

A BILL

FOR

AN ACT TO AMEND THE FEDERAL HIGHWAYS ACT TO MAKE FURTHER PROVISIONS FOR THE SAFETY OF NIGERIAN HIGHWAYS AND FOR RELATED MATTERS

Sponsored by Hon. Femi Gbajabiamila

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- | | | |
|----|---|-------------------|
| 1 | 1. The Federal Highways Act (herein referred to as "the Principal | Amendment of |
| 2 | Act") is amended as set out hereunder. | the Principal Act |
| 3 | 2. Section 2 sub-section 7 (d) of the Principal Act is amended by | Amendment of |
| 4 | deleting the figure "N10,000" immediately after the word 'exceeding' and | Section 2 (7) |
| 5 | replacing same with the figure "N100,000". | |
| 6 | 3. Section 4 sub-section 5 of the Principal Act is amended in line 2 | |
| 7 | by deleting the figure 'N100' immediately after the word 'than' and replacing | |
| 8 | same with the figure "N100,000" and in line 3 by deleting the figure "N200" | |
| 9 | immediately after the word 'than' and replacing same with the figure | |
| 10 | "N200,000". | |
| 11 | 4. Section 12 of the Principal Act is amended in line 2 by deleting | Amendment of |
| 12 | the figure 'N100' immediately after the word 'of' and replacing same with the | Section 12 |
| 13 | word "N20,000". | |
| 14 | 5. Section 17 of the Principal Act is amended by creating a new | Amendment of |
| 15 | section 17 as follows: Section 17. Offences relating to driving of trucks or | Section 17 |
| 16 | any vehicles with a container: | |
| 17 | (1) Any person who drives a truck or any other vehicle with a | |
| 18 | container or containers shall ensure that the container is latched or bolted to | |
| 19 | the truck or vehicle in such a manner that the container shall not fall off the | |
| 20 | truck or vehicle. | |

1 (2) Upon the commencement of this Act, It shall be an offence for any
2 person to drive any truck whether with or without a container between the
3 hours of 6am and 9pm on all Federal Highways.

4 (3) The Minister shall ensure that cross barriers are built at every entry
5 point of bridges on all Federal Highways to restrain trucks with containers
6 from using overhead bridges on Federal Highways.

7 (4) The Minister shall ensure that all trucks are certified fit to ply
8 Nigerian Federal Highways and any truck over 15 years from the date of
9 manufacture shall not be certified fit to ply the Federal Highways.

10 (5) For the purpose of sub-section 4 of this section, the Minister shall
11 through any of the agencies of the ministry designated by him issue a certificate
12 of road worthiness to all registered trucks.

13 (6) If any truck or vehicle is caught on any Federal Highway without
14 the container latched or bolted to the truck, the driver of the truck shall be
15 arrested immediately and the truck or vehicle impounded.

16 (7) For the purpose of this section, the offenders shall be the driver and
17 the owner of the truck and shall jointly and severally, on conviction be liable to
18 a fine of N5,000,000 (Five Million Naira) or two years imprisonment or both:

19 PROVIDED that where the owner of the truck is a corporate
20 organisation, the organisation shall be liable to a fine of N2,000,000 (Two
21 Million Naira).

22 (8) Any officer of the relevant Ministry, or of the agency so designated
23 by the Minister to issue certificate of road worthiness referred to in sub-
24 paragraph 5 to registered trucks who in any way violate the provision of this act
25 by knowingly issuing a certificate of road worthiness to any truck over ten
26 years from the date of manufacture shall on conviction be liable fine of
27 N1,000,000 (One Million Naira) or 1 year imprisonment or both without
28 prejudice to the right of the employer to issue other penalties as obtainable in
29 the service.

30 6. The Principal Act is amended by re-numbering the existing

1 sections 17 to 28 to read sections 18 to 29.

2 7. This Bill may be cited as the Federal Highways (Amendment) Citation

3 Bill, 2019.

EXPLANATORY NOTES

This Bill seeks to amend the Federal Highway Act to make provision for the safety of Nigerian roads and provide for stiff punishment for offenders.

