

ROAD PARKING (PAYMENT & ADMINISTRATION) BILL, 2019

ARRANGEMENT OF SECTIONS

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1 under this Bill.

Functions of  
Secretariat

2 3. The Secretariat shall:

3 (a) be solely responsible for the administration of the Park and Pay  
4 System;

5 (b) develop policies and regulations that are intended to improve the  
6 Parking and Pay System within the Territory;

7 (c) cooperate with all relevant agencies within the Territory to ensure  
8 well managed and functional Park and Pay System is operational at all times  
9 within the Territory; and

10 (d) perform such other functions that may be assigned to it by the  
11 Minister of the Federal Capital Territory or any similar office that superintends  
12 over the Territory at that time;

Powers of the  
Secretariat and  
the Service

13 4.-(1) The Secretariat shall have the power to:

14 (a) Issue Regulations, Guidelines and Policies in respect of the Park  
15 and Pay System within the Territory;

16 (b) establish or issue operational policies and procedural manual,  
17 regulations and any other documents relevant for carrying out of its functions  
18 under this Bill;

19 (c) Delineate the Territory into Parking Zones and determine the size  
20 and boundary of each Parking Zones;

21 (d) Licence Park and Pay Managers that will be responsible for  
22 administering Parking Zones within any Parking Zone assigned to the  
23 Licencee;

24 (e) Determine the licence fees to be paid by applicants for Park and  
25 Pay Manager's Licence;

26 (f) Approve the kits, uniforms, tools and equipment to be utilized by  
27 Parking Marshalls engaged by Park and Pay Managers.

28 (g) In conjunction with the Federal Capital Territory Internal Revenue  
29 Service (in this Bill referred to as "as the Service"), determine the fee to be paid  
30 by persons parking within the Parking Zone designated by the Secretariat;

1 (h) Cooperate with the Service in respect of the exercise of the  
2 powers of the Service to manage the collection of Parking Fees; and

3 (i) Exercise any other powers conferred on the Secretariat by any  
4 other law or any other subsidiary legislation.

5 (2) In exercising and performing the powers, functions and duties  
6 conferred on it under this Bill, the Secretariat may delegate the whole or any  
7 part of its powers to its staff or appoint, contract, liaise or co-operate with  
8 experts, including specialised agencies, resource persons, academic and  
9 technical institutions or advisory committees to perform some of its  
10 functions or duties under this Bill.

11 (3) The Service shall be solely responsible for administering the  
12 collection of Parking fees, licence fee, penalties and other payments due and  
13 payable under the Park and Pay system and shall for that purpose, the  
14 Service be entitled to issue Circulars, Regulations and Policies in respect of  
15 the exercise of this power under the Bill.

16 (4) For all intent and purposes, the provisions of the Federal  
17 Capital Territory Internal Revenue Service Act shall be applied by the  
18 Service where necessary in administering provisions of this Bill in respect of  
19 collection of Parking Fees, penalties and other payments due and payable  
20 under the Park and Pay system.

21 (5) The Service shall be entitled to 4 percent of all its collection as  
22 administrative charge and the Secretariat shall be entitled to 4 percent of all  
23 collection by the Service as administrative charge for effective regulation of  
24 the Park and Pay System.

25 PART III - GENERAL PROVISIONS RELATING TO PARKING

26 5.-(1) The Secretariat shall manage the Park and Pay System and  
27 the Service shall collect any fees due and payable under the Park and Pay  
28 System including any licence fees due and payable by any Park and Pay  
29 Manager.

Control of Parking

30 (2) No person shall without the prior written approval of the

1 Secretariat erect or place any sign or notice in any position or place indicating  
2 that parking in any parking bay is either reserved for a person or a class of  
3 persons.

4 (3) Where the Secretariat deem appropriate it may manage a  
5 particular area directly without engaging the services of a Park and Pay  
6 Manager.

7 (4) The Secretariat may operate a parking management system in  
8 areas and during times determined by the Secretariat from time to time.

9 (5) A person who disregards an instruction of an authorised officer of  
10 the Secretariat or a Park and Pay Manager in respect of this Bill commits an  
11 offence and upon conviction shall be liable to a fine of not less than N50,000.00  
12 (Fifty Thousand Naira)

Parking on a  
Public Road

13 6.-(1) No person who operates or who is in charge of a vehicle on a  
14 public road may park (without written consent of the Secretariat or the Park and  
15 Pay Manager) the vehicle in any public road within the Territory for a period  
16 beyond that indicated on a road traffic sign relevant to that specific area.

17 (2) No person may, without the written consent of the Secretariat or a  
18 Park and Pay Manager shall park a heavy motor vehicle, designed, adapted or  
19 used for the conveyance of goods, between the hours of 8:00 am and 5:00 pm  
20 anywhere in the Territory, except on private land or in those areas where road  
21 traffic signs regulating such parking have been erected.

22 (3) Application for consent must be made in writing to the relevant  
23 Park and Pay Manager or the Secretariat.

Parking by a  
seller of a vehicle  
and Parking of  
vehicle under  
repair

24 7.-(1) No dealer or seller of a vehicle may park or allow to be parked  
25 on the verge of a public road within the Territory area a vehicle which is  
26 advertised for sale or for rental.

27 (2) No person responsible for the control of a business of recovering  
28 or repairing vehicles may park, cause or permit to be parked, in any public road  
29 or public place within the Territory any vehicle that is in an obvious state of  
30 disrepair, which has been placed in his or her charge in the course of the

1 business of recovering and repairing.

2 (3) No person who owns a broken down vehicle shall be allowed to  
3 keep such vehicle on a public road for more than 30 minutes when it  
4 breakdown or for such longer period as may be determined by the  
5 Secretariat.

6 (4) Any person that contravenes this provision shall be guilty of an  
7 offence and be liable upon conviction after a summary trial to a fine of not  
8 less than N50, 000.00 (Fifty Thousand Naira).

9 8.-(1) Subject to any conditions the Secretariat may impose and  
10 subject to any term it deems appropriate, a resident parking permit may be  
11 granted to persons:

Resident Parking  
Permit

12 (a) who reside in a residence:

13 (i) situated on a section of road in circumstances where parking;  
14 immediately adjacent to the residence is regulated by time;

15 (ii) in circumstances where not more than one person who reside;  
16 in the residence is the holder of a current permit; and

17 (iii) situated on a section of road in circumstances where the issue  
18 of the permit would not unduly impede the flow of traffic either on the road  
19 or in the area.

20 (b) whose residence does not have and cannot reasonably provide  
21 off-street parking.

22 9.-(1) The Service may install or cause to be installed or operate or  
23 cause to be operated in a public road or place in the Territory:

Parking Meters

24 (a) a parking meter at a demarcated parking bay;

25 (b) a combined parking meter at demarcated parking bays; or

26 (c) any other device by which parking time can be recorded and  
27 displayed.

28 (2) When a vehicle is parked in a parking bay, the driver or person  
29 in charge of the vehicle must:

30 (i) immediately deposit or cause to be deposited in the parking

1 meter which adjoins the parking bay or bays in respect of which it is installed  
2 the prescribed coin or coins as indicated on the meter for the period of time  
3 during which he or she desires to park his or her vehicle in the bay, and must,  
4 where applicable, set the meter in operation either by inserting the prescribed  
5 coin in the appropriate slot of the parking meter, or where applicable in  
6 accordance with the instructions appearing on the parking meter;

7 (ii) effect payment by any other means prescribed by the Service  
8 irrespective of the device used to record the time parked and irrespective  
9 whether payment is required at the beginning or end of the period so parked,  
10 and a driver or person in charge of a vehicle who fails to do so commits an  
11 offence and shall be guilty upon conviction to a fine of not less than N50, 000  
12 (Fifty Naira) or any other higher fine prescribed by the Service in a Regulation;

13 (iii) No person may leave a vehicle parked in a parking bay for a  
14 continuous period exceeding the maximum permissible parking time as  
15 indicated on the meter or other device, and a person who leaves a vehicle  
16 parked in a parking bay for a continuous period exceeding the maximum  
17 permissible parking time as indicated on the meter, a sign or device, commits  
18 an offence and can be penalized in line with any written prescription by the  
19 Service.

Prevention of  
Parking by the  
Secretariat and  
Park and Pay  
Managers

20 10. A Marshall authorised by the Secretariat or a Park and Pay  
21 Manager to display road traffic signs may, whenever necessary or expedient to  
22 do so in the interest of the movement or control of traffic, place or erect a traffic  
23 sign or signs indicated "No Stopping" or "No Parking" at a parking bay or bays,  
24 and no person may stop or park a vehicle or cause or permit a vehicle to be  
25 stopped or parked in such parking bay or bays-

26 (a) while the sign is so placed or erected; or

27 (b) during any period when the stopping or parking of a vehicle in the  
28 public road or portion of the public road concerned is prohibited in terms of  
29 such traffic sign.



1 11.-(1) No person may cause, allow or permit any vehicle to be  
2 parked in a parking bay, except as permitted by the provisions of this Bill.

Unlawful Parking  
and clamping or  
removal of  
unlawfully parked  
vehicles

3 (2) Where any vehicle is found to have been parked in  
4 contravention of this Bill, it is deemed to have been parked, or caused to be  
5 parked, or allowed to have been parked by the person in whose name the  
6 vehicle is registered unless and until he or she adduces evidence to the  
7 contrary.

8 (3) The Service may:

9 (a) attach a wheel clamp to any unlawfully parked vehicle;

10 (b) cause an unlawfully parked vehicle to be removed to a place  
11 designated by the Secretariat; and

12 (c) charge a fee for the removal of a wheel clamp attached in terms  
13 of subsection (3)(a) or the release of a vehicle which was removed in terms  
14 of subsection (3)(b), which fees will be payable upon removal of such wheel  
15 clamp or release of such vehicle.

16 12. Notwithstanding any other provision in this Bill, the driver or  
17 person in charge of the following vehicles may, subject to the provisions of  
18 this section, park in a metered parking without payment of the prescribed fee  
19 if it is:

Exemption

20 (a) a vehicle used as an ambulance and being at the time used to  
21 attend to a life threatening situation;

22 (b) a vehicle used by a fire brigade for attendance at fires and being  
23 at the time used by the brigade in attending to a fire; and

24 (c) a vehicle used by a member of any of the security services and  
25 being at the time used in connection with a crime that is either in progress or  
26 in connection with the collection or protection of evidence in the aftermath  
27 of a crime.

28 13. In this Bill unless, the context otherwise requires:

Interpretation

29 "dealer" means an person who, for gain, carries on the business selling,  
30 buying, exchanging or garaging vehicles;

- 1 "driver" means any person who drives or attempts to drive any vehicle or who  
2 rides or attempts to ride any pedal cycle and "drive" or any like word has a  
3 corresponding meaning;
- 4 "park" means to keep a vehicle, whether occupied or not, stationary for a period  
5 of time longer than is reasonably necessary for the actual loading or unloading  
6 of persons or goods, but does not include any such keeping of a vehicle by  
7 reason of a cause beyond the control of the person in charge of such vehicle;
- 8 "parking meter" means a device commissioned in terms of this Bill, registering  
9 and visibly recording the parking time wither b means of a meter affixed to the  
10 device, or on a parking meter ticket issued by the device, or any other device by  
11 which parking time can be recorded whether operated by an authorised official  
12 or a service provider approved by the Secretariat;
- 13 "parking period" means the maximum continuous period during which a  
14 vehicle is permitted to park in a parking ground or parking bay as indicated by a  
15 road traffic sign;
- 16 "public road" means any road, street, cycle path, thoroughfare, parking bay or  
17 any other place, and includes:
- 18 (a) The verge of any such public road;
- 19 (b) Any footpath, sidewalk or similar pedestrian portion of a road  
20 reserve;
- 21 (c) Any bridge, ferry or drift traversed by any such public road;
- 22 (d) Any other object belonging to such public road, which has at any  
23 time been dedicated to the public, used without interruption by the public for a  
24 period of at least 30 years, declared or rendered such by any public authority or  
25 constructed with public funds.
- 26 "Secretariat" means the Transport Secretariat of the Federal Capital Territory  
27 or any Authority that regulates and supervises the transport sector within the  
28 Federal Capital Territory;
- 29 "Service" means the Federal Capital Territory Internal Revenue Service;
- 30 "Territory" means the Federal Capital Territory, Abuja.

1                   14. This Bill may be cited as the Road Parking (Payment & Short title  
2 Administration) Bill, 2019.

EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of this Bill but is intended to  
explain its purport)*

This Bill seeks to provide for the Regulation of Parking, Stopping, or  
Leaving of Vehicles on Public Land within the Federal Capital.

