

FEDERAL HIGHWAYS (AMENDMENT) BILL, 2016

ARRANGEMENT OF CLAUSES

*Clause:*

1. Amendment of Cap. F13 LFN, 2004
2. Amendment of the Long Title
3. Amendment of section 1 (1)
4. Amendment of section 2 (7)
5. Amendment of section 4 (5)
6. Amendment of section 6.(2)
7. Amendment of section 7(1)
8. Amendment of section 8. (1)
9. Amendment of section 10 (3)
10. Amendment of section 11 (1) & (2)
11. Amendment of section 12
12. Amendment of section 13(2)
13. Amendment of section 15
14. Amendment of section 17
15. Amendment of section 27 (2)
16. Amendment of section 28
17. Citation

# A BILL

## FOR

AN ACT TO AMEND THE FEDERAL HIGHWAYS ACT, CAP F13 LAW OF THE  
FEDERATION OF NIGERIA 2004, TO ENHANCE THE FINES PRESCRIBED BY  
THE ACT AND FOR RELATED MATTERS

*Sponsored by Hon. Taiwo Akintola*

| | Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria-

- |    |   |                |
|----|---|----------------|
| 1  | 1. The Federal Highways Act, Cap F13 Laws of the Federation of                | Amendment of   |
| 2  | Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as | Cap F13 LFN,   |
| 3  | set out in the Bill.  | 2004           |
| 4  | 2. The long title to the Principal Act is deleted and substituted with        | Amendment of   |
| 5  | a new long title as follows-  | the long title |
| 6  | An Act to vest the powers of management, direction and control of Federal     |                |
| 7  | highways throughout Nigeria in the Minister and for related matters.          |                |
| 8  | 3. Section 1(1) of the Principal Act is amended by deleting the               | Amendment of   |
| 9  | words "charged with responsibility for roads (in this Act referred to as "the | Section 1 (1)  |
| 10 | Minister")"   |                |
| 11 | 4. Section 2 (7) of the Principal Act is amended by substituting for          | Amendment of   |
| 12 | the expression, "N10,000.00", the expression, "N20,000.00".                   | Section 2 (7)  |
| 13 | 5. Section 4 (5) of the Principal Act is amended by substituting for          | Amendment of   |
| 14 | the words, "a fine of not less than N100 or more than N200", the words, "a    | Section 4 (5)  |
| 15 | fine of not less than N10,000.00 or more than N20,000.00".                    |                |
| 16 | 6. Section 6 (2) of the Principal Act is amended by substituting for          | Amendment of   |
| 17 | the expression, "section 4" the expression "section 5".                       | Section 6 (2)  |
| 18 | 7. Section 7 (1) of the Principal Act is amended by substituting for          | Amendment of   |
| 19 | the words "a fine of one hundred naira or in the case of a second subsequent  | Section 7 (1)  |
| 20 | conviction, to a fine of two hundred naira" the words "a fine of N20,000.00   |                |

1 or in the case of a second or subsequent conviction, to a fine of  
2 N30,000.00".

Amendment of  
Section 8 (1)

3 **8.** Section 8 (1) of the Principal Act is amended by substituting for the  
4 words, "a fine of four hundred naira", the words, "a fine of N 20, 000.00".

Amendment of  
Section 10 (3)

5 **9.** Section 10 (3) of the Principal Act is amended by substituting for  
6 the words, a fine of one hundred naira or in the case of a second subsequent  
7 conviction, to a fine of two hundred naira" the words "a fine of N20,000.00 or  
8 in the case of a second or subsequent conviction, to a fine of N30,000.00 "

Amendment of  
Section 11 (1) & (2)

9 **10.** Section 11 of the Principal Act is amended-

10 (a) in subsection (1) by inserting immediately after the words "shall  
11 be guilty of an offence" the words "and be liable on conviction to a fine of  
12 N20,000.00".

13 (b) in subsection (2) by inserting immediately after the words "shall  
14 be guilty of an offence" the words "and be liable on conviction to a fine of  
15 N20,000.00".

Amendment of  
Section 12

16 **11.** Section 12 of the Principal Act is amended by substituting for the  
17 words, "a fine of N100" the words "a fine of N20,000.00".

Amendment of  
Section 13

18 **12.** Section 13 of the Principal Act is amended by deleting the words  
19 "under this Act" and substituting the words "and be liable on conviction to a  
20 fine of N20, 000.00".

Amendment of  
Section 15

21 **13.** Section 15 of the Principal Act is amended by inserting  
22 immediately after subsection (c) the words "and be liable on conviction to a  
23 fine of N10, 000.00".

Amendment of  
Section 17

24 **14.** Section 17 of the Principal Act is amended by substituting for the  
25 words, "a fine of two hundred naira", the words, "a fine of N20,000.00".

Amendment of  
Section 27 (2)

26 **15.** Section 27 (2) of the Principal Act is amended by substituting for  
27 the words " a fine not exceeding two hundred naira" the words "a fine not  
28 exceeding N30, 000.00"

Amendment of  
Section 28 (1)

29 **16.** Section 28 (1) of the Principal Act is amended by inserting a new  
30 interpretation provision as follows:

- 1 "Careless and inconsiderate driving" includes-
- 2 (a) Riding a motor-cycle against traffic;
- 3 (b) Riding a tri-cycle against traffic;
- 4 (c) Driving a car against traffic;
- 5 (d) Smoking while driving;
- 6 (e) Failure to give way to traffic on the left at a roundabout;
- 7 (f) Disobeying traffic control;
- 8 (g) riding motor-cycle without crash helmet for rider and
- 9 passenger:
- 10 (h) carrying a pregnant woman, an adult carrying load on the head
- 11 or a child below age 12 (on a motor-cycle); and
- 12 (i) eating, counting money, making phone calls and engaging in
- 13 other dangerous activities while driving.

14 **17. This Bill may be cited as the Federal Highways Bill, 2016.**

Citation

#### EXPLANATORY MEMORANDUM

This Bill amends the Federal Highways Act Cap F13 LFN 2004 to, among other things, harmonise the Act with other related statutes.