

CHAPTER 395

RIGHT-HAND TRAFFIC (CHANGE-OVER) ACT

1971, No. 53. **An Act to provide for the change-over to Right-Hand Driving and to formally establish the National Commission for Right-Hand Traffic, the principal tasks of which include the co-ordination of all administrative arrangements regarding the change-over, education of the public, establishment of State committees and other matters ancillary thereto.**

Commence-
ment.

[15th October, 1969]

Change-over
to right-hand
traffic.

1. (1) As from the prescribed date—

- (a) every motor vehicle shall in approaching and passing traffic coming in the opposite direction be driven on the right side of the highway.
- (b) in respect of any highway which, in accordance with any law is open to movement of traffic in both directions, every motor vehicle when overtaking traffic proceeding in the same direction shall pass such traffic on the left side thereof,

and the provisions of any law in force anywhere in the Federation relating to road traffic shall be construed subject to this Act.

(2) In this Act "the prescribed date" means 2nd April 1972.

Establish-
ment and
functions of
the National
Commission
on Right-
Hand Traffic.

2. There is hereby established a body to be known as the National Commission on Right-Hand Traffic and the functions of the Commission shall be, notwithstanding anything to the contrary in any law,—

- (a) to co-ordinate all administrative arrangements to ensure a smooth change-over to right-hand traffic;
- (b) to examine all highways in the Federation and make (or cause to be made) on them such structural alterations

- as the Commission thinks are required to make the highways suitable for right-hand traffic;
- (c) to erect road signs appropriate for right-hand traffic and remove, or make any suitable modifications to, existing road signs;
 - (d) to advise on the conversion of motor vehicles and on other technical and safety aspects of the change-over to right-hand traffic;
 - (e) to inform and educate the public in all matters concerning the change-over to right-hand traffic; and
 - (f) to perform such other functions relating to the change-over as the Minister may determine.

3. (1) The Commission shall consist of twenty-four members to be appointed by the Minister and shall comprise—

Membership
of the
Commission.

- (a) a Chairman being a person appearing to the Minister to be capable of conducting the affairs of the Commission;
- (b) one representative from each State being the Chairman of the State's Committee on Right-Hand Traffic;
- (c) the Director-General, Federal Ministry of Works and Housing;
- (d) the Director, Federal Information Service;
- (e) one representative of the Federal Ministry of Finance;
- (f) one representative of the Federal Ministry of Transport;
- (g) one representative of the Nigeria Police Force;
- (h) one representative of the Armed Forces;
- (i) one representative of the Automobile Association of Nigeria;
- (j) one representative of the National Road Safety Committee; and
- (k) three other persons representing interests which, in the opinion of the Minister, are not adequately represented.

(2) Any member appointed in pursuance of paragraph (b), (c) or (d) of subsection (1) of this section may specify, with the

prior consent of the Minister, the person who in his absence from any meeting of the Commission is entitled to represent him at such meeting; and any person so specified who attends a meeting of the Commission as a representative of such a member shall be deemed to be a member of the Commission during such meeting.

Committees
of the
Commission.

4. (1) The Commission shall appoint a Management Committee to manage the day to day affairs of the Commission and the Commission may appoint standing or ad-hoc committees as the Commission thinks fit to carry out, consider and report on any matter with which the Commission is concerned.

(2) The Chairman shall be the chairman of the Management Committee and the Commission shall appoint one of its members to be chairman of any committee appointed under this section.

(3) The decision of the Management Committee on any matter shall be effective from the date of the decision but may at any time be cancelled or modified by the Commission.

Secretary
to the
Commission.

5. There shall be a secretary to the Commission who shall be an officer in the public service of the Federation and shall keep the Commission's records, conduct its correspondence and perform such other duties as the Commission may from time to time direct.

Proceedings
of the
Commission.
1964 No. 1.
Cap. 192.

6. (1) Subject to this Act and to section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote) the Commission may make rules regulating the proceedings of the Commission or any committee thereof.

(2) The Chairman shall preside at every meeting of the Commission but in his absence the members present shall elect one of their number to preside at the meeting.

(3) The quorum of the Commission shall be eight and the quorum of the Management Committee or of any other committee of the Commission shall be determined by the Commission.

(4) Where the Commission desires to obtain the advice of any person on any particular matter, the Commission may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this subsection shall not be entitled to vote at any meeting of the Commission and shall not count towards a quorum.

(5) The validity of any proceedings of the Commission or a committee thereof shall not be affected—

- (a) by any vacancy in the membership of the Commission or committee;
- (b) by any defect in the appointment of a member of the Commission or committee; or
- (c) by reason that a person not entitled to do so took part in the proceedings.

7. (1) There is hereby established for each State a body to be known as the State Committee on Right-Hand Traffic, the composition of which shall be as determined by the Governor of that State.

Establishment, etc. of State Committees on Right-Hand Traffic.

(2) The Commission may in respect of any State delegate to the State Committee for that State such of its functions under this Act as it thinks fit and the State Committee shall exercise such functions accordingly.

(3) Nothing in this section shall be construed as preventing the commission from exercising any function delegated to a State Committee under this section.

8. (1) The Commission may, with the approval of the Minister, arrange for the recruitment and training of persons to be known as traffic wardens who may, subject to subsection (2) below, be deployed to assist in the control and direction of traffic during a period of not more than six months from the prescribed date.

Traffic wardens.

(2) Traffic wardens recruited pursuant to subsection (1) above shall have such powers and perform such functions as may be prescribed.

9. No member of the Commission shall be personally liable for any act or omission done or made in good faith while engaged on the business of the Commission.

Members not personally liable.

Regulations.

10. The Minister may make Regulations generally for the purposes of this Act; and, without prejudice to the generality of the foregoing, the Regulations may make provisions—

- (a) prohibiting or restricting the driving of motor vehicles or any class or description of motor vehicles on the highway or on any specified highway or part of a highway at specified periods on the prescribed date;
- (b) requiring motor vehicles or any class or description of motor vehicles designed for left-hand traffic to be modified structurally as may be prescribed;
- (c) requiring motor vehicles designed for left-hand traffic to be provided with such signals, signs or other devices as may be prescribed;
- (d) requiring the provision of reflective safety markings on specified parts of any class or description of motor vehicles;
- (e) with respect to the speed at which motor vehicles or any class or description of motor vehicles may be driven on any highway within a period of six months from the prescribed date.

Interpretation.

11. In this Act, unless the context otherwise requires—

- “the Chairman” means the chairman of the Commission;
- “the Commission” means the National Commission on Right-Hand Traffic established under section 2 of this Act;
- “functions” includes powers and duties;
- “highway” includes any roadway to which the public have access;
- “member” means a member of the Commission and includes the Chairman;
- “the Minister” means the Minister of Works and Housing;
- “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;
- “prescribed” means prescribed by Regulations made under this Act;
- “the prescribed date” has the meaning assigned thereto by section 1(2) of this Act.

12. (1) This Act may be cited as the Right-Hand Traffic (Changeover) Act. Short title,
etc.

(2) This Act shall be deemed to have come into force on 15th October 1969.

(3) For the avoidance of doubt, it is hereby declared that anything done or purported to be done by the Commission (whether or not composed in accordance with section 3 of this Act) on or after the day aforesaid shall be deemed to have been validly done.

RIGHT-HAND TRAFFIC (CHANGE-OVER) ACT

CHAPTER 395

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

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Right-Hand Traffic Regulations	14119

Note. Some of the measurements used in these Regulations are English measurement, and they can be converted into metric measurement as and when required.

*Right-Hand Traffic (Change-Over) Act***RIGHT-HAND TRAFFIC REGULATIONS**L.N. 12 of
1972.*under section 10*

Commencement: [19th February, 1972]

1. (1) Unless exempted under paragraph (2) of this Regulation, no person shall drive a motor vehicle on any highway before 6.00 hours on the prescribed date except he holds a permit authorising him to do so issued by a superior police officer under paragraph (3) of this Regulation.

Prohibition
of driving
of vehicles
on the
prescribed
date.

(2) The persons exempted from the provisions of paragraph (1) of this Regulation are—

- (a) members of the armed forces when on duty;
- (b) police officers of all ranks in uniform;
- (c) traffic wardens in uniform;
- (d) members of the National Commission on Right-Hand Traffic or of any State Committee for Right-Hand Traffic;
- (e) medical practitioners on proof of identity;
- (f) any member of a recognised fire service in uniform when on duty or proceeding to or from duty; and
- (g) any person driving an ambulance, a Ministry of Works vehicle or vehicle owned by the National Electric Power Authority.

(3) Any superior police officer not below the rank of superintendent, if satisfied that any applicant is engaged in any service essential to the community and that the applicant requires to drive a vehicle for the purposes of the performance of that service during the period specified in paragraph (1) above, may issue to the applicant free of charge a permit authorising the applicant to drive a motor vehicle on any highway or specified part of a highway during the period specified in the said paragraph (1).

(4) Any person who contravenes any provision of this Regulation shall be guilty of an offence and liable on conviction to a fine of one hundred naira or to imprisonment for six months, or both.

Imposition of temporary speed limits.

2. (1) Notwithstanding anything to the contrary in any other law, no person driving a motor vehicle during a period of four weeks from the prescribed date shall—

- (a) in any township, town or village drive at a speed exceeding twenty miles per hour;
- (b) where the vehicle is not a commercial vehicle, drive such vehicle outside the area specified in paragraph (a) above at a speed exceeding fifty miles per hour; and
- (c) where the vehicle is a commercial vehicle, drive such vehicle outside the area specified in paragraph (a) above at a speed exceeding thirty-five miles per hour.

(2) Any person who contravenes the provisions of paragraph (1) of this Regulation shall be guilty of an offence and liable on conviction to a fine of one hundred Naira or to imprisonment for six months, or both.

Prohibition of registration of right-hand drive vehicles.

3. (1) As from 1st April 1972 no motor vehicle to which this Regulation applies shall be registered by any licensing authority unless (in addition to any other requirement that may be prescribed under any law) the steering wheel of the vehicle is situated on the left-hand side of that vehicle.

(2) This Regulation applies to—

- (a) any motor vehicle designed, constructed, used or intended to be used for the carriage of passengers for hire or reward, or
- (b) any motor vehicle primarily designed for the carriage of goods.

(3) In this Regulation “licensing authority” means any authority by whatever title known charged with the duty of registering motor vehicles.

Modification of vehicles.

4. (1) As from the prescribed date, no person shall cause or permit a motor vehicle or trailer to be used on any highway, or shall drive or have charge of a motor vehicle or trailer, when so used, unless (in addition to any other requirements that may be prescribed under any law) the conditions set forth are satisfied, namely—

(a) If the vehicle is a commercial vehicle (whether or not with a right-hand drive) having entrance or exit doors situated on the left side of such vehicle, the vehicle shall be provided with proper entrance and exit doors on the right side and the entrance and exit doors situated on the left as aforesaid shall be closed permanently;

(b) If the vehicle is one with right-hand drive it shall carry in the rear and in a visible position the inscription:

“RIGHT-HAND STEERING—
NO HAND SIGNALS”;

(c) (i) If the vehicle is a commercial vehicle or trailer, it shall be equipped at the rear thereof with at least two red reflex reflectors having the dimensions specified in sub-paragraph (ii) below.

L.N. 37 of
1972.

(ii) Each reflector shall have the shape of an equilateral triangle with one vertex uppermost and one side horizontal, and with side not less than 0.15 metre (6 inches) or more than 0.20 metre (8 inches) long, on either side, the outer edge of the illuminating surface farthest from the vehicle or trailer's median longitudinal plane shall not be more than 0.40 metre (16 inches) from the extreme outer edge of the vehicle or trailer; and the reflectors shall be such that are visible to the driver of a following vehicle at night in clear weather at a distance of at least 150 metre (500 feet) when illuminated by the driving light of that following vehicle.

(d) If the vehicle is a commercial vehicle, it shall be equipped with at least two mirrors which shall be fitted externally one on the off side and the other on the near side of the vehicle, and the mirrors shall be so constructed and fitted to the motor vehicle as to assist the driver to be aware of traffic to the rear and on both sides rearwards.

(e) The head lamps of every motor vehicle shall be fitted or adjusted in such a manner that any light issuing therefrom shall when dipped be directed towards the near side of the road.

(2) Any person who on the highway drives or is otherwise in charge of any motor vehicle which fails to satisfy any of the



conditions specified in this regulation, or causes or permits such a motor vehicle to be so driven, shall be guilty of an offence and shall be liable on conviction to a fine of one hundred Naira or to imprisonment for six months, or both.

Traffic Wardens

Duty and control of traffic wardens.

5. (1) It shall be the duty of every traffic warden to assist the Nigeria Police Force in the control and direction of traffic on any highway and in the enforcement of the Act, these Regulations and any other law relating to traffic on the highway.

(2) In the performance of his duties under this Regulation a traffic warden shall at all times only undertake duties assigned to him either generally or specifically by a police officer not below the rank of sub-inspector and shall comply with any lawful order or direction given to him by such police officer.

Powers privileges of traffic wardens.

6. In the performance of his duties as a traffic warden, every traffic warden who is not a police officer shall have the same powers to direct and control traffic as are conferred on a police officer under any law and may arrest any person who, in his presence, commits any offence against these Regulations or any other law relating to traffic on the highway but shall hand over any person so arrested to the nearest police officer.

Traffic wardens to wear arm bands, etc.

7. Every traffic warden shall when on duty—

- (a) wear a white or reflective sleeveless white jacket bearing on the left front thereof his correct name;
- (b) wear on his left upper arm an arm band bearing the inscription "NSRH—TRAFFIC WARDEN" in red letters on a white background;
- (c) wear a red and white covering on his head wear; and
- (d) have on his person a copy of the Highway Code.

Supplemental

Interpretation.

8. In these Regulations, unless the context otherwise requires—

"commercial vehicle" means—

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- (a) any motor vehicle designed, constructed, used or intended to be used for carrying not less than eight passengers for hire or reward, or
 - (b) any motor vehicle primarily designed for the carriage of goods;

"heavy motor vehicle" means a commercial vehicle of which the gross weight exceeds one ton fifteen hundred-weight;

"the prescribed date" means 2nd April 1972;

"trailer" means a vehicle drawn by any motor vehicle.

9. These Regulations may be cited as the Right-Hand ^{Short title.} Traffic Regulations.
