(l) | Failing to give way to sheep or cattle where a stock crossing sign is exhibited | K500 | K2,500 |
| 9(1)(m)(i) | Driving through a children crossing at a speed in excess of 25km/h | K500 | K2,500 |
| 9(1)(m)(ii) | Failing to stop at a children crossing to allow a person to cross | K500 | K2,500 |
| 9(1)(m)(iii) | Failing to remain stationary until all children crossing the street have completed the passage at a children crossing | K500 | K2,500 |
| 9(1)(m)(iv) | Passing or overtaking a motor vehicle at, a children crossing | K500 | K2,500 |
| 9(1)(n) | Failing to comply with any other sign | K500 | K2,500 |
| 9(2) | Failing to comply with a traffic control signal | K500 | K2,500 |
| 9(3) | Failing to comply with a pedestrian control signal | K200 | K1,000 |
| 10(2)(a), (b) & (c) | Crossing an unbroken separation line | K300 | K1,500 |
| 10(2)(d) | Failing to keep vehicle within traffic lane | K300 | K1,500 |
| 15(1)(a) | Exceeding the speed limit in a town | K300 | K1,500 |
| 15(1)(b) | Exceeding the speed limit outside a town | K300 | K1,500 |
| 15(1)(c) | Exceeding the speed limit outside a town but within a village | K300 | K1,500 |
| 16 | Exceeding 25km/h at an intersection | K100 | K500 |
| 17(1) | Exceeding 25km/h while passing a school, school play-ground or children's play-ground at a time when children are going in or coming out | K100 | K500 |
| 18(3) | Tampering or interfering with a speed-measuring device | K500 | K2,500 |
| 19(1) | Under influence of drink or drugs such that mental or motor skills are impaired | K300 | K1,500 |
| 19(2) | Refusing to undergo an impairment test | K300 | K1,500 |
| 21(1) | Refusing to undergo a breath screening test | K300 | K1,500 |
| 21(3) | Failing to remain at place of breath screening test | K300 | K1,500 |
| 22(1) | Refusing to undergo an evidential breath test | K300 | K1,500 |
| 22(2) | Failing to remain at place of evidential breath test | K300 | K1,500 |
| 23(1)(a) | Exceeding 400 mg of alcohol per litre of breath but not exceeding 600 mg of alcohol per litre of breath (not prescribed type of driver's permit or licence) | K600 | K3,000 |
| 23(1)(b) | Alcohol on breath but not exceeding 250 mg of alcohol per litre of breath while holding prescribed type of driver's permit or licence | K600 | K3,000 |
| 23(1)(b) | Exceeding 250 mg of alcohol per litre of breath but not exceeding 600 mg of alcohol per litre of breath while holding prescribed type of driver's permit or licence | K1,000 | K5,000 |
| 25(3) | Tampering or interfering with a breath screening device or evidential breath-testing device | K500 | K2,500 |
| 26(1) & (2) | Failing to wear a properly adjusted and securely fasten seat belt where one is available | K400 | K2,000 |
| 26(3) | Failing to ensure that a child wears a properly adjusted and securely fastened seat belt | K300 | K1,500 |
| 27(2)(a) | Selling or offering for sale a seat belt which does not comply with the prescribed standard | K1,000 | K5,000 |
| 27(2)(b) | Fitting or otherwise attaching a seat belt to a prescribed motor car where the seat belt or anchorage point does not comply with the prescribed standard | K1,000 | K5,000 |

Road Traffic (Offences and Penalties)

| | | | |
|----------------|---|--------|--------|
| 28(2)(a) | Driving without due care and attention | K500 | K2,500 |
| 28(2)(b) | Driving on a public street that is closed against traffic | K300 | K1,500 |
| 28(2)(c) | Permitting a person to drive a motor vehicle without the consent of the owner | K300 | K1,500 |
| 28(2)(d) | Reversing a motor vehicle for a greater distance or time than is required for safety or reasonable convenience | K300 | K1,500 |
| 28(2)(e) | Failing to be in full control of a motor vehicle or failing to have a clear view of the traffic | K300 | K1,500 |
| 28(2)(f) | Racing with another vehicle | K300 | K1,500 |
| 28(3)(a) | Failing to keep left | K300 | K1,500 |
| 28(3)(b)(i) | Failing to pass approaching vehicle on the left | K300 | K1,500 |
| 28(3)(b)(ii) | Failing to dip headlights for approaching vehicle | K300 | K1,500 |
| 28(3)(c) | Failing to stop close to the left | K300 | K1,500 |
| 28(3)(d) | Failing to give signal when stopping or reducing speed | K300 | K1,500 |
| 28(3)(f) | Failing to give sufficient warning of approach | K300 | K1,500 |
| 28(3)(g) | Failing to move left to allow overtaking | K300 | K1,500 |
| 28(3)(h) | Deviating or increasing speed when being overtaken | K300 | K1,500 |
| 28(3)(i) | Failing to exercise due care not to splash a person | K300 | K1,500 |
| 28(5) | Failing to give way to the right | K500 | K2,500 |
| 29(1)(a) | Failing to overtake on the right | K300 | K1,500 |
| 29(1)(b) | Cutting in on a vehicle after overtaking | K300 | K1,500 |
| 29(1)(c) | Failing to overtake a right-turning vehicle on the left | K300 | K1,500 |
| 29(2)(a) | Failing to move to the centreline when turning or diverging to the right | K300 | K1,500 |
| 29(2)(b) & (c) | Failing to signal when turning or diverging to the right | K300 | K1,500 |
| 29(2)(d) | Encroaching across the centreline when turning right at an intersection | K300 | K1,500 |
| 29(3)(a) | Failing to give a clear signal when turning or diverging to the left | K300 | K1,500 |
| 29(3)(b) | Failing to keep left when turning or diverging to the left | K300 | K1,500 |
| 29(3)(c) | Failing to take adequate precaution to avoid a pedestrian or animal at an intersection | K300 | K1,500 |
| 30(a) | Wilfully stopping a motor vehicle in a place prohibited by the Rules | K500 | K2,500 |
| 31(1) | Wilfully or negligently obstructing, hindering or preventing the free passage of a person, vehicle or animal | K500 | K2,500 |
| 31(3) | Causing or permitting an obstacle to be placed so as to obstruct traffic or cause inconvenience | K500 | K2,500 |
| 32 | Failing to make way for an emergency vehicle | K500 | K2,500 |
| 33 | Failing to stop or give particulars at an accident where injury or damage is caused | K1,000 | K5,000 |
| 33 | Failing to report an accident where injury or damage is caused | K1,000 | K5,000 |
| 34(1) | Using a mobile phone or two-way radio while driving without the use of a hands-free device | K500 | K2,500 |
| 35(a) | Driving, or causing or permitting to drive, a left-hand drive motor vehicle without "left-hand drive" sign | K1,000 | K5,000 |
| 35(b) | Driving, or causing or permitting to drive, a left-hand drive motor vehicle that is not fitted with flashing direction indicator lights | K1,000 | K5,000 |
| 36(1) | Towing another vehicle in contravention of the Rules | K300 | K1,500 |
| 36(2) | Towing agricultural machinery within a town without permission | K1,000 | K5,000 |
| 37 | Failing to securely fasten, load, arrange, contain or cover a load or equipment | K500 | K2,500 |
| 38(4) | Failing to display the number of passengers authorised to be carried on a vehicle | K500 | K2,500 |

Road Traffic (Offences and Penalties)

| | | | |
|-------|---|------|--------|
| 38(5) | Carrying a number of passengers in a motor vehicle in excess of the authorised number | K500 | K2,500 |
| 38(6) | Carrying passengers in or on a part of a motor vehicle designed primarily for goods | K500 | K2,500 |
| 39(1) | Driving, or permitting a person to drive, a motor truck while a person is standing in it | K500 | K2,500 |
| 39(2) | Standing in a motor truck while it is being driven | K300 | K1,500 |
| 40 | Carrying a passenger in tray of a tip-truck without a locked locking device | K500 | K2,500 |
| 41(1) | Carrying a passenger in tray of a motor vehicle where the tray is not fitted with prescribed rails | K500 | K2,500 |
| 41(2) | Carrying an unsupervised child under the age of six years on the tray of a motor vehicle | K500 | K2,500 |
| 42(a) | Carrying a person on the running board of a motor vehicle | K500 | K2,500 |
| 42(b) | Carrying a person, without lawful and reasonable excuse, with part of his or her body projecting beyond the side of the vehicle | K500 | K2,500 |
| 43(2) | Passenger on a motor cycle riding in contravention of the Rules | K300 | K1,500 |
| 43(3) | Failing to wear, or to ensure the wearing of, a securely fastened approved protective helmet on a motor cycle | K300 | K1,500 |
| 44 | Failing to have adequate control of the steering of a motor cycle | K200 | K1,000 |
| 45 | Failing to display name or address on a motor truck | K500 | K2,500 |
| 46 | Failing to ensure that a driver of a motor vehicle has the required class of driver's licence | K300 | K1,500 |

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|---|---|------------------|---------------------------------------|
| Road Traffic Rules - Passenger and Goods Transport Licensing | | | |
| 7(c) | Operating, driving or causing or permitting to be operated or driven, a public motor vehicle without a public motor vehicle licence | K2,000 | K10,000 |
| 7(d) | Operating, driving or causing or permitting to be operated or driven, a public motor vehicle other than in accordance with the licence conditions | K2,000 | K10,000 |
| 10(2) | Failing to display destination and route number on a public motor vehicle | K1,000 | K5,000 |
| 10(3) | Failing to display description of the route, timetable and fares on a licensed public motor vehicle when required by the Authority | K1,000 | K5,000 |
| 12(2) | Failing to securely and promptly affix number plates or licence label on a public motor vehicle | K300 | K1,500 |
| 13 | Failing to display name, address or number of passengers on a public motor vehicle | K500 | K2,500 |
| 14(1) | Failing to accept a passenger on a public motor vehicle | K200 | K1,000 |
| 14(3) | Failing to pay public motor vehicle fare | K100 | K1,000 |
| 15 | Driving a public motor vehicle without a licence or permit to drive | K500 | K2,500 |
| 15 | Permitting person to drive a public motor vehicle without a licence or permit to drive | K500 | K2,500 |
| 17(6) | Failing to carry endorsed driver's licence or permit to drive a public motor vehicle and produce it when required | K300 | K1,500 |
| 18 | Acting as a crew member on a public motor vehicle without a current crew member's permit | K300 | K1,500 |
| 18 | Permitting a person to act as a crew member on a public motor vehicle without a current crew member's permit | K500 | K2,500 |

Road Traffic (Offences and Penalties)

| | | | |
|-------------|---|--------|---------|
| 20(5) | Failing to carry crew member's permit and produce it when required | K200 | K1,000 |
| 21(3) | Failing to return a cancelled or suspended crew member's permit to the Authority | K200 | K1,000 |
| 22 | Carrying a greater number of passengers on a public motor vehicle than the number specified on the licence | K1,000 | K5,000 |
| 23(1) | Driving, or permitting to be driven, a public motor vehicle with a person standing | K500 | K2,500 |
| 23(2) | Standing in a public motor vehicle while it is being driven | K300 | K1,500 |
| 24 | Driving, or permitting to be driven, a public motor vehicle with goods on top of the cabin or canopy | K500 | K2,500 |
| 25 | Driving, or permitting to be driven, a public motor vehicle towing a trailer | K500 | K2,500 |
| 26(1) | Operating a public motor vehicle in an area or on a route other than as specified on the licence | K1,000 | K5,000 |
| 26(2) | Public motor vehicle picking up or setting down passengers other than in the places specified on the licence | K500 | K2,500 |
| 27(c) | Operating, driving or causing or permitting to be operated or driven, a taxicab without a taxicab licence | K2,000 | K10,000 |
| 27(c) | Operating, driving or causing or permitting to be operated or driven, a private hire car without a private hire car licence | K2,000 | K10,000 |
| 27(d) | Operating, driving or causing or permitting to be operated or driven, a taxicab other than in accordance with the licence conditions | K2,000 | K10,000 |
| 27(d) | Operating, driving or causing or permitting to be operated or driven, a private hire car other than in accordance with the licence conditions | K2,000 | K10,000 |
| 29(6) | Carrying a greater number of passengers than the number permitted in a taxicab | K300 | K1,500 |
| 29(7) | Failing to display the number of passengers that a taxicab is licensed to carry | K500 | K2,500 |
| 30 | Failing to display authorized fare schedule together with contact where complaints may be lodged | K500 | K2,500 |
| 31(a) & (b) | Failing to equip taxicab with an approved taximeter in the prescribed position | K2,000 | K10,000 |
| 31(c) & (d) | Failing to have a taximeter tested, or retested, and sealed | K2,000 | K10,000 |
| 33(7) | Carrying a greater number of passengers than the number permitted in a private hire car | K300 | K1,500 |
| 34(2) | Failing to securely and promptly affix number plates or licence label on a taxicab or private hire car | K300 | K1,500 |
| 36(3) | Using a private hire car other than in accordance with temporary licence | K500 | K2,500 |
| 37 | Driving a taxicab without a licence or permit to drive | K500 | K2,500 |
| 37 | Permitting person to drive a taxicab without a licence or permit to drive | K500 | K2,500 |
| 37 | Driving a private hire car without a licence or permit to drive | K500 | K2,500 |
| 37 | Permitting person to drive a private hire car without a licence or permit to drive | K500 | K2,500 |
| 39(6) | Failing to carry endorsed driver's licence or permit to drive a taxicab or private hire car and produce it when required | K300 | K1,500 |
| 40(4) | Failing to display driver identification card in prescribed manner | K300 | K1,500 |
| 41(1) & (3) | Failing to accept a passenger, or passengers, in a taxicab | K200 | K1,000 |
| 41(4) | Failing to pay taxicab fare | K100 | K1,000 |
| 42(1) | Operating or driving a motor vehicle with passenger transport number plates without a passenger transport licence | K500 | K2,500 |

Road Traffic (Offences and Penalties)

| | | | |
|-----------------------|--|--------|---------|
| 42(1) | Operating or driving a motor vehicle with passenger transport licence label without a passenger transport licence | K500 | K2,500 |
| 43(1) & (2) | Driver of public motor vehicle failing to conduct himself or herself as prescribed | K300 | K1,500 |
| 43(1) & (2) | Driver of taxicab failing to conduct himself or herself as prescribed | K300 | K1,500 |
| 43(1) & (2) | Driver of private hire car fails to conduct himself or herself as prescribed | K300 | K1,500 |
| 44 | Permitting a person to carry an offensive substance in a passenger transport vehicle | K300 | K1,500 |
| 45 | Failing to keep public motor vehicle clean | K500 | K2,500 |
| 45 | Failing to keep taxicab or private hire car clean | K500 | K2,500 |
| 47 | Operating, driving or causing or permitting to be operated or driven for hire or reward, a goods transport vehicle without a goods transport licence | K2,000 | K10,000 |
| 47(d) | Operating, driving or causing or permitting to be operated or driven, a licensed goods transport vehicle other than in accordance with the licence conditions | K2,000 | K10,000 |
| 49(6) | Operating a licensed goods transport vehicle in an area or on a route other than as specified on the licence or in contravention of other condition | K1,000 | K5,000 |
| 50(2) | Failing to securely and promptly affix licence label on a goods transport vehicle | K300 | K1,500 |
| 51(1) | Operating or driving a motor vehicle with a goods transport licence label without a goods transport licence | K500 | K2,500 |
| 52 | Failing to display name, address or area or route of operation on a licensed goods transport vehicle | K1,000 | K5,000 |
| 53(3) | Carrying a greater number of passengers than the number permitted in a licensed goods transport vehicle | K300 | K1,500 |
| 55 | Driving a licensed goods transport vehicle without a licence or permit to drive | K300 | K1,500 |
| 55 | Permitting a person to drive a licensed goods transport vehicle without a licence or permit to drive | K500 | K2,500 |
| 57(6) | Failing to carry endorsed driver's licence or permit to drive a licensed goods transport vehicle and produce it when required | K300 | K1,500 |
| 60(1)(a) | Failing to maintain passenger transport vehicle in a fit and proper condition | K1,000 | K5,000 |
| 60(1)(a) | Failing to maintain licensed goods transport vehicle in a fit and proper condition | K1,000 | K5,000 |
| 60(2) | Failing to present passenger transport vehicle when required | K1,000 | K5,000 |
| 60(2) | Failing to present licensed goods transport vehicle when required | K1,000 | K5,000 |
| 60(3) | Operating a passenger transport vehicle that has suffered serious damage without having it passed as safe | K1,000 | K5,000 |
| 60(3) | Operating a licensed goods transport vehicle that has suffered serious damage without having it passed as safe | K1,000 | K5,000 |
| 61(1)(a) & (4)(b)(ii) | Failing to return a passenger or goods transport licence before the sale, transfer or other disposal, or after repossession | K300 | K1,500 |
| 61(1)(b) & (4)(a)(i) | Failing to present a passenger transport vehicle or licensed goods transport vehicle to the Authority before the sale, transfer or other disposal, or after repossession | K300 | K1,500 |
| 61(2) & (4)(a)(ii) | Failing to remove the number plates from a passenger transport vehicle and return them to the Authority before the sale, transfer or other disposal, or after repossession | K300 | K1,500 |
| 62(1) | Operating a motor vehicle other than that specified on the passenger or goods transport licence | K1,000 | K5,000 |

Road Traffic (Offences and Penalties)

| | | | |
|-------------|---|--------|---------|
| 63(1) | Requiring or permitting a person to drive a passenger transport vehicle or licensed goods transport vehicle for greater than the prescribed hours | K1,000 | K5,000 |
| 63(2) | Driving a passenger transport vehicle or licensed goods transport vehicle for greater than the prescribed hours | K300 | K1,500 |
| 65(1)(a) | Failing to keep a record of drivers of passenger transport vehicles or licensed goods transport vehicles | K2,000 | K10,000 |
| 65(1)(b) | Failing to produce the record of drivers of passenger transport vehicles or licensed goods transport vehicles | K1,000 | K5,000 |
| 66 | Transferring, leasing or assigning a passenger transport licence or goods transport licence | K1,000 | K5,000 |
| 67(1) & (3) | Failing to produce a passenger transport licence or goods transport licence to the Authority when required | K1,000 | K5,000 |
| 68 | Failing to produce a passenger transport licence or goods transport licence to the driver | K500 | K2,500 |
| 69 | Failing to give notice of an accident to a passenger transport vehicle or licensed goods transport vehicle to the owner or police | K1,000 | K5,000 |
| 70 | Using a passenger transport vehicle or licensed goods transport vehicle for illegal purposes | K2,000 | K10,000 |
| 72(3) | Failure to present a passenger transport vehicle or licensed goods transport vehicle to the Authority after cancellation of the licence | K1,000 | K5,000 |
| 73(4) | Failing to return a driver's licence or driver's permit to the Authority after cancellation of the licence or permit | K1,000 | K5,000 |
| 74(1) | Failing to forward a statutory declaration on loss, defacement or destruction of a licence or permit | K300 | K1,500 |

SCHEDULE 2 – PENALTIES FOR OVERLOADING OFFENCES

Road Traffic Rules - Vehicle Standards and Compliance, Sec.36

| Maximum Permissible Weight (tonnes) | Infringement Fee when weight equals or exceeds that shown | | | | | | | | |
|-------------------------------------|---|------|------|------|------|------|------|------|--------|
| | K200 | K300 | K400 | K500 | K600 | K700 | K800 | K900 | K1,000 |
| 5.5 | 5.8 | 6.4 | 6.9 | 7.4 | 7.9 | 8.5 | 9.0 | 9.5 | 10.0 |
| 7.0 | 7.4 | 7.9 | 8.5 | 9.0 | 9.5 | 10.0 | 10.6 | 11.1 | 11.6 |
| 8.5 | 9.0 | 9.5 | 10.0 | 10.6 | 11.1 | 11.6 | 12.2 | 12.8 | 13.4 |
| 10.0 | 10.6 | 11.6 | 12.6 | 13.7 | 14.8 | 15.8 | 16.9 | 17.9 | 19.0 |
| 11.0 | 11.6 | 12.7 | 13.7 | 14.8 | 15.8 | 16.9 | 17.9 | 19.0 | 20.0 |
| 12.0 | 12.7 | 13.7 | 14.8 | 15.8 | 16.9 | 17.9 | 19.0 | 20.0 | 21.1 |
| 13.0 | 13.7 | 14.8 | 15.8 | 16.9 | 17.9 | 19.0 | 20.0 | 21.1 | 22.2 |
| 14.0 | 14.8 | 15.8 | 16.9 | 17.9 | 19.0 | 20.0 | 21.1 | 22.2 | 23.2 |
| 15.0 | 15.8 | 16.9 | 17.9 | 19.0 | 20.0 | 21.1 | 22.2 | 23.2 | 24.3 |
| 15.5 | 16.4 | 17.4 | 18.5 | 19.5 | 20.6 | 21.6 | 22.7 | 23.7 | 24.8 |
| 16.0 | 16.9 | 17.9 | 19.0 | 20.0 | 21.1 | 22.2 | 23.2 | 24.3 | 25.3 |
| 16.5 | 17.4 | 18.5 | 19.5 | 20.6 | 21.6 | 22.7 | 23.7 | 24.8 | 25.8 |
| 17.0 | 17.9 | 19.0 | 20.0 | 21.1 | 22.2 | 23.2 | 24.3 | 25.3 | 26.4 |
| 17.5 | 18.5 | 19.5 | 20.6 | 21.6 | 22.7 | 23.7 | 24.8 | 25.8 | 26.9 |
| 18.0 | 19.0 | 20.0 | 21.1 | 22.2 | 23.2 | 24.3 | 25.3 | 26.4 | 27.4 |
| 18.5 | 19.5 | 20.6 | 21.6 | 22.7 | 23.7 | 24.8 | 25.8 | 26.9 | 27.9 |
| 19.0 | 20.0 | 21.1 | 22.2 | 23.2 | 24.3 | 25.3 | 26.4 | 27.4 | 28.5 |

Road Traffic (Offences and Penalties)

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 19.5 | 20.6 | 21.6 | 22.7 | 23.7 | 24.8 | 25.8 | 26.9 | 27.9 | 29.0 |
| 20.0 | 21.1 | 22.1 | 23.2 | 24.2 | 25.3 | 26.4 | 27.4 | 28.5 | 29.5 |
| 20.5 | 21.6 | 22.7 | 23.7 | 24.8 | 25.8 | 26.9 | 27.9 | 29.0 | 30.0 |
| 21.0 | 22.2 | 23.2 | 24.3 | 25.3 | 26.4 | 27.4 | 28.5 | 29.5 | 30.6 |
| 21.5 | 22.7 | 23.7 | 24.8 | 25.8 | 26.9 | 27.9 | 29.0 | 30.0 | 31.1 |
| 22.0 | 23.2 | 24.3 | 25.3 | 26.4 | 27.4 | 28.5 | 29.5 | 30.6 | 31.6 |
| 22.5 | 23.7 | 24.8 | 25.8 | 26.9 | 27.9 | 29.0 | 30.0 | 31.1 | 32.1 |
| 23.0 | 24.3 | 25.3 | 26.4 | 27.4 | 28.5 | 29.5 | 30.6 | 31.6 | 32.7 |
| 23.5 | 24.8 | 25.7 | 26.9 | 27.9 | 29.0 | 30.0 | 31.1 | 32.1 | 33.2 |
| 24.0 | 25.3 | 26.4 | 27.4 | 28.5 | 29.5 | 30.6 | 31.6 | 32.7 | 33.7 |
| 24.5 | 25.8 | 26.9 | 27.9 | 29.0 | 30.0 | 31.1 | 32.2 | 33.2 | 34.3 |
| 25.0 | 26.4 | 27.4 | 28.5 | 29.5 | 30.6 | 31.6 | 32.7 | 33.7 | 34.8 |
| 25.5 | 26.9 | 27.9 | 29.0 | 30.1 | 31.1 | 32.2 | 33.2 | 34.3 | 35.3 |
| 26.0 | 27.4 | 28.5 | 29.5 | 30.6 | 31.6 | 32.7 | 33.7 | 34.8 | 35.8 |
| 26.5 | 27.9 | 29.0 | 30.0 | 31.1 | 32.1 | 33.2 | 34.3 | 35.3 | 36.4 |
| 27.0 | 28.5 | 29.5 | 30.6 | 31.6 | 32.7 | 33.7 | 34.8 | 35.8 | 36.9 |
| 27.5 | 29.0 | 30.0 | 31.1 | 32.1 | 33.2 | 34.2 | 35.3 | 36.4 | 37.4 |
| 28.0 | 29.5 | 30.6 | 31.6 | 32.7 | 33.7 | 34.8 | 35.8 | 36.9 | 37.9 |
| 28.5 | 30.0 | 31.1 | 32.2 | 33.2 | 34.3 | 35.3 | 36.4 | 37.4 | 38.5 |
| 29.0 | 30.6 | 31.6 | 32.7 | 33.7 | 34.8 | 35.8 | 36.9 | 37.9 | 39.0 |
| 29.5 | 31.1 | 32.1 | 33.2 | 34.3 | 35.3 | 36.4 | 37.4 | 38.5 | 39.5 |
| 30.0 | 31.6 | 32.7 | 33.7 | 34.8 | 35.8 | 36.9 | 37.9 | 39.0 | 40.0 |
| 30.5 | 32.1 | 33.2 | 34.3 | 35.3 | 36.4 | 37.4 | 38.5 | 39.5 | 40.6 |
| 31.0 | 32.7 | 33.7 | 34.8 | 35.8 | 36.9 | 37.9 | 39.0 | 40.0 | 41.1 |
| 31.5 | 33.2 | 34.3 | 35.3 | 36.4 | 37.4 | 38.5 | 39.5 | 40.6 | 41.6 |
| 32.0 | 33.7 | 34.8 | 35.8 | 36.9 | 37.9 | 39.0 | 40.0 | 41.1 | 42.2 |
| 32.5 | 34.3 | 35.3 | 36.4 | 37.4 | 38.5 | 39.5 | 40.6 | 41.6 | 42.7 |
| 33.0 | 34.8 | 35.8 | 36.9 | 37.9 | 39.0 | 40.0 | 41.1 | 42.2 | 43.2 |
| 33.5 | 35.3 | 36.4 | 37.4 | 38.5 | 39.5 | 40.6 | 41.6 | 42.7 | 43.7 |
| 34.0 | 35.8 | 36.9 | 37.9 | 39.0 | 40.0 | 41.1 | 42.2 | 43.2 | 44.3 |
| 34.5 | 36.4 | 37.4 | 38.5 | 39.5 | 40.6 | 41.6 | 42.7 | 43.7 | 44.8 |
| 35.0 | 36.9 | 37.9 | 39.0 | 40.0 | 41.1 | 42.2 | 43.2 | 44.3 | 45.3 |
| 35.5 | 37.4 | 38.5 | 39.5 | 40.6 | 41.6 | 42.7 | 43.7 | 44.8 | 45.8 |
| 36.0 | 37.9 | 39.0 | 40.0 | 41.1 | 42.2 | 43.2 | 44.3 | 45.3 | 46.4 |
| 36.5 | 38.5 | 39.5 | 40.6 | 41.6 | 42.7 | 43.7 | 44.8 | 45.8 | 46.9 |
| 37.0 | 39.0 | 40.0 | 41.1 | 42.2 | 43.2 | 43.3 | 44.3 | 44.4 | 45.4 |
| 37.5 | 39.5 | 40.6 | 41.6 | 42.7 | 43.7 | 44.8 | 45.8 | 46.9 | 47.9 |
| 38.0 | 40.0 | 41.1 | 42.2 | 43.2 | 44.3 | 45.3 | 46.4 | 47.4 | 48.5 |
| 38.5 | 40.6 | 41.6 | 42.7 | 43.7 | 44.8 | 45.8 | 46.9 | 47.9 | 49.0 |
| 39.0 | 41.1 | 42.2 | 43.2 | 44.3 | 45.3 | 46.4 | 47.4 | 48.5 | 49.5 |
| 39.5 | 41.6 | 42.7 | 43.7 | 44.8 | 45.8 | 46.9 | 47.9 | 49.0 | 50.0 |
| 40.0 | 42.2 | 43.2 | 44.3 | 45.3 | 46.4 | 47.4 | 48.5 | 49.5 | 50.6 |
| 40.5 | 42.7 | 43.7 | 44.8 | 45.8 | 46.9 | 47.9 | 49.0 | 50.0 | 51.1 |
| 41.0 | 43.2 | 44.3 | 45.3 | 46.4 | 47.4 | 48.5 | 49.5 | 50.6 | 51.7 |
| 41.5 | 43.7 | 44.8 | 45.8 | 46.9 | 47.9 | 49.0 | 50.0 | 51.1 | 52.2 |
| 42.0 | 44.3 | 45.3 | 46.4 | 47.4 | 48.5 | 49.5 | 50.6 | 51.7 | 52.8 |

Road Traffic (Offences and Penalties)

SCHEDULE 3 – STATIONARY VEHICLE OFFENCES & PENALTIES.

| Provision | Brief description of offence | Infringement fee | Maximum penalty on summary conviction |
|--|---|-------------------------|--|
| Road Traffic Rules - Registration of Motor Vehicles | | | |
| 13(2) | Causing or permitting a registration label other than the label issued for the vehicle to be affixed | K300 | K1,500 |
| 13(3) | Defacing a registration label | K300 | K1,500 |
| 13(8) | Affixing a registration label to an unregistered motor vehicle | K300 | K1,500 |
| 13(10) | Driving motor vehicle without registration label properly affixed | K300 | K1,500 |
| 13(11) | Permitting a person to drive a motor vehicle without registration label properly affixed | K300 | K1,500 |
| 13(12) | Driving a motor vehicle with incorrect registration label | K300 | K1,500 |
| 14(2) | Failing to securely affix number plate as required | K300 | K1,500 |
| 19(2) | Causing or permitted other registration plate to be affixed to motor vehicle | K300 | K1,500 |
| 19(3) | Permitting obstruction of a number plate | K300 | K1,500 |
| 19(4) | Defacing a number plate | K300 | K1,500 |
| 19(9) | Affixing a number plate, article resembling a number plate or altered number plate to an unregistered vehicle | K500 | K2,500 |
| 19(11) | Driving a motor vehicle with incorrect number plate | K500 | K2,500 |
| 22(1)(a) | Driving an unregistered motor vehicle | K500 | K2,500 |
| 22(1)(b) | Permitting a person to drive an unregistered vehicle | K500 | K2,500 |
| 30(2) | Non-motor cycle trader's plate used on a motor cycle | K200 | K1,000 |
| 30(3) | Motor cycle trader's plate used on other than a motor cycle | K200 | K1,000 |
| 31(1) | Failing to ensure that trader's plates are securely affixed as required | K200 | K1,000 |
| Road Traffic Rules – Vehicle Standards and Compliance | | | |
| 7 | No mudguards | K500 | K2,500 |
| 11 | Defective tyres | K1,000 | K5,000 |
| 15(1) | Windscreen not clean and clear | K500 | K2,500 |
| 15(2) | Windscreen or other glazing contains cracks, material or obstacles that impede the driver's vision | K1,000 | K5,000 |
| 15(5) | Surface film on windscreen that extends more than 15cm from top of windscreen | K500 | K2,500 |
| 49(2) | Parking at night without adequate lighting | K300 | K1,500 |
| 49(6) | Leaving headlights lit when parked | K200 | K1,000 |
| 65(2) | Operating a motor vehicle without displaying a current safety sticker | K300 | K1,500 |
| 70(3) | Failing to securely affix safety sticker | K200 | K1,000 |
| Road Traffic Rules – Road User Rules | | | |
| 7(2) | Parking or standing a motor vehicle in contravention of a sign | K100 | K500 |
| 7(2) | Parking in excess of the time limit on a sign | K100 | K500 |
| 11(2) | Failing to pay the tariff in a metered space | K100 | K500 |
| 30(b) to (j) | Standing a motor vehicle in a place or manner prohibited by the Rules | K100 | K500 |
| 30(k) | Leaving a motor vehicle unsecured against being started | K100 | K500 |
| 31(2) | Standing a motor vehicle so as to obstruct traffic or cause inconvenience | K300 | K1,500 |

Road Traffic (Offences and Penalties)

SCHEDULE 4.

FORMS.

Act. Sec. 37. Reg. Sec. 3(3)

Form 28.

Traffic Summons.

Prescribed Offences and Prescribed Penalties.

Notice no:

Enforcement authority:

Address for correspondence and payment:

To

Full name: [*first name(s), family name*]

Full address:

Occupation:

Telephone no:

Date of birth:

Sex:

Driver licence no:

Class:

Issued at:

Type: Learner/Provisional/Full*

Expiry date:

If driver's licence was not produced at the time of issue of this notice, it must be presented to the enforcement authority at the address given above, by

Alleged offence(s) details

Date:

Time:

Day of week:

Road / street:

Locality:

Vehicle type:

Vehicle make:

Reg. no:

Passenger transport / goods transport licence no:

Offence:

Named court-

On the above date and public street, you did commit the offence indicated.

AFFIDAVIT

I, (*name*), (*designation*), (*no.*) make oath and say that I served the within named person with a true copy of this Traffic Summons at (*place*) on (*date*)

SWORN at (*place*) on

BEFORE ME

(Signature of Commissioner for Oaths.)

**Strike out whichever is inapplicable.*

HOW TO DEAL WITH THIS TRAFFIC SUMMONS.

1. If you pay the prescribed penalty to the Clerk of the named court within 14 days commencing on the day following the service of this summons, no further proceedings will be taken against you.

OR

2. You may appear or be represented at the named court at 9.30am on the first day on which the court sits following the expiry of 14 days commencing on the day following the service of this summons to answer the charge.

NOTE: If you do not pay the prescribed penalty within the period of 14 days referred to in Paragraph 1, or if

you fail to appear or be represented before the named court at the time and on the day referred to in Paragraph 2, the court will deal with the charge in your absence by recording a plea of guilty and proceeding to sentence.

Road Traffic (Offences and Penalties)

Reg. Sec. 6(1)

Form 29.

General Infringement Notice.

(Issued under Section 36 of the Road Traffic Act 2014).

Notice no:
Enforcement authority:
Address for correspondence and payment:

To user of vehicle

Full name: *[first name(s), family name]*

Full address:

Occupation:

Telephone no:

Date of birth:

Sex:

Driver licence no:

Class:

Issued at:

If driver's licence was not produced at the time of issue of this notice, it must be presented to the enforcement authority at the address given above, by

Alleged infringement offence(s) details

Date:

Time:

Day of week:

Road / Street:

Locality:

Vehicle type:

Vehicle make:

Reg. no:

Passenger transport / goods transport licence no:

| Offence no. | Offence | Infringement fee payable (K) |
|--------------------|----------------|-------------------------------------|
| 1 | | |
| 2 | | |
| 3 | | |

Details of speeding offence (if applicable)

Speed limit: *[specify]* km/h

Alleged speed: *[specify]* km/h

Limit exceeded by: *[specify]* km/h

Payment of infringement fee(s)

The infringement fee(s) is/are payable within 14 days after: *[Earliest date notice attached to vehicle, delivered personally, or posted]*

Procedures for payment of infringement fee

The infringement fee may be paid using one of the following methods:

[Specify method(s) of payment.]

[Payment verification stamp]

Road Traffic (Offences and Penalties)

[back of form]

Information.

If there is anything in these notes you do not understand, you should consult a lawyer.

Payment.

1. If you pay the infringement fee(s) (including any towage fees) within 14 days after the service of this notice, no further enforcement action will be taken against you.

Defence.

2. You will have a complete defence against proceedings relating to an alleged offence if the infringement fee (including any towage fees) is paid to the enforcement authority and received at the address shown on this notice within 14 days after the service of this notice.
3. Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action.

4. You must write to the enforcement authority if you wish to do any of the following things:
 - (a) raise a matter concerning the circumstances of an alleged offence for consideration by the enforcement authority; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise. In your letter you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.You must ensure that your request is received on or before the last day for payment. If you deny liability and request a court hearing, the enforcement authority will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court. If you admit liability but wish to have the court consider submissions, the enforcement authority will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court. If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Next steps.

If you do not request a hearing and you do not pay the infringement fee (including any towage fees) within the 14 days after the service of this notice, a reminder notice will be sent to you. Please note that in some circumstances if you do not receive a reminder notice you may still become liable to pay a fine and court costs.

Note: All payments, queries, and correspondence regarding this traffic infringement notice must be directed to the enforcement authority at the address shown on this notice. When writing, please include the date of the alleged infringement offence, the vehicle registration number (if shown on this form), and your address for replies.

Road Traffic (Offences and Penalties)

Reg. Sec. 6(2)

Form 29A.

Overloading Infringement Notice.

(Issued under Section 36 of the Road Traffic Act 2014).

Notice no:

Enforcement authority:

Address for correspondence and payment:

To heavy motor vehicle user

Full name: *[first name(s), family name]*

Full address:

Occupation:

Telephone no:

Date of birth:

Sex:

Driver licence no:

Class:

Issued at:

Passenger transport / goods transport licence no:

Alleged infringement offence(s) details

Date:

Time:

Day of week:

Road / Street:

Locality:

Vehicle 1-

Vehicle type:

Vehicle make:

Reg. no:

Vehicle 2-

Vehicle type:

Vehicle make:

Reg. no:

Vehicle 3-

Vehicle type:

Vehicle make:

Reg. no:

Offence number 1: Exceeding permitted weight limit.

Weight limit: *[specify]* kg

Weight measured: *[specify]* kg

Limit exceeded by: *[specify]* kg

Infringement fee payable: K[amount]

Offence number 2: Exceeding permitted weight limit

Weight limit: *[specify]* kg

Weight measured: *[specify]* kg

Limit exceeded by: *[specify]* kg

Infringement fee payable: K[amount]

Offence number 3: Exceeding permitted weight limit

Weight limit: *[specify]* kg

Weight measured: *[specify]* kg

Limit exceeded by: *[specify]* kg

Infringement fee payable: K[amount]

Payment of overloading infringement fee(s)

The infringement fee(s) is/are payable within 14 days after: *[Earliest date notice attached to vehicle, delivered personally, or posted]*

Procedures for payment of infringement fee

The infringement fee(s) may be paid using one of the following methods:

[Specify method(s) of payment.]

[Payment verification stamp]

Road Traffic (Offences and Penalties)

[back of form]
Information.

If there is anything in these notes you do not understand, you should consult a lawyer.

Payment.

1. If you pay the infringement fee(s) (including any towage fees) within 14 days after the service of this notice, no further enforcement action will be taken against you.

Defence.

2. You will have a complete defence against proceedings relating to an alleged offence if the infringement fee (including any towage fees) is paid to the enforcement authority and received at the address shown on this notice within 14 days after the service of this notice.
3. Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action.

4. You must write to the enforcement authority if you wish to do any of the following things:
 - (a) raise a matter concerning the circumstances of an alleged offence for consideration by the enforcement authority; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise. In your letter you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the enforcement authority will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the enforcement authority will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Each offence identified by a number is a separate infringement offence. You may decide what to do in respect of each alleged offence individually, and may act in the same way in respect of all alleged offences or in different ways in respect of different alleged offences.

If it is not clear which alleged offence any payment relates to, your payment may be treated as relating to the alleged offences in the order in which they are set out on this notice.

Next steps.

If you do not request a hearing and you do not pay the infringement fee (including any towage fees) within the 14 days after the service of this notice, a reminder notice will be sent to you. Please note that in some circumstances if you do not receive a reminder notice you may still become liable to pay a fine and court costs.

Note: All payments, queries, and correspondence regarding this overloading infringement notice must be directed to the enforcement authority at the address shown on this notice. When writing, please include the date of the alleged infringement offence, the vehicle registration number (if shown on this form), and your address for replies.

Road Traffic (Offences and Penalties)

Reg. Sec. 6(3)

Form 29B.

Stationary Vehicle Offence Infringement Notice.
(Issued under Section 36 of the Road Traffic Act 2014).

Notice no:

Enforcement authority:

Address for correspondence and payment:

To the user or owner of the vehicle described below:

Date: Time: Day of week:

Road / Street: Locality:

Side of street: Distance from sign:

Restriction:

From: To:

Vehicle type: Vehicle make: Reg. no:

Passenger transport / goods transport licence no:

Offence:

Infringement fee (including GST): K[amount]

Payment of infringement fee

The infringement fee is payable within 14 days after: [Earliest date notice attached to vehicle, delivered personally, or posted]

Procedures for payment of penalty

The infringement fee may be paid using one of the following methods:

[Specify method(s) of payment.] [Payment verification stamp]

[back of form]

Information.

If there is anything in these notes you do not understand, you should consult a lawyer.

Payment.

1. If you pay the infringement fee(s) (including any towage fees) within 14 days after the service of this notice, no further enforcement action will be taken against you.

Defence.

2. You will have a complete defence against proceedings relating to an alleged offence if the infringement fee (including any towage fees) is paid to the enforcement authority and received at the address shown on this notice within 14 days after the service of this notice.
3. Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action.

4. You must write to the enforcement authority if you wish to do any of the following things:
 - (a) raise a matter concerning the circumstances of an alleged offence for consideration by the enforcement authority; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise. In your letter you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

Road Traffic (Offences and Penalties)

You must ensure that your request is received on or before the last day for payment. If you deny liability and request a court hearing, the enforcement authority will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court. If you admit liability but wish to have the court consider submissions, the enforcement authority will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court. If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Information relating to stationary vehicle offences.

1. Regulation 8 of the Road Traffic (Offences and Penalties) regulation provides that proceedings for a stationary vehicle offence may be taken against 1 or more of the following persons (whether or not, if item (b) or (c) applies, the person is an individual or was the driver, person in charge, or user of the vehicle at the time the alleged offence was committed):
 - (a) the person who allegedly committed the offence;
 - (b) the person who, at the time of the alleged offence, was registered as the owner, or one of the owners, under section 6 of the Road Traffic Rules - Registration of Motor Vehicles, in respect of the vehicle involved in the offence;
 - (c) the person who, at the time of the alleged offence, was lawfully entitled to possession of the vehicle involved in the offence (whether jointly with any other person or not).
2. Where proceedings in respect of a stationary vehicle offence are taken against you not as the person who allegedly committed the offence but as a person referred to in paragraph 5(b) or (c), the acts or omissions of the driver, person in charge, or user of the vehicle at the time of the alleged offence are presumed to be your acts or omissions unless you establish the defence described below in paragraph 8.

Defences related to stationary vehicle offences.

1. You have a defence if you prove another person has, by virtue of an order under the Criminal Justice (Sentences) Act 1986 or the Summary Offences Act 1977, become liable to pay a fine or costs, or both, in respect of the offence.
2. Where the acts or omissions of another person are presumed to be yours (as set out in paragraph 6), you may have a complete defence (in addition to those indicated in paragraphs 2 and 7) to any proceedings against you for the stationary vehicle offence if you prove that -
 - (a) at the time the alleged offence was committed -
 - (i) you were not lawfully entitled to possession of the vehicle (either jointly with any other person or as an individual); or
 - (ii) another person was unlawfully in charge of the vehicle; and
 - (b) you advised the enforcement authority in writing of this as soon as practicable after becoming aware of the alleged offence; and
 - (c) you gave the enforcement authority a statutory declaration -
 - (iii) identifying another person who was, at the time of the alleged offence, lawfully entitled to possession, or was unlawfully in charge of the vehicle by providing the full name and full address and any other identifying particulars of the other person that you know, for example, the other person's date of birth, occupation, and telephone number; or
 - (iv) establishing that you could not identify the other person after taking all reasonable steps to do so.

Next steps.

If you do not request a hearing and you do not pay the infringement fee (including any towage fees) within the 14 days after the service of this notice, a reminder notice will be sent to you. Please note that in some circumstances if you do not receive a reminder notice you may still become liable to pay a fine and court costs.

Note: All payments, queries, and correspondence regarding this infringement notice must be directed to the enforcement authority at the address shown on this notice. When writing, please include the date of the alleged infringement offence, the vehicle registration number (if shown on this form), and your address for replies.

Road Traffic (Offences and Penalties)

Reg. Sec. 7

Form 29C.

Reminder Notice in Respect of Infringement Offence.
(Issued under Section 36 of the Road Traffic Act 2014).

Notice no:
Enforcement authority:
Address for correspondence and payment:

To defendant

Full name: [first name(s), family name]
Full address:
Occupation: Telephone no:
Date of birth: Sex:
Driver licence no: Class: Issued at:
Passenger transport or goods transport licence no:

The enforcement authority shown above alleges that you committed an infringement offence on [date] at [time] at [place] in that you [details of the offence, including the vehicle registration number of any vehicle used in the offence].

This is an offence against [specify enactment and provision applicable.]

[In the case of a speeding offence, set out the applicable speed limit and the speed at which the driver was travelling at the time of the offence.]

[In the case of an infringement offence (other than a speeding offence) in respect of which a scale of infringement fees is prescribed depending on the extent of the offence, here set out the extent of the infringement offence alleged.]

Being:

- *1 An overloading infringement offence.
- *2 A stationary vehicle infringement offence.
- *3 Any offence (other than those listed above) specified in Schedule 1.
- *4 Any other offence specified as an infringement offence against the Road Traffic Act 2014

*Specify.

Infringement notice issued by: [name or number, if any, of officer who issued notice]

PENALTY FOR OFFENCE

Infringement fee/amount of the infringement fee remaining unpaid (excluding towage fee):

K[amount]
Towage fee: K[amount]
Other: K[amount]
Total payable: K[amount]

Other penalties:

You must pay the infringement fee within 7 days after the service of this notice. The last date for payment is [date].

The infringement fee may be paid using one of the following methods:

[Specify method(s) of payment.]

SERVICE DETAILS

(To be provided for filing in court)

Infringement notice served by attaching to vehicle / personal service / prepaid post / electronically (if permitted)*.

*Select one.

Reminder notice served by personal service/prepaid post/electronically (if permitted)* at [full address at which the reminder notice was served].

*Select one.

Court record

Road Traffic (Offences and Penalties)

[back of form]

Information.

If there is anything in these notes you do not understand, you should consult a lawyer.

The type of infringement offence that you are alleged to have committed appears on the front of this form.

Payment.

1. If you pay the infringement fee or the amount of the infringement fee remaining unpaid (including any towage fees) within 7 days after the service of this notice, no further enforcement action will be taken against you.

Defence.

2. You will have a complete defence against proceedings relating to the alleged offence if you can show that the infringement fee or the amount of the infringement fee remaining unpaid (including any towage fees) has been paid to the enforcement authority and received at the address shown on this notice within 7 days after the service of this notice.
3. Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action.

4. You must write to the enforcement authority if you wish to do any of the following things:
 - (a) raise a matter concerning the circumstances of an alleged offence for consideration by the enforcement authority; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.

In your letter you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the enforcement authority will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the enforcement authority will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

INFORMATION RELATING TO STATIONARY VEHICLE OFFENCES.

1. Section 4 of the Road Traffic (Infringement Notices) Regulation provides that proceedings for a stationary vehicle offence may be taken against 1 or more of the following persons (whether or not, if item (b) or (c) applies, the person is an individual or was the driver, person in charge, or user of the vehicle at the time the alleged offence was committed):
 - (a) the person who allegedly committed the offence;
 - (b) the person who, at the time of the alleged offence, was registered under section 6 of the Road Traffic Rules --Registration of Motor Vehicles, in respect of the vehicle involved in the offence;
 - (c) the person who, at the time of the alleged offence, was lawfully entitled to possession of the vehicle involved in the offence (whether jointly with any other person or not).
2. Where proceedings in respect of a stationary vehicle offence are taken against you not as the person who allegedly committed the offence but as a person referred to in paragraph 5(b) or (c), the acts or omissions of the driver, person in charge or user of the vehicle at the time of the alleged offence are presumed to be your acts or omissions unless you establish the defence described below in Paragraph 8.

Road Traffic (Offences and Penalties)

DEFENCES RELATING TO STATIONARY VEHICLE OFFENCES.

1. You have a defence if you prove another person has, by virtue of an order under the Criminal Justice (Sentences) Act 1986 or the Summary Offences Act 1977, become liable to pay a fine or costs, or both, in respect of the offence.
2. Where the acts or omissions of another person are presumed to be yours (as set out in paragraph 6), you may have a complete defence (in addition to those indicated in paragraphs 2 and 7) to any proceedings against you for the stationary vehicle offence if you prove that -
 - (a) at the time the alleged offence was committed -
 - (i) you were not lawfully entitled to possession of the vehicle (either jointly with any other person or as an individual); or
 - (ii) another person was unlawfully in charge of the vehicle; and
 - (b) you advised the enforcement authority in writing of this as soon as practicable after becoming aware of the alleged offence; and
 - (c) you gave the enforcement authority a statutory declaration -
 - (i) identifying another person who was, at the time of the alleged offence, lawfully entitled to possession, or was unlawfully in charge of the vehicle, by providing the full name and full address and any other identifying particulars of the other person that you know, for example, the other person's date of birth, occupation, and telephone number; or
 - (ii) establishing that you could not identify the other person after taking all reasonable steps to do so.

Next steps.

If you do not request a hearing and you do not pay the infringement fee (including any towage fees) within the 7 days after the service of this notice, the enforcement authority will commence court proceedings against you for the alleged offence.

Note: All payments, queries, and correspondence regarding the infringement notice or this reminder notice must be directed to the enforcement authority at the address shown on this notice. When writing, please include the date of the alleged infringement offence, the vehicle registration number (if shown on this form), and your address for replies.

Road Traffic (Offences and Penalties)

Act Sec. 51(7)(b)(ii)

Form 30.

NOTICE OF SEIZURE.

Motor vehicle registered no. _____, being a *(insert type of vehicle)*, was on *(insert date)* seized and removed in accordance with Section 51 of the Road Traffic Act and is now impounded and in custody of *(insert name of enforcement authority)* at *(insert address of enforcement authority)*.

The owner, or a person acting for or on behalf of the owner may apply to the office of the *(insert name of enforcement authority)* at *(insert address of office)* for the release of the vehicle. On proof of ownership and payment to the *(insert name of enforcement authority)* of the amount fixed as the amount payable for the costs and expenses incurred in respect of the seizure, taking charge, removal, keeping, impounding and releasing of the motor vehicle, the vehicle will be released to the applicant.

If at the end of a period of three months after the date of this notice, the vehicle has not been claimed, or the amount due for costs and expenses referred to in the preceding paragraph has not been paid, the motor vehicle may be disposed of or destroyed in accordance with the Unclaimed Goods Act 1966.

for Road Traffic Authority
Date:

Act Sec. 51(10)(b)

Form 31.

APPLICATION FOR RELEASE OF VEHICLE SEIZED UNDER SECTION 51 OF THE ROAD TRAFFIC ACT.

To the

I, _____, of _____, the owner (or a person acting for or on behalf of the owner, *see* declaration and authorization attached), apply for the release of *(insert type of motor vehicle)* registered No. _____, and I agree to pay the sum of K _____, being the amount fixed by the Road Traffic Authority as being payable for costs and expenses incurred in respect of the seizure, taking charge, removal, keeping, impounding and releasing of the vehicle.

(Signature.)

Date:

Road Traffic (Offences and Penalties)

Act Sec. 51(10)(c)

Form 32.

STATUTORY DECLARATION FOR MOTOR VEHICLE SEIZED UNDER SECTION 51 OF THE ROAD TRAFFIC ACT.

I, _____ of _____, do solemnly and sincerely declare --
that I am the owner of (*insert type of motor vehicle*) registered no. _____

or
that I am duly authorized to act for or on behalf of _____ the
owner of (*insert type of motor vehicle*) registered no. _____, as appears by the authorization attached and
marked with the letter 'A'.

AND I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act* conscientiously believing the statements contained in it to be true in every particular.

Declared at _____, on _____

(Signature of Declarant)

Before me,

Justice of the Peace *or* Commissioner for Declarations.

Act Sec. 51(11)(c). Form 33.

RECEIPT FOR MOTOR VEHICLE RELEASED.

I, _____ of _____, the applicant for the release of
motor vehicle registered no. _____, acknowledged that the motor vehicle has been delivered to
me at _____
on _____

(Signature)

Date: _____

Made this

17th

day of

February

, 2017.



ACTING GOVERNOR-GENERAL.