

S T A T U T O R Y I N S T R U M E N T S
2016 No. 30.

**The Traffic and Road Safety (Motorcycles and Motorised
Tricycles) Regulations, 2016.**

(Under section 178 of the Traffic and Road Safety Act, 1998, Cap 361)

IN EXERCISE of the powers conferred upon the Minister responsible for transport by section 178 of the Traffic and Road Safety Act 1998, these Regulations are made this 15th day of April, 2016.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Traffic and Road Safety (Motorcycles and Motorised Tricycles) Regulations, 2016.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Traffic and Road Safety Act, 1998, Cap 361;

“area identification code” means a combination of characters identifying the driver and his or her designated parking place;

“Board” means the Transport Licensing Board established under the Traffic and Road Safety Act, 1998, Cap 361;

“currency point” has the value assigned to a currency point in Schedule 1;

“designated parking place” means a place designated by the local authority to be used exclusively for parking of motorcycles or motorised tricycles;

“driver” means a driver of a motorcycle or motorised tricycle;

“driving permit” means a driving permit of the Group ‘A’ category issued under the Act;

“hard to reach area” means a rural area where motor vehicle ambulance services are not easily accessible;

“inspection report” means a report of motor vehicle roadworthiness issued by an Inspector of vehicles under the Act;

“licence” means an operator’s licence issued by the Board under these Regulations;

“licensee” means a person licensed by the Board to provide public transport services under these Regulations;

“local authority” means a local government and Kampala Capital City Authority;

“motorcycle” means a motor vehicle with less than four wheels, the unladen weight of which does not exceed four hundred kilograms;

“motorised tricycle” means a motorcycle with three wheels;

“owner” means a person whose name appears on the motor vehicle registration book as the registered owner;

“passenger” means a person, not being the driver, who is travelling on a motorcycle or motorised tricycle;

“Uganda National Bureau of Standards” means the bureau established under the Uganda National Bureau of Standards Act, Cap 327.

3. Application for licence.

(1) A person shall not operate a motorcycle or motorised tricycle for hire or reward without a licence issued by the Board under these Regulations.

(2) An application for a licence shall be made to the Board in form 1 set out in Schedule 2.

(3) The application referred to in subregulation (2) shall be accompanied by—

- (a) a copy of the registration book;
- (b) a copy of an insurance policy cover with the minimum requirement of third party liability;
- (c) an original inspection report;
- (d) in case of a company or partnership, a copy of the certificate of incorporation or registration;
- (e) where the applicant does not intend to drive the motorcycle or motorised tricycle personally, evidence of a formal employment contract with a qualified driver;
- (f) evidence of approval to park at designated parking space;
- (g) a copy of the applicant's driving permit; and
- (h) the prescribed fees.

4. Restrictions on the grant of licence.

(1) A licence shall not be granted to an applicant unless the motorcycle or motorised tricycle in respect of which an application for a licence is made—

- (a) has a four stroke cycle engine;
 - (b) has a back rest cushion for the passenger with a height of at least fifteen centimetres measured from the passenger seat, in the case of a motorcycle;
 - (c) has foot-rests on either side of the motorcycle; and
 - (d) meets the standards specified by the Uganda National Bureau of Standards.
- (2) A licence shall not be granted to a motorised tricycle-
- (a) to operate in the central business district; and
 - (b) to carry passengers.

(3) Notwithstanding subregulation (2), the Minister may, by Statutory Order authorise a person to use a motorised tricycle, built with a canopy, as an ambulance in hard to reach areas.

5. Grant of licence.

(1) The Board may, if satisfied with an application made under regulation 3, grant a licence.

(2) The licence granted under subregulation (1) shall be in form 2 set out in Schedule 2 and shall indicate—

- (a) the name and address of the licensee;
- (b) the registration number of the motorcycle or motorised tricycle;
- (c) the duration of the licence; and
- (d) the authorised number of passengers to be carried by a motorcycle or tonnage for carriage by the motorised tricycle.

6. Duration of licence.

A licence granted under regulation 5 shall be valid for twelve months from the date of issue and shall then expire.

7. Renewal of licence.

(1) The Board may renew a licence on an application duly made under these Regulations.

(2) An application for renewal of a licence shall be made at least one month before the expiration of the licence.

(3) The Board shall take into account the conduct of the licensee before renewing a licence.

(4) An application for renewal of a licence shall be accompanied with the prescribed fees.

8. Suspension or revocation of licence.

(1) The Board may suspend or revoke a licence where the licensee is in breach of the provisions of the Act or these Regulations.

(2) The Board shall notify the licensee in writing, specifying the reasons for the intended suspension or revocation, and the licensee may make representations to the Board.

(3) Where the Board is not satisfied with the representations made by the licensee under subregulation (2), the Board may—

- (a) suspend the licence for a specified period; or
- (b) revoke the licence.

(4) Where the Board suspends or revokes a licence, the licensee shall immediately cease transport operations and surrender the licence to the Board.

9. Surrender of licence.

A licensee may discontinue providing public transport services under these Regulations and shall surrender the licence to the Board.

PART III—DESIGNATED PARKING PLACE AND SAFETY OF USE OF
MOTORCYCLE OR MOTORISED TRICYCLE

10. Designated parking place.

(1) The relevant local authority shall designate parking places for parking of motorcycles and motorised tricycles for public transport.

(2) A driver shall not park at a designated parking place without the approval of the local authority.

(3) Where a licensee intends to move from the designated parking place in respect of which a licence was issued to another designated parking place, the licensee shall notify the Board at least one month prior to moving from the designated parking place.

11. Safety measures.

(1) Subject to paragraph (b), a driver shall not—

(a) carry more than one passenger on a motorcycle;

(b) notwithstanding paragraph (a), a child of the apparent age of 12 years or below shall not be carried on a motorcycle unless he or she is accompanied by his or her parent or an adult.

(2) The driver of a motorised tricycle shall not carry passengers for hire or reward.

(3) Every driver shall wear a driver's badge issued by the secretary to the board at all times while driving the motorcycle or motorised tricycle.

(4) Every driver shall wear a crash or safety helmet at all times while driving a motorcycle.

(5) Every passenger on a motorcycle shall wear a crash or safety helmet provided by the driver at all times while being carried on the motorcycle.

(6) Every driver shall wear a retro-reflective jacket bearing an area identification code and the designated parking space at all times when driving a motorcycle.

(7) Every driver shall observe all the traffic rules prescribed under the Traffic and Road Safety (Rules of the Road) Regulations, 2004.

(8) Every driver shall use dipped headlights during day light.

(9) A person who contravenes this regulation commits an offence and is liable, on conviction, to a fine not less than two currency points and not exceeding thirty currency points or imprisonment not exceeding two years or both.

PART IV—GENERAL

12. Transfer of licensed motorcycle or motorised tricycle.

(1) Where a licensee transfers or otherwise disposes of a motorcycle or motorised tricycle to which the licence relates, he or she shall notify the Board within fourteen days of transfer or disposal.

(2) The notification under subregulation (1) shall be in form 3, set out in Schedule 2.

13. Offences and penalties.

(1) A person who—

(a) operates a motorcycle or motorised tricycle for carrying passengers or goods for hire or reward without a valid licence;

(b) in relation to any application for a licence, makes any statement which is false;

(c) parks a motorcycle or motorised tricycle for hire or reward in a place which is not the designated place specified in the driver's licence;

- (d) furnishes to the Board any record, statement, declaration, written information or explanation containing any particulars which to his knowledge are false or incorrect;
- (e) fails to produce or surrender a licence upon being required to do so under the Act or these Regulations;
- (f) makes or has in his or her possession any document, plate or mark resembling a licence or any such document, plate or mark which is intended to deceive;
- (g) fails to comply with any condition of a licence; or
- (h) with intent to evade the payment of a fee, wilfully does or omits to do any act or thing required by law;

commits an offence and is liable on conviction to a fine not less than two currency points and not exceeding thirty currency points or imprisonment not exceeding two years or both.

14. Revocation of SI.30 of 2004.

The Traffic and Road Safety (Motorcycle) Regulations, 2004 are revoked.

SCHEDULE 1

CURRENCY POINT

Regulation 2

One currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

Form 1

Regulation 3(2)

The Traffic and Road Safety (Motorcycles and Motorised Tricycles)
Regulations, 2016.

APPLICATION FOR LICENCE

Nature of application:

(a) New (b) Renewal (c) Duplicate

A. PARTICULARS OF APPLICANT

1. Name in full.....

2. Postal address

Physical address.....

Tel.....

Fax:.....

E-mail:

3. Do you hold or have you previously held a
licence?..... Yes/No

If yes, state licence number.....Date of expiry..... and
place of Issue.....

4. Have you had a previous application for a licence refused, suspended or
r e v o k e d ? Y e s / N o

If Yes, state when and where previous application refusal, licence
suspension or revocation was made.....

.....
.....
.....

State date and reasons for application refusal, licence suspension or revocation:

.....
.....
.....

B. PARTICULARS OF MOTOR CYCLE OR MOTORISED TRICYCLE FOR WHICH LICENCE IS SOUGHT

- (a) Reg. No:
- (b) Make:
- (c) Type of body:
- (d) Engine capacity
- (e) Engine number
- (f) Chassis number
- (g) Model:
- (h) Seating capacity:

C. Designated parking space the applicant desires to park:

.....
.....
.....

I hereby declare that the information provided in this application is true and correct to the best of my knowledge and belief.

Name in full:

Signature:

Date:

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Officer's name in full:

Designation:

Signature:

Date of receipt of application:

Amount of application fee paid:

Receipt No.

NB. ATTACH THE FOLLOWING DOCUMENTS TO THE APPLICATION.

- (a) *Copy of registration book;*
- (b) *Copy of a valid insurance policy/ certificate;*
- (c) *Original inspection report;*
- (d) *Certificate of incorporation or registration for applicants that are companies or partnerships;*
- (e) *Evidence of formal contract of employment of qualified driver, where applicable;*
- (f) *Evidence of approval to park at designated parking place;*
- (g) *Copy of applicant's driving permit;*
- (h) *Previous licence; where applicable; and*
- (i) *Evidence of payment of prescribed fees.*

Form 2

Regulation 5(2)

The Traffic and Road Safety (Motorcycles and Motorised Tricycles)
Regulations, 2016.

OPERATOR'S LICENCE

No..... Date..... 20.....
Name.....of
.....(address), is licensed to operate a
motorcycle* or motorised tricycle* registration numberfor
hire or reward during the period starting from.....and
ending..... The licensee is allowed to carry one
passenger* ortonnes*.

.....
Chairperson, Transport Licensing Board

* delete whatever is not applicable.

Form 3

The Traffic and Road Safety (Motorcycles and Motorised Tricycles)
Regulations, 2016.

**NOTIFICATION OF TRANSFER OF MOTORCYCLE OR
MOTORISED TRICYCLE**

Regulation 12(2)

Part A *(to be filled by person transferring or disposing of a motorcycle or motorised tricycle)*

- 1. Name
- 2. Postal address
- Physical Address.....
- Tel.....
- F a x :
- E-mail:
- 3. Registration number.....
- Make or model.....
- Colour.....
- Chassis number.....

Declaration

I/We declare that ownership of the above motorcycle or motorized tricycle was transferred to the new owner mentioned in Part B below on the.....day of.....20.....

Seller's signature.....

Part B *(to be completed by new owner)*

- 1. Name

- 2. Postal address
- Physical address.....
- Tel.....
- Fax:.....
- E-mail:

Declaration

I/We declare that

- (i) ownership of the above motorcycle/motorized tricycle was transferred to me/us,
- (ii) I/We have transferred the motor vehicle registration card into my/our name(s).

Buyer's Signature*date*.....

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Officer's name in full:.....

Designation:

Signature:

Date of receipt of notification:

Cross Reference.

Traffic and Road Safety (Rules of the Road) Regulations,
2004, SI No. 35 of 2004

JOHN BYABAGAMBI,
Minister of Works and Transport.