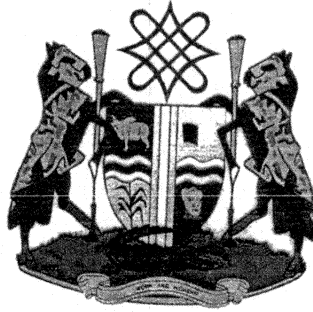


**A LAW TO ESTABLISH THE KADUNA STATE TRAFFIC LAWS ENFORCEMENT AUTHORITY (KASTLEA), 2017**



Kaduna State of Nigeria

Law No. .....<sup>7</sup>..... 2017

( 1<sup>st</sup> June 2017 )

Date of Commencement

**PART I  
PRELIMINARY**

**BE IT ENACTED** by the House of Assembly of Kaduna State as follows: Enactment

1. This Law may be cited as the Kaduna State Traffic Laws Enforcement Authority Law, 2017. Short Title

2. This Law shall come into operation on the .....<sup>1<sup>st</sup></sup>..... day of .....<sup>June</sup>..... 2017. Commencement

3. In this Law unless the context otherwise requires: Interpretation

"Authority" means the Kaduna State Traffic Laws Enforcement Authority (KASTLEA);

"Governor" means the Governor of Kaduna State;

"Highway" means a road in any town declared by the Authority to be a Township Highway to which this Law relates;

"Parking lot" means a designated parking place and includes bus stops and bus terminals;

"Road" means any road whether public or private and includes any street, square, court, alley, lane, bridge, foot way, trace, bridle path or road;

"State" means Kaduna State of Nigeria;

"Traffic Sign" includes all signals, warning sign post, direction posts, signs or other devices for the guidance or direction of persons using highways; and

"Vehicle" includes carriages, wagons, carts, motor vehicles, tricycles, motorcycles, bicycles, vans, lorries, trailers, hand carts, sledges, trucks, barrows and all other machines for the carriage of goods and persons.

## **PART II ESTABLISHMENT OF THE AUTHORITY**

4. There is established in the State an Authority to be known as the Kaduna State Traffic Laws Enforcement Authority (KASTLEA) which shall be a body corporate with perpetual succession and Common Seal and may sue and be sued in its corporate name. Establishment of the Authority
5. The powers of the Authority shall be: Powers of the Authority
- (1) implement and enforce the provisions of the Road Traffic Law Cap 135 Law of Kaduna State, 1991 and the Road Traffic Regulation, 2007;
  - (2) to direct and control traffic on public roads in the State and;
  - (3) to decongest traffic on public roads and highways in township in the State.
6. The functions of the Authority are to: Functions of the Authority
- (1) inspect vehicles and issue certificate of road worthiness;
  - (2) impound vehicles that are not properly parked or causing traffic hold-up along public roads in the State;
  - (3) register and licence Driving Schools in the State;

- (4) conduct driving test and issue Learners Permit and drivers licence;
- (5) impound overloaded vehicle;
- (6) ensure the installation of Road Traffic Signs;
- (7) educate and enlighten vehicle users and the general public on the proper ways to use roads;
- (8) enhance and designate bus stops and bus terminals in the State;
- (9) identify, develop, promote and maintain new or alternative methods of traffic management and road safety tips;
- (10) provide emergency towing services for broken down vehicles that obstruct the flow of traffic;
- (11) designate the route to be followed by vehicles generally or vehicles of the class to which the vehicle belongs or the roads which are to be used for traffic by such vehicles;
- (12) designate areas meant for use as parking lots;
- (13) safeguard roads from encroachment of markets, motor parks and activities of street traders, hawkers and beggars; and
- (14) exercise such powers and perform such other duties as provided in this Law or any other Law as the Authority may consider necessary or expedient to achieve the objectives of this Law.

**PART III**  
**GOVERNING BOARD OF THE AUTHORITY**

7. There shall be a Governing Board for the Authority which shall comprise of members to be appointed by the Governor as follows:

Membership of the  
Authority

- (a) a Chairman who shall be knowledgeable in traffic administration and management;
  - (b) three (3) members representing each of the Senatorial Districts of the State at least one of whom shall be female;
  - (c) one representative each not below the rank of a Director from the Ministries responsible for:
    - (i) Justice;
    - (ii) Works, Housing and Transport; and
    - (iii) Local Governments
  - (d) representative of the Kaduna State Police Command;
  - (e) representative of the Federal Road Safety Corps;
  - (f) representative of the National Union of Road Transport Workers (NURTW);
  - (g) a representation of National Association of Road Transport Owners (NARTO);
  - (h) a representative of the Road Transport Employers Association of Nigeria;
  - (i) one representative of Association of Commercial Motorcycles and Tricycles of Nigeria, Kaduna State Chapter;
  - (j) The Corps Marshal of the Authority;
  - (k) The Secretary/Legal Adviser
8. A member other than an Ex-officio Member shall hold office for a period of four (4) years and may be reappointed for a further term of four (4) years only. Tenure
9. Notwithstanding the provision of section 8 of this Law, a Member of the Council shall cease to hold office if he: Cessation of Membership

- (a) resigns his appointment as a Member by notice in writing addressed to the Governor;
  - (b) has by reason of mental or physical infirmity becomes incapable of discharging his duties;
  - (c) has been convicted of an offence which involves dishonesty;
  - (d) has been involved in any act that may be considered inimical to the interest of the Authority or the State;
  - (e) has become bankrupt or made a compromise with his creditors;
  - (f) is removed by the Governor who is satisfied that it is in the public's interest to do so; and
  - (g) in the case of a person who becomes a member by virtue of the office he holds, ceases to hold that office.
10. (1) The Board shall hold such number of meetings as may be necessary for the effective discharge of its functions, Meetings
- PROVIDED** that, the Board shall hold at least one meeting in each quarter of a year.
- (2) At a meeting of the Board:
- (a) the Chairman shall preside;
  - (b) where the Chairman is not present or if the office of the Chairman is vacant, the members present and voting shall choose one person from among themselves to preside over the meeting.
- (3) Every question at a meeting of the Board shall be determined by a majority of votes of the members present and voting and in the case of any equal division of votes the presiding Chairman shall have a second or casting vote.
- (4) Not less than a simple majority of members may by notice in writing signed by them request the Chairman to call for a special meeting of the Board for the purpose set out in

the notice and the Chairman shall thereupon call such a special meeting.

11. The quorum for any meeting of the Authority shall be a simple majority of the total membership thereof. Quorum
12. Subject to the provision of this Law, the Authority may make standing orders for the purpose of regulating the proceedings at its meetings. Standing Order
13. Where the Authority desire to obtain the advice of any person upon any matter, the Authority may co-opt the person to be a member for such a meeting as may be required, and the person whilst so co-opted, shall have all the rights and privileges of a member save that he shall not be entitled to vote on any question or count towards a quorum. Powers to co-opt
14. No act or proceedings of the Board shall be invalid on account of any vacancy among its members or on account of the appointment of any member having been defective or by reason that a person not entitled to do so took part in the proceedings. Validity of Proceedings
15. A member or staff of the Authority shall not be personally liable to be sued for any act or omission to do any act or for any default of the Authority as long as such act, omission or default is in the course of the operation of the Authority. Protection of Members
16. There shall be paid to every member of the Board other than Ex-officio members such remuneration and allowances as the Governor may determine. Remuneration of Members
17. The Governing Board shall be charged with the following responsibilities: Functions of the Governing Board
  - (a) Reviewing the progress of the programmes of the Authority.
  - (b) Recommending changes and additions to current programmes especially the annual work plan.
  - (c) Identifying areas of inter departmental and inter governmental coordination.

- (d) Identifying areas of expertise that can be applied to specific problems.
  - (e) Offering technical advice to the Governor on traffic management and related issues.
  - (f) Perform such other functions as may, from time to time, be necessary to achieve the objectives of the Authority.
18. (1) There shall be a Corp Marshal for the Authority who shall be appointed by the Governor. Corp Marshal
- (2) The Corp Marshal shall be the Chief Executive Officer of the Authority and responsible for the execution of the policies of the Authority and the general management of its day to day affairs and shall carry out such functions as the Board may direct.
19. (1) There shall be a Secretary/Legal Adviser for the Authority who shall not be less than Ten years post-call appointed by the Board. Secretary of the Authority
- (2) The Secretary/Legal Adviser shall also be the Secretary of the Board.
- (3) The Secretary/Legal Adviser shall be responsible for the following:
- (a) Providing general legal advice to the Authority and the Board;
  - (b) Keeping proper records of proceedings of the Board; and
  - (c) Performing such other functions or duties as the Board or the Corps marshal may direct.
20. (1) The Management and Staff of the Authority shall consist of uniformed members who shall have unique service numbers assigned to them by the Authority and bear such ranks and designations to be stipulated by regulations issued by the Authority. The Traffic Management Corps
- (2) Staff of the Authority shall wear their name tags and ranks at all times.

21. The Authority shall provide for the members of the Corps such equipment it may consider necessary for the effective and efficient discharge of their functions, including but not limited to uniforms, identification cards, night reflecting garments, raincoats, vehicles and recovery vehicles.

Authority to Provide  
Equipment to the Corps  
Members

22. (1) The operation of the corps shall cover all roads and for the administration of this Law, the Authority shall create operational zones, each under the control of an officer of the Corps.

(2) The Authority may deploy to each zone such number of Corps as it may deem sufficient for the operation of this Law in the Zone.

23. Members of the Corps shall bear such ranks as may be assigned to them by the Authority in the following orders:

Ranks of Corps  
Members

- (i) Chief Corps Marshal;
- (ii) Deputy Corps Marshal;
- (iii) Corps Marshal Assistant;
- (iv) Chief Marshal;
- (v) Deputy Chief Marshal;
- (vi) Assistant Chief Marshal;
- (vii) Principal Marshal;
- (viii) Principal Marshal 1
- (ix) Principal Marshal 2
- (x) Marshal 1
- (xi) Marshal 2
- (xii) Marshal 3
- (xiii) Principal Marshal Assistant 1
- (xiv) Principal marshal Assistant 2
- (xv) Principal Marshal Assistant 3
- (xvi) Marshal Assistant 1
- (xvii) Marshal Assistant 2
- (xviii) Marshal Assistant 3



**PART V  
FINANCIAL PROVISIONS**

24. (1) The Authority shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by it; Establishment of the Fund
- (2) There shall be paid and credited into the fund of the Authority:
- (a) such sums as may be appropriated to the Authority by an Appropriation Law of the State;
  - (b) all such monies paid to the Authority by way of grants, donations, gifts, subsidies, charges, fees, interest and royalties;
  - (c) monies raised by way of loans under the power to borrow, vested in the Authority under this Law;
  - (d) all monies which may vest in the Authority under any enactment; and
  - (e) all other sums which may in any manner become payable to the Authority in respect of any matter incidental to its powers or functions under this Law.
25. The Authority shall prepare and submit to the Governor not later than the 30<sup>th</sup> day of September of each year, an estimate of income and expenditure of the Authority for the next succeeding year. Estimates
26. (1) The Authority shall cause to be kept proper books of accounts and other records in respect of its functions. Accounts
- (2) The Authority shall prepare in respect of each financial year statement of accounts in such forms as the Governor may approve.
- (3) The said annual statement of accounts shall be fair and accurate statement of the financial position and of the result of the operations of the Authority for the financial year to which it relates.

27. (1) The Authority shall cause the annual statement of accounts to be audited not later than six (6) months after the end of each financial year, by the Auditor-General of the State, or by any other person authorised by him. Audit

(2) As soon as the annual statement of accounts has been audited the Authority shall forward to the Governor a copy of the statement of accounts together with a copy of the report made by the Auditors.

28. Service in the Authority shall be approved service for the purpose of payment of pension and other benefits to the Staff of the Authority in accordance with the Pension Law in force in the State provided nothing in this Law shall prevent the appointment of a person to an office on terms which preclude the payment of pension in respect of that office. Pension Matters

## **PART VI MISCELLANEOUS PROVISIONS**

29. (2) For the purpose of speedy trial of traffic offenders under this Law, there shall be established by the Chief Judge of the State Mobile Courts to be presided over by Magistrates who shall sit at places to be determined from time to time for the purposes of conducting trials in respect of the offences set out in the Schedules to this Law. Mobile Courts

(2) The proceedings of the Mobile Court shall be held in public unless the Magistrate considers otherwise in the interest of justice or public peace.

(3) Notwithstanding the provisions of this Section, a traffic offender may wish to waive his right to court trial by paying the stipulated fine on the fine ticket into the designated State Account.

30. (1) Any fine imposed on any person as set out in the Schedule to this Law shall be paid either on the spot where it is imposed by a Mobile Court or within twenty four (24) hours where imposed by a member of the corps on duty. The offender in both instances shall obtain an Fine

official ticket showing the offence committed and the amount of fine thereof.

- (2) The vehicle of any person who commits any offence under this Law shall be impounded until the said fine is paid.
  - (3) On the default of such an offender to pay the fine, a charge shall be preferred against him in the Mobile Court or any other court where appropriate.
  - (4) Any offender who contravenes the provisions of items 13, 23 and 24 of the First Schedule to this Law shall be subjected to mental examination to establish the state of mind of the offender.
  - (5) Any offender for other offences in the Schedule of this Law may be subjected to mental examination to establish his state of mind.
31. Where a vehicle is impounded for contravention of this Law, and the driver or owner of the vehicle fails to reclaim such vehicle within six (6) months of the date of its detention, the Authority may apply to the High Court for an order forfeiting the vehicle to the Authority which may then be disposed by public auction and deposit the proceeds in the Government treasury. Impounded Vehicle
32. The Board may, with the approval of the Governor, and subject to the provisions of this Law, make regulation to enhance the effective performance of the functions of the Authority under this Law and in particular with respect to: Power to Make Regulations
- (a) appointment, promotions, transfer, dismissal and disciplinary measures of its staff;
  - (b) Scheme of Service of the Authority; and
  - (c) the term and conditions of service (including salaries, allowances and the grant of advances, the provision of quarters, leave and medical treatment).
33. (1) The Governor may give to the Authority directions of general or specific nature in relations to matters Power of the Governor to give Direction

appearing to the Governor to affect public interest and the Authority shall give effect to such directions.

- (2) The Governor may after consultation with the Board give the Authority specific directions for the purpose of remedying any defect which may be disclosed in the general operations of the Authority and the Authority shall give effect to such directions.

34. The Kaduna State Traffic and Environmental Law Enforcement Agency (KASTELEA) Law No. 12 of 2014 is hereby repealed.

Repeal of Law No. 12  
of 2014

35. The statutory functions, rights, obligations and liabilities of the Kaduna State Traffic and Environmental Laws Enforcement Agency existing before the commencement of this Law under any contract or instrument whether in Law or equity shall by virtue of this Law and without further assurance be vested in the Authority established by this Law.

Savings

**FIRST SCHEDULE  
TRAFFIC OFFENCES AND PENALTIES**

S/N	VIOLATION	CODE	PENALTY		
			Point	Fine (₦)	Additional
	<b>Licence Conditions (General)</b>				
1	Driving without a Driver's Licence	LGC-01	2	5,000.00	Impound vehicle
2	Driving of any vehicle by person under 18	LGC-02	2	5,000.00	Impound vehicle
3	Learner driving without Learner's Permit	LGC-03	2	5,000.00	Dislodge driver
4	Learner Driving on major highway	LGC-04	3	5,000.00	Dislodge driver
5	Learner driving and unaccompanied by a licensed driver	LGC-05	3	10,000.00	Impound vehicle
6	Driving an unlicensed vehicle	LGC-06	3	10,000.00	Impound vehicle
7	Driving with fake number plates	LGC-07	4	20,000.00	Impound vehicle and prosecute the Driver
8	Driving a vehicle with unauthorised or defective reflective number plates	LGC-08	2	20,000.00	Impound vehicle
9	Riding an unlicensed motorcycle/tricycle	LGC-09	2	3,000.00	To impound the motorcycle/tricycle
	<b>Licence Conditions (Commercial)</b>				
10	Not painting a commercial vehicle in approved colours	LCC-01	4	5,000.00	Enforce painting
11	Violation of route by commercial vehicles	LCC-02	2	5,000.00	
12	Non-display of route and route number on vehicle	LCC-03	2	3,000.00	
	<b>Traffic Signs and Markings</b>				
13	Disobeying traffic signs	TSM-01	1	5,000.00	
14	Disobeying traffic lights	TSM-02	4	10,000.00	Psychiatric Test
15	Parking on yellow line on any public highway	TSM-03	2	5,000.00	
16	Vehicle crossing double yellow line	TSM-04	3	10,000.00	
17	Wrong parking	TSM-05	3	10,000.00	
18	Staying within the yellow junction box (off-side rule)	TSM-05	2	5,000.00	
19	Failure to yield to right of way of pedestrians at a Zebra Crossing	TSM-06	4	10,000.00	
20	Failure to give way to traffic on the left as a round about	TSM-07	2	5,000.00	
	<b>Vehicle Defect</b>				
21	Driving motorcycles/3-wheelers with non functional lamps	VDF-01	1	20,000.00	Effect repairs
22	Driving private motor vehicles with non-functional lamps	VDF-02		20,000.00	Effect repairs
23	Driving commercial vehicles with non-functional lamps	VDF-03		25,000.00	Effect repairs
24	Driving trailers, tankers and tippers with non-functional lamps	VDF-04		100,000.00	Effect repairs
	<b>Alcohol and Drugs</b>				
25	Driving under the influence of alcohol and/or drugs	ALD-01		20,000.00	Impound vehicle
26	Smoking while driving	ALD-02		20,000.00	Impound vehicle and psychiatric Test

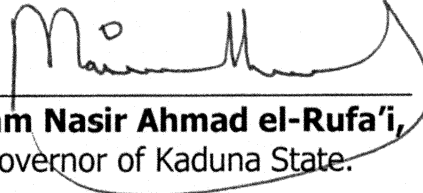
<b>Motorcycle Riders</b>					
27	Riding of motorcycle without crash helmet for rider	MCL-01	1	2,000.00	Impound vehicle
28	Riding a motorcycle without a Learners permit	MCL-02	2	2,000.00	Impound vehicle
29	Riding a motorcycle against traffic through road median	MCL-03	4	3,000.00	Impound vehicle
30	Conveying more than one passenger at any given time (where the carrying the passenger is allowed)	MCL-04	3	5,000.00	Impound vehicle & passenger to pay N500.00
31	Installation of musical gadgets on a motorcycle	MCL-04	3	3,000.00	Impound the set
32	Alteration of manufacturer's specification on motorcycle (e.g. handlebar/seat/horn/leg rest etc)	MCL-05	3	3,000.00	
33	Motorcyclist/Tricycles resisting arrest	MCL-06	4	3,000.00	
<b>Speed Violation</b>					
34	Exceeding prescribed speed limit	SPV-01	2	5,000.00	
35	Tailing an Emergency vehicle	SPV-01	2	10,000.00	
36	Failure of slow moving vehicle to keep to the right lane	SPV-02	2	5,000.00	
<b>Miscellaneous Traffic Fines</b>					
37	Assault on a Traffic Officer	MTF-01	4	N50,000.00	Impound vehicle and Prosecute in Court
38	Driving in a direction prohibited by the Road Traffic Law	MTF-02	4	25,000.00	Psychiatric Test & prosecute in Court
39	Illegal U-turns	MTF-03	2	10,000.00	Impound vehicle
40	Wrong overtaking of other vehicles	MTF-04	2	10,000.00	Impound vehicle
41	Overloading of a commercial vehicle	MTF-05	2	20,000.00	Dislodge excess & Impound vehicle
42	Parking or stopping to pick passengers by a commercial vehicle other than at designated bus stop	MTF-06	2	20,000.00	Driver Training & Impound vehicle
43	Bullion vehicle driving in a direction prohibited by the Road Traffic Law	MTF-07	4	300,000.00	Impound vehicle & Prosecute in Court
44	Abandoned vehicle on highway overnight	MTF-08	4	5,000.00	Impound vehicle
45	Causing obstruction on highway	MTF-09	3	5,000.00	Impound vehicle
46	Commuter hanging on tailboard of moving vehicle	MTF-10	3	5,000.00	Dislodge
47	Driving vehicles with doors left open	MTF-11	2	5,000.00	
48	Making or receiving phone calls while driving	MTF-12	2	10,000.00	Prosecute in Court
49	Driving without a strapped seat belt for both driver and front seat passengers	MTF-13	1	2,000.00 1,000.00	Strap on seat belt
50	Failure to display reflective warning triangle sign at point of breakdown Trailers and others	MTF-14	4	5,000.00 2,000.00	
51	Motorist resisting arrest	MTF-15	4	5,000.00	
<b>Storage and Custody Charges</b>					
1	Storage charges for impounded cars, jeeps and mini buses per day			2,000.00	
2	Storage charges for impounded motorcycles and 3-wheelers per day			200.00 500.00	

3	Storage charges for Trailers and Tankers per day			5,000.00	
4	Towing an impounded car, jeep and mini-buses			5,000.00	
5	Towing a trailer or tanker (empty)			50,000.00	or negotiable
	<b>Violation</b>				
6	Towing a trailer or tanker (loaded)			100,000.00	or negotiable
7	Towing tippers and lorries			20,000.00 & 10,000.00	or negotiable
8	Towing high capacity buses			50,00.00	or negotiable
9	Hire of heavy duty recovery equipment				At hire cost

**SECOND SCHEDULE  
ENVIRONMENTAL OFFENCES AND PENALTIES**

S/N	VIOLATION	PENALTY (₦)
1	Driver of a commercial vehicle with non provision of dust bin	1,000.00
2	Throwing of refuse from moving vehicle	1,000.00
3	Non clearance of drainage in commercial areas	10,000.00
4	Non clearance of drainages in residential areas	5,000.00
5	Open defecation/urination	1,000.00
6	Blocking roads for celebrations without permits	20,000.00
7	Stray and wandering animals	10,000.00
8	Noise which constitute nuisance	5,000.00
9	Failure to cover vehicles carrying literate, silt sand or construction materials	5,000.00

**DATED AT KADUNA** this .....<sup>1<sup>st</sup></sup>..... day of .....<sup>June</sup>..... 2017

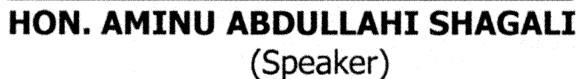
  
**Malam Nasir Ahmad el-Rufa'i,**  
 Governor of Kaduna State.

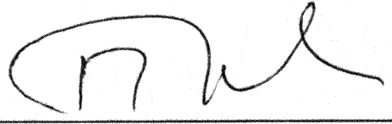
**EXPLANATORY NOTE**

(This note does not form part of this Law and has no legal effect.)

The purpose of this Law is to establish the Kaduna State Traffic Laws Enforcement Authority Law, 2017.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.

  
**HON. AMINU ABDULLAHI SHAGALI**  
 (Speaker)

  
**BELLO ZUBAIRU IDRIS Esq.**  
 (Clerk to the Legislature)