

THE SEVEN HUNDRED AND SIXTY-FIRST

ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA

ENTITLED

ROAD TRAFFIC (AMENDMENT) ACT, 2008

AN ACT to amend the Road Traffic Act, 2004 (Act 683) to reduce the penalties for motor traffic offences and for related matters.

DATE OF ASSENT: *29th September, 2008.*

ENACTED by the President and Parliament:

Road Traffic Act amended

The Road Traffic Act, 2004 (Act 683) is amended by the substitution for the penalties for the offences specified in that Act and listed in column 1 of the Schedule to this Act, of the penalties specified in column 2 of the Schedule to this Act.

SCHEDULE

Column 1

Column 2

*Section Nature of Offences Summary of
Details*

Revised Penalty Units and Fines

Dangerous Driving

A fine of not less than ten penalty units and not exceeding twenty penalty units or imprisonment for a term not exceeding six months or both

(a) Where

(i) no bodily injury. or

(ii) a minor bodily injury occurs to a person other than the driver.

(b) where bodily injury of an aggravated - nature occurs to a person other than the driver.

(c) where death occurs to a person other than the driver

A minimum fine of twenty-five penalty units and not exceeding fifty penalty units or imprisonment of not less than eight months and not exceeding sixteen months or both

(d) where there is damage to state property

A term of imprisonment of not less than three years and not more than seven years

A fine of not less than ten penalty units and payment for the damage caused in an amount determined by the Court.

A Court may on the conviction of a person

(a) order payment of appropriate compensation to an injured person or to the estate of that person, or

(b) order withdrawal of the driving licence of that person for a period of not less than three years and not more than five years

A fine not exceeding twenty penalty units or a term of imprisonment not exceeding forty months or both

3 Careless and inconsiderate driving

Driving without due care and attention or reasonable for consideration for other person

4 Driving under influence of alcohol or drugs

A person who drives or attempts to drive motor vehicle on a road while under the influence of alcohol or drugs to a degree as to be incapable of having proper control.

A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both

Column 1

Section Nature of Offence Summary of Details

Where

- (a) bodily injury does not occur, or
- (ii) a minor bodily injury occurs to a person other than the driver
- (b) bodily injury of aggravated nature occurs to a person other than the driver
- (c) death occurs

Column 2

Revised Penalty Units and Fines

A fine not exceeding fifty penalty units or a term of imprisonment not exceeding four months or both.

A minimum fine of twenty-five penalty units and not more than fifty penalty units or a term of imprisonment of not less than eight months and not exceeding sixteen months or both.

A fine of not less than one hundred penalty units and not exceeding two hundred penalty units or a term of imprisonment for not less

than two years and not exceeding forty months or both.

A fine of not less than fifty penalty units and not exceeding two hundred penalty units or to a term of imprisonment not exceeding forty months or both.

5 Driving when alcohol concentration is above prescribed limit

A person who drives or attempts to drive a motor vehicle after consuming a quantity of alcohol to the extent that the proportion of alcohol in the person's blood or urine exceeds the prescribed limits.

A fine of not less than fifty penalty units or to a term of imprisonment not exceeding sixteen months or both

A fine of not less than one hundred penalty units and not exceeding two years or to both

7. Failure to provide breath for test

A person who without

11 Motor racing	reasonable excuse fails to provide specimen of breath	A fine not exceeding ten penalty units or to a term of imprisonment not exceeding four months or to both
13 Seat belts and other safety equipment	A person who promotes or takes part in race or a trial of speed on a road other than a road authorised for motor racing	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
14 Carrying of children in motor vehicles	A person who does not wear seat belt either at the front or rear scat of a motor vehicle being driven on a road	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
15 Safety equipment for children in motor vehicles	A person who drives a motor vehicle on a road where	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
	(a) a child of five years or under five years is in the front seat,	A fine of fifty penalty units or a term of imprisonment not exceeding sixteen months or both
	(b) a child between the ages of five and eighteen years is sitting on the front seat is	A fine of not less than ten penalty units and not more than twenty penalty units or a term of imprisonment not exceeding six months or both
		A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both

	not wearing a seat belt	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
16 Wearing of protective crash helmets	(1) A person who does not comply with the conditions for safety equipments	
17 Regulation of equipment	(2) A person who fails to wear protective crash helmets of the type prescribed.	
	A person who sells or offers for sale a crash helmet not prescribed by regulations.	A fine of twenty-five penalty units or to a term of imprisonment not exceeding eight months or to both
19 Prohibition of parking of person who parks motor vehicles	(1) A person who uses an unprescribed equipment whilst riding or being ridden on a motor cycle on a road.	
	(2) A person who sells or offers for sale an unprescribed equipment	

	A person who parks or wholly or partly	
	(a) on a verge or shoulder of a	
20 Prohibition of driving or parking on cycle tracks	Road	
	(b) on land situated between two carriage ways and which is not a footpath	
21 Leaving vehicles or trailers in dangerous positions	(c) on a foot path,	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
22 Causing danger to road users	(d) on a pedestrian crossing	
	(e) on a place reserved for physically challenged person	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
		A fine of twenty-five penalty units or to a term of imprisonment not exceeding eight months or to both
	A person without lawful authority drives, rides or parks, wholly or partly on a cycle track	

23 Restriction of carriage of persons on motor bicycles

A person in charge of a motor vehicle who causes, or permits the vehicle or a trailer drawn by it to remain at rest in

24 Restriction of the carriage of persons on bicycles

A person who without lawful authority or reasonable excuse

A fine of twenty-five penalty units or a term of imprisonment not exceeding eight months or both

26 Holding or getting on a motor vehicle while the motor vehicle is in motion

(a)causes anything to be on or over a road,

(b) interferes with a motor vehicle, trailer or cycle, or

(c) interferes directly or indirectly with traffic equipment where it would be obvious to a reasonable person to be dangerous

A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both

A fine of ten penalty units or a term of imprisonment not exceeding four months or both

27 Drivers to comply with traffic directions

A person who carries another person on a motorcycle which is not constructed or adapted for the carriage of

28 Drivers to comply with traffic signs	<p>more than one person</p> <p>A person who carries any other person on a bicycle which is not constructed or adapted for the carriage of more than one person</p>	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
29 Directions to pedestrians	<p>(1) A person who with out lawful authority or reasonable excuse. takes or retains hold of. or gets on to or alights from a motor vehicle or a trailer while the motor vehicle or trailer is in motion on a road</p> <p>(2) A person who for the purpose of being drawn. takes or retains hold of a motor vehicle or trailer while the motor vehicle is in motion on a road</p>	A fine of ten penalty units or a term of imprisonment not exceeding four months or both
30 Dangerous Cycling		A fine of two and half penalty units or a day's imprisonment

31 Careless and inconsiderate cycling	A person driving a motor vehicle, riding a motor cycle or bicycle who neglects or refuses to obey a police officer or an authorised person engaged in regulation of traffic on a road	A fine not exceeding ten penalty units or a term of imprisonment not exceeding eight months or both
32 Cycling under influence of alcohol or drugs	A person who whilst driving a motor vehicle, riding a motorcycle or bicycle fails to comply with the indication given by a traffic sign of a prescribed size colour and type or of another character authorised by the authority which has been lawfully placed on or near a road.	A fine of twenty-five penalty units or to a term of imprisonment not exceeding one day
34 Electricity assisted pedal cycles	A person who ignores direction by a police officer or authorised person giving directions	A fine of ten penalty units or a term of imprisonment not exceeding four months or both
		A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
		A fine not exceeding fifteen penalty units or a term of imprisonment not exceeding two months or both
		A fine not exceeding fifteen penalty units or a term of imprisonment not exceeding two months or both

35 Prohibition of driving motor vehicles anywhere other than on roads	(2) A person who jaywalks or ignores a traffic signal	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
4] Using an unregistered vehicle or trailer	(1) A person who rides a cycle dangerously on a road	
42 Failure to return registration document	(2) A person who does not use a cycle track provided	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
43 Not fixing registration number	A person who rides a cycle on a road or at a place without due care and attention or without reasonable consideration for other persons using the road or place	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding sixteen months or both
44 Obscured registration number	A person who rides a cycle on a road in an unfit state caused by the use of alcohol or drugs to the extent of being incapable of controlling the cycle	A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both
	(2) A person	A fine not exceeding ten penalty units or to a term of imprisonment not exceeding four months or both

50 Misuse of trade licence

(a) under 18 years who driver an electricity or both assisted pedal cycle on a road, or

(b) who knowing or suspecting that another person is under 18 years, causes or permits that other person to drive a pedal cycle on a road

A fine of not less than fifty penalty units and not exceeding one hundred penalty units or a term of imprisonment not exceeding two years or both

A person who drives a vehicle on land which is not a road or on a road which is a footpath or pedestrian walkway

A person who uses or keeps an unregistered vehicle or trailer which is not an exempt motor vehicle or trailer

The registered owner or a person in possession of a registration

53 Driving licenccs	document who fails to return them when required to do so by the Licensing Authority	
57 Requirement as to physical fitness	An owner of a motor vehicle or trailer being used or kept on a road, who fails to fix a registration number prescribed by Registration	
59 Provision of information	The owner of a motor vehicle which is being used or kept on the road who permits a registration number fixed on the motor vehicle or trailer to be obscured or rendered or allowed to become not easily distinguishable	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
	A person who holds a trade licence or trade	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both

60 Driving after refusal or revocation of licence	<p>licences and uses</p> <p>(a) at anyone time on a road, a greater number of motor vehicles than the person is authorised to use by virtue of the trade licence or licences.</p>	<p>For a first offence a fine of not less than five penalty units and not exceeding twenty-five penalty units or a term of imprisonment not exceeding twelve months or both and for a subsequent offence to a fine or not less than ten penalty units and not more than fifty penalty units or a term of imprisonment or not less than six months and not exceeding twelve months or both.</p>
61 Driving with uncorrected defective eyesight	<p>(b) a motor vehicle on a road for a purpose other than the purpose prescribed by Regulations. or</p> <p>(c) the trade licence or any of the trade licences to keep on a road in circumstances other than the prescribed circumstances a motor vehicle which is not being used on that road</p>	<p>A fine or not less than ten penalty units and not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both</p>
	<p>A person who drives a motor vehicle of any description or</p>	<p>A fine not exceeding ten penalty units or a term of imprisonment not exceeding two months or both</p>

63 A licence granted in error

class on a road without a driving licence that authorises that person to drive a motor vehicle or that description or class

A fine not exceeding ten penalty units or a term of imprisonment not exceeding two months or both

67 Obtaining licence or driving while disqualified

(1) A person who fails to deliver to the Licensing Authority a licence belonging to that person where that has been revoked

A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or to both

(2) A person who is licensed and authorised to drive a motor vehicle of any class and who drives a motor vehicle of that class on a road where that person knowingly made a false declaration in the application on the basis of which the

licence was granted.

A fine not exceeding ten penalty units or a term of imprisonment not exceeding four months or both

A licence holder who fails to notify the Licensing Authority or a disability which is likely to affect the licence holder's ability to drive and which the licence holder is required to disclose to the Authority

A person who drives a motor vehicle in respect of which a licence has been refused or revoked

(I) A person who fails to comply with a requirement as to eyesight for the purpose of a test of competence to drive and who drives a motor vehicle

68 Driving Schools (2) A person who fails to submit to an eye test demanded by a police officer.

69 Driving instructors

(3) A person who refuses to submit to a test

71 Display of registration certificate

A person who fails to surrender a licence granted in error after notice to return the licence has been given to that person or fails to surrender a licence after the name and address of the holder as specified in the licence have ceased to be correct.

76. Offences in respect of register

A person who obtains a driving licence or drives a motor vehicle

on the road
while
disqualified from
holding or
obtaining a
licence

A person who
operates a
driving school
which has not
been registered
by the Licensing
Authority

A person who
acts as a driving
instructor where
that person

(a) has not
passed the pre
scribed
examination

(b) does not
hold a CUITent
driving licence:

(c) is not
mentally and
physically
sound. or

77 Surrender of
certificates or licences

(d) is not
registered.

78 Production or certificate to police officer and authorized person	A person who fails to display in the course of instructors identity card issued by the licensing authority	Suspension of registration of the school or a fine not exceeding two hundred and fifty penalty units or a term of imprisonment not exceeding forty months or both
80 Use of vehicle in a dangerous condition	<p>1. A person whose name is not in the register but who</p> <p>(a) takes or uses a title.</p> <p>(b) wears or displays a badge or certificate or</p> <p>(c) takes or uses any name, title, addition or description which suggests that that person's name is in the register</p> <p>(2) A person who advertises or issues invitation calculated to mislead the public or carries on the business of providing</p>	A fine not exceeding one hundred penalty units or a term of imprisonment not
		A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both

	instructions in the driving of motor vehicles and who	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
82	Contravention or requirement nor brakes. steering	(a) uses a title or description for another person employed by that person which suggests that that other person's name is in the register when that other person's name is actually not in the register.
83	Failure to comply with requirements for weights of commercial vehicles	A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
	Where a person whose name has been removed from the register fails to surrender the certificate to the Driver and Vehicle Licensing Authority within fourteen days after written notification from the Licensing Authority	A fine not exceeding fifty penalty units or a term of imprisonment not exceeding sixteen months or to both
		A fine not exceeding twenty-five penalty units or a term of imprisonment not exceeding eight months or both
		A fine not exceeding twenty-five penalty units or to a term of imprison-

A person who fails to produce a certificate or licence for examination on request by a police officer or a person authorised by the Licensing Authority

A person Who causes or permits another person to use a motor vehicle or trailer on a road where (a) the condition of the motor vehicle or trailer or of its accessories or equipment

(b) the purpose for which it is used.

(c) the number of passengers carried by it or the manner in which they are carried

(d) the weight, position or distribution of its load, or manner in which it is secured is such that the use of the motor

vehicle or trailer poses a danger of injury to a person or damage to property.

A person who uses a vehicle with defective brakes, tyres and steering gear

Where person (a) contravenes or fails to comply with a construction and use requirement for brakes, steering-gear.

(b) uses on a road, a motor vehicle or a trailer which does not comply with the requirement or causes or permits a motor vehicle to be used, or or permits to be used on a road, a motor vehicle or a trailer, the tyres of which are

