

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 12 Volume CIV dated 21st February, 2011

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2011 No. 7.

THE TRAFFIC AND ROAD SAFETY (CITY BUS SERVICES)
REGULATIONS, 2011.

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S T A T U T O R Y I N S T R U M E N T S

2011 No. 7.

The Traffic And Road Safety (City Bus Services) Regulations, 2011. *(Under sections 71 and 178 of the Traffic and Road Safety Act, Cap. 361)*

IN EXERCISE of the powers conferred upon the Minister responsible for transport by sections 71 and 178 of the Traffic and Road Safety Act, 1998, these Regulations are made this 10th day of December, 2010.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Traffic and Road Safety (City Bus Services) Regulations, 2011.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” refers to the Traffic and Road Safety Act, 1998;

“agent” means a person duly appointed by the Council under regulation 4;

“authorised person” means a person who has permission to perform a particular act;

“Board” means the Transport Licensing Board;

“bus” means a motor vehicle designed for carrying a minimum of sixty(60) passengers, with an entry and exit point and used for the transportation of persons in a commercial seating arrangement for compensation other than a motor vehicle or automobile for hire, funeral car or taxi cab used in a ridesharing arrangement;

“bus driver” means a person who holds a valid driving license granted under the Act and drives or is in actual physical control of a bus;

“bus lane” means a traffic lane intended for bus use only;

“bus routes” means the routes designated to be followed by a bus;

“bus stop” means a place on a bus route where buses stop to discharge and take on passengers;

“bus terminal” means a designated area or building other than a bus stop, where buses converge to allow passengers board or leave the bus;

“bus travel ticket” means a small piece of paper or card issued by or on behalf of an operator of a bus service for the purpose of authorising a person to travel in a particular bus operated in the service;

“currency point” is equivalent to twenty thousand Shillings;

“concession ticket” means a ticket issued free or at a reduced fare by an operator of a bus service or his or her agent;

“Council” means the City Council of Kampala;

“equipment” includes but shall not be limited to particulars specified in regulation 10;

“operator” means a person contracted by the Council to provide city bus services;

“ridesharing arrangement” means participants travelling together in carpools, vanpools or buspools for example a family with children or friends.

3. Application.

These Regulations shall apply to Kampala and the surrounding districts of Wakiso and Mukono.

PART II—BUS SERVICES

4. Bus routes, lanes and stops.

(1) The Council shall, in consultation with the Minister, designate roads, routes, stops and lanes for bus use.

(2) The Council shall, by notice in the gazette publish the names of roads, routes, stops and lanes identified under sub regulation (1).

5. Control of bus lanes, stops and routes.

The Council shall be responsible for the control and management of bus roads, routes, stops and lanes designated under these Regulations.

6. Appointment of an agent.

The Council may appoint an agent to carry out its functions conferred upon the Council under these Regulations.

7. Bus Capacity.

(1) The bus capacity of every bus shall be determined by the Board.

(2) An operator of a bus shall not carry a greater number of passengers than the number determined by the Board in subregulation (1).

8. Bus colour and logo.

(1) Every bus operator shall register with council a logo and colour of their choice to be painted on their bus for purposes of easier identification.

(2) The colour and logo registered in accordance with subregulation (1) shall not be used by any bus operator other than a bus operator under these Regulations.

PART III—OPERATION OF BUS SERVICES

9. Equipment and condition of buses.

(1) Subject to these Regulations, every bus shall, in addition to other equipment required under the Act, be equipped with—

- (a) a fire extinguisher of a design and type approved by Council;
- (b) not less than two non-skid type tire chains suitable in size for the tires of the vehicle;
- (c) a hazard warning kit;

(d) a first aid kit, with printed instructions as to the use of its contents, consisting of either a pillow type case or metal case containing not less than—

(i) four packets containing four (4) hand cleansers and twelve (12) gauze cleansing pads each;

(ii) one hundred and fifty (150) adhesive dressings 2.5 centimetres by 7.5 centimetres individually wrapped;

(iii) eight (8) compress dressings, 5 centimetres;

(iv) six (6) compress dressings, 10 centimetres;

(v) two (2) eye dressing kits; one (1) eye shield and two (2) gauze pads;

(vi) three (3) gauze dressings, four (4) ply, minimum 9 centimetres by 90 centimetres;

(vii) two (2) gauze bandages, 5 centimetres by 5.5 centimetres.

(viii) one adhesive tape 2.5 centimetres by 4.5 metres;

(ix) six (6) triangular bandages;

(x) one metal splint, 7 centimetres by 60 centimetres;

(xi) one pair of scissors;

(xii) one pair of sliver tweezers; and

(xiii) twelve (12) safety pins, 5 centimetres;

(e) a mirror which shall provide the bus driver with a view of the passengers;

(f) a mirror securely attached to the bus and placed in a position so as to afford the bus driver an unobstructed view of the roadway immediately in front of the bus;

(g) push-out emergency windows or an escape door which shall be located at the rear or rear left side of the body of the bus and shall be equipped with a fastening device which provides for quick release but ensured against accidental opening.

(2) All equipment referred to in subsection (1) shall at all times be kept in good operative condition.

(3) A person who—

(a) tampers with, damages, destroys or removes from a bus other than for its proper use the equipment referred to in subsection (1); or

(b) other than an operator, his or her agent, employee or inspector, except in an emergency, opens an escape door, commits an offence and is liable on conviction to a fine not exceeding twenty currency points or imprisonment not exceeding one year or both.

110. Maintenance and ventilation.

An operator of a bus shall at all times ensure that the bus is maintained in a clean and sanitary condition and is adequately ventilated.

111. Timetables.

(1) An operator of a bus service shall draw up a timetable for the bus service and shall ensure that the timetable can reasonably be met without any need for buses to break any relevant speed limits.

(2) The operator of a bus service shall, on request by the Council, provide a copy of the timetable in subregulation (1).

(3) Any bus that has to be removed from the timetable for whatever reason, shall be immediately replaced with another bus.

112. Valid driving permit.

An operator of a bus service shall not permit a person to drive a bus unless he or she is satisfied that the person is a holder of a valid driving permit issued under the Act.

113. Information in buses

(1) An operator of a bus service shall ensure that necessary information is displayed in a conspicuous position inside the bus in accordance with subregulation (2).

(2) The following information shall be displayed inside the bus—

- (a) a summary of the rights and obligations of the passengers;
- (b) brief details on how and where complaints relating to the service may be made; and
- (c) telephone contact of the management of the bus service.

(3) A bus driver shall announce the name of the next bus stop least one hundred metres (100m) before reaching that bus stop.

14. Destination and signs on buses.

A bus driver shall not operate a bus service unless at all times while the bus is being used for that service, a destination sign and route number are clearly displayed on the front of the bus and can be illuminated.

15. Working hours.

(1) The bus service shall be a twenty four (24) hour service.

(2) A bus driver shall not operate a bus for more than eight hours one shift.

16. Conveyance of passengers.

(1) A bus driver shall—

(a) stop the bus and drop off a passenger at the nearest bus stop if the passenger indicates to the bus driver that he or she wishes to get off the bus;

(b) stop the bus and pick up a person at a bus stop if the person indicates to the bus driver that he or she wishes to get on the bus.

(2) A bus driver shall when disembarking a passenger, park parallel to and as close as practicable to the side of the road of the bus stop.

(3) A bus driver shall only stop the bus at designated bus stops and stages on the route.

17. Over loading.

(1) A bus driver shall not carry in a single-decked bus or on either deck of a two-decked bus a greater number of passengers than the number authorised to be carried.

(2) When calculating the number of passengers, a child under the age of five years held by a passenger, shall not be taken into account.

(3) An operator of a bus shall display in a conspicuous position on the outside of the rear of the bus and in letters of at least twenty five millimeters high and of proportionate breadth, the number of passengers authorised to be carried on the bus.

18. Limited bus stops

A bus driver shall not pick or drop a passenger at any place other than a place designated as a bus stop.

19. Carriage of goods

(1) Goods or luggage shall not be carried on a bus in a position that is likely to obstruct the bus driver or inconvenience other passengers on the bus.

(2) The interior and exterior of every bus shall be free of all unnecessary articles which are likely to injure passengers.

(3) A passenger's luggage shall be properly secured on a bus, in a manner that separates the luggage from the passenger compartment or in a way that it cannot easily come in contact with passengers in case of an accident.

(4) For the purpose of this section, luggage includes travelling bags and personal belongings of passengers but excludes small hand held baggage that is normally carried by or with the passenger.

20. Restricted areas on the bus

(1) A bus driver shall not allow a passenger—

(a) to enter the bus driver's compartment;

(b) to occupy the bus driver's seat or a part of the bus driver's seat;

(c) on a part of the bus not designed to carry passengers;

(d) on a part of the bus beside or in front of the bus driver's seat; or

(e) if the bus is a double-decker to stand on the upper deck of the bus.

(2) Without prejudice to sub regulation (1), the parts of the bus ~~no~~ designed to carry passengers include—

- (a) the roof, steps and footboard; and
- (b) if the bus is a double-decker the stairs to the upper deck,

21. Bus entrance and exit

Every entrance and exit of a bus shall be kept clear of obstruction while passengers are being carried and for purposes of this section passengers permitted by these Regulations to stand, shall not be considered to constitute an obstruction.

22. Conduct of bus driver and members of the bus crew.

(1) A bus driver shall not—

- (a) smoke while driving;
- (b) solicit for passengers;
- (c) collect fares while the bus is in motion;
- (d) move the bus before the doors are closed; or
- (e) negligently or willfully start or cause the bus to be started in a way that subjects a passenger or intending passenger to unnecessary risk of injury.

(2) An operator of a bus service shall ensure that the entire bus crew abides by the code of conduct as agreed between the operator and the Council.

PART IV—TICKETS

23. Bus driver to remain at the bus driver's seat.

A bus driver shall not, without reasonable cause, vacate, abandon or leave his or her seat until he or she reaches the designated bus terminal.

24. Travel fares.

(1) Bus fares shall be determined in accordance with the distance traveled on the bus.

(2) Every person who boards a bus shall pay a travel fee as prescribed by the Council.

25. Issuance of tickets.

An agent shall issue a travel ticket to a passenger who is desirous, intends or boards a bus at any time and that person shall pay for the fare in any of the following ways—

- (a) single journey;
- (b) return journey;
- (c) daily zone ticket;
- (d) weekly zone ticket;
- (e) monthly zone ticket.

26. Validity of tickets.

(1) A person shall not be allowed to travel on a bus without a valid travel ticket.

(2) A ticket is valid for travel only for the route or routes for which it is issued.

27. Alteration or defacing tickets prohibited.

A person shall not, with intent to deceive, change or deface a ticket or make a ticket illegible or for a ticket with a magnetic strip, make that ticket inoperative.

28. Concession tickets

(1) A person shall not travel in a bus using a concession ticket unless the person is entitled to use that ticket.

(2) A bus driver, police officer or authorised person may require a person with a concession ticket to produce satisfactory evidence that he or she is entitled to use that ticket to travel on the bus.

(3) A person shall not, without reasonable excuse, fail to comply with sub regulation (2).

(4) A person shall not in relation to an application for a concession ticket or in purported compliance with a requirement under sub regulation (2)—

- (a) state any thing that he or she knows to be false or misleading a material particular;
- (b) omit from a statement anything without which the statement is to the person's knowledge, misleading in a material particular.

PART V—INSPECTION AND PROCESSING OF TICKETS

29. Inspection of tickets

Every passenger on a bus shall make his or her ticket available for inspection or processing by an authorised person.

30. Tickets to be offered for processing

(1) A person shall not, without reasonable excuse, get on a bus without offering his or her ticket for processing in accordance with this regulation.

(2) A person offers a ticket for processing—

- (a) by putting it into automatic equipment provided to read or record any details on the ticket; or
- (b) by showing the ticket to the bus driver or authorised person.

(3) A person shall offer his or her ticket for processing as mentioned in sub regulation (2) (a) unless—

- (a) the person's ticket is not designed for insertion in automatic equipment;
- (b) the bus is not supplied with automatic equipment; or
- (c) the person has a reasonable excuse for not using the automatic equipment.

PART VI—CONDUCT OF PASSENGERS

31. General conduct

(1) A person shall not unreasonably interfere with the comfort or safety of anyone on the bus.

- (2) Without prejudice to sub regulation (1), a person unreasonably interferes with the comfort or safety of another person when he or she—
- (a) puts a foot on a seat;
 - (b) spits;
 - (c) uses offensive language;
 - (d) behaves offensively; or
 - (e) uses a wheeled recreational device.

32. Drinking of liquor prohibited

A person shall not consume liquor while on the bus.

33. Smoking, eating and drinking

(1) A passenger shall not smoke on the bus.

(2) A passenger shall not eat or drink in a part of the bus where eating and drinking is prohibited by signs displayed in the bus except with permission from the bus operator.

(3) Nothing in this regulation prohibits a passenger from drinking or eating for medical reasons.

34. Unauthorised commercial activities.

(1) A passenger shall not carry on any commercial activity in the bus.

(2) For purposes of this regulation "commercial activity" means any of the following—

- (a) sale of any item;
- (b) touting or soliciting for custom, hire or employment;
- (c) distribution of handbills; and
- (d) soliciting of money from passenger.

35. Entry to and exit from bus

A bus driver of a bus shall not permit passengers to embark or disembark while the bus is in motion.

PART VII—MISCELLANEOUS.

36. Seats for the elderly and people with disabilities

(1) A bus operator may, by notices on the bus, set aside seats for older people or people with a disability and specify the people who may use the seats.

(2) Where a seat on a bus is set aside for particular people under sub-regulation (1), a person for whom the seat is not set aside must not continue to occupy the seat if a person for whom the seat is set aside is standing.

37. Littering and throwing of objects

(1) A person shall not throw anything in or from a bus.

(2) A person shall not litter or dispose of any thing that may endanger other passengers or property on the bus, except in places or containers specifically provided for that purpose.

38. Animals

(1) A person shall not be allowed to travel with any animal except with the bus driver's permission.

(2) Sub regulation (1) shall not apply to—

- (a) an animal accompanying a person with a disability that is trained to help that person alleviate the effect of the disability;
- (b) an animal that is being trained to help alleviate the effect of a disability.

39. Soiled luggage and clothing

(1) A bus driver, police officer or authorised person may refuse a passenger to get on the bus if the bus driver or authorised person reasonably believes that the person's clothing or luggage may soil or damage the bus or the clothing or goods of other passengers.

(2) A bus driver or authorised person may refuse a passenger to get on the bus or order him or her to get off the bus if the bus driver or authorised person reasonably believes that the size of the passenger's luggage cannot be accommodated in the bus without inconvenience to other passengers.

(3) Where a passenger is refused to get onto the bus or is ordered to get off the bus, his or her bus fare shall be refunded.

40. Intoxicated bus drivers

(1) A bus driver shall not drive under the influence of alcohol.

(2) A bus driver who contravenes sub regulation (1) commits an offence and is liable on conviction to a fine not exceeding thirty currency points or imprisonment not exceeding twelve months or both.

41. Intoxicated passengers

(1) Where in the opinion of a bus driver or an authorised officer, a passenger or an intending passenger—

(a) is under the influence of alcohol or any drug; and

(b) causes, or is likely to cause, a nuisance or annoyance to other passengers,

the bus driver or authorised officer may direct that person to leave or not to enter the bus.

42. Power to remove a passenger

(1) A bus driver, police officer or authorised person may direct a person to get off the bus if the bus driver, police officer or authorised person reasonably believes that the person has committed an offence under these Regulations.

(2) A person who fails, refuses, ignores or neglects to comply with a direction under sub regulation (1) shall be removed from the bus using reasonable force.

43. Interference with or damage to bus equipment

(1) A passenger shall not without reasonable excuse—

- (a) interfere with any equipment attached to or forming part of the bus;
- (b) block the bus door;
- (c) open a locked bus door while the bus is in motion; or
- (e) interfere with an automatically operated bus door.

(2) Subregulation (1) does not apply to an authorised officer in the execution of his or her duty.

44. Bus driver to take action in relation to dangerous conduct

(1) A bus driver shall take appropriate action if he or she believes on reasonable grounds that the conduct of a passenger is endangering the safety of other passengers.

(2) For purposes of subregulation (1) appropriate action may include—

- (a) calling the police for help; and
- (b) contacting the operator of the bus for assistance.

45. Lost property.

An operator of a bus service shall develop procedures for dealing with any unidentified articles found on the bus and these procedures may include—

- (a) keeping registers of articles found or handed in by passengers;
- (b) keeping written records of when and how articles found or handed to the responsible people are returned or disposed of.

PART VIII—OFFENCES AND PENALTIES

46. Offences and Penalties

A person who contravenes these Regulations commits an offence and is liable on conviction to a fine not less than two currency points and not exceeding five currency points or imprisonment not exceeding two months or both.

HON. NASASIRA M. JOHN,
Minister of Works and Transport.