

STATUTORY INSTRUMENTS SUPPLEMENT

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

2023 No. 34.

**THE TRAFFIC AND ROAD SAFETY (MOTORCYCLES AND
MOTORISED TRICYCLES) (AMENDMENT) REGULATIONS, 2023**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Amendment of S.I. No. 30 of 2016
3. Amendment of principal Regulations
4. Amendment of regulation 3 of principal Regulations
5. Amendment of regulation 11 of principal Regulations
6. Insertion of Part IIIA in principal Regulations
7. Amendment of Schedule 2 of principal Regulations
8. Amendment of principal Regulations

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

2023 No. 34.

The Traffic and Road Safety (Motorcycles and Motorised Tricycles) (Amendment) Regulations, 2023.

(Under section 178 of the Traffic and Road Safety Act, 1998, Cap. 361)

IN EXERCISE of the powers conferred upon the Minister responsible for transport by section 178 of the Traffic and Road Safety Act 1998, these Regulations are made this 14th day of March, 2023.

1. Title

These Regulations may be cited as the Traffic and Road Safety (Motorcycles and Motorised Tricycles) (Amendment) Regulations, 2023.

2. Amendment of S.I. No. 30 of 2016

The Traffic and Road Safety (Motorcycles and Motorised Tricycles) Regulations, 2016, herein after referred to as the principal Regulations, are amended in regulation 2—

- (a) by inserting immediately after the definition of “area identification code” the following—

“Commissioner” means the Commissioner responsible for transport regulation and safety;

- “(b) by repealing the definition of “Board”;

- “(c) by inserting immediately before the definition of currency point the following—

“Competent Authority” means the department of transport regulation and safety in the Ministry responsible for transport;

- (d) substituting the definition of driving permit the following—

“driving licence” means a driving licence of the group “A”
“A1” or “B1” category issued under the Act;
- (e) by substituting for the definition of motorcycle the following—

“motorcycle” means any two wheeled motor vehicle, with
or without a side car, equipped with a propelling
engine;”
- (f) by inserting immediately after the definition of “passenger”
the following—

“public transport providers entity” means a company,
registered association, partnership, cooperative or
savings and credit cooperative society formed by
motorcycles operators for the purpose of facilitating
the proper organisation of public transport.

3. Amendment of principal Regulations

The principal Regulations are amended by substituting for the word “Board” wherever it appears, the words “Competent Authority”

4. Amendment of regulation 3 of principal Regulations

Regulation 3 of principal Regulations is amended in subregulation 3 (g) by substituting for the word “permit” the word “licence”;

5. Amendment of regulation 11 of principal Regulations

Regulation 11 of principal Regulations is amended—

- (a) in subregulation (3), by substituting for the words “secretary to the board” the word “Commissioner”;
- (b) in subregulation (4), by inserting immediately after the word “wear” the words “and fasten”;

- (c) in subregulation (5), by inserting immediately after the word “wear” the words “and fasten”;
- (d) by inserting immediately after subregulation (5) the following—

“(5a) The helmet referred to in subregulations (4) and (5) shall comply with the standards issued by the Uganda National Bureau of Standards.”

6. Insertion of a new Part IIIA in principal Regulations

The principal Regulations are amended by inserting immediately after Part III the following—

PART IIIA—PUBLIC TRANSPORT PROVIDERS ENTITY

11A. Formation of public transport providers entity

(1) For the purposes of organising public transport under section 71 of the Act, operators of motorcycles shall form a public transport provider’s entity to facilitate the proper organisation of public transport among the operators of motorcycles.

(2) The public transport providers entity referred to in subregulation (1) may be formed or registered as a company, registered association, partnership, cooperative or savings and credit cooperative society in accordance with the enabling laws.

(3) The public transport providers entity referred to in subregulation (1) shall be responsible for organising and facilitating the self-regulation of its members for purposes of compliance with the Act and Regulations made under the Act.

11B. Registration of public transport providers entity

(1) A public transport providers entity formed under regulation 11A shall apply to the Competent Authority for registration before commencing its operations.

(2) The application referred to in subregulation (1) shall be in Form 4 set out in the Schedule to these Regulations and shall be accompanied by—

- (a) certified copies of the incorporation documents and governing documents or registration documents;
- (b) a copy of the code of conduct of its members, employees, agents and sub-contractors;
- (c) a copy of the tax identification number registration certificate;
- (d) a list of its members including the National Identification Number of each member;
- (e) proof of payment of the prescribed fees set out in Schedule 3 to these Regulations;
- (f) a list of the directors and senior management officers of the entity;
- (g) a description of the management system, safety management system and customer complaints handling system;
- (h) copies of the training manual and training program for members;
- (i) an inventory of the equipment and facilities available to the operator for the operation of the passenger transport service; and
- (j) a list of all staff in its employment and their job descriptions and qualifications.

(4) The Competent Authority shall, before registering a public transport providers entity, inspect the entity's premises to ensure that the premises are appropriate for the operations of the entity.

(5) The Competent Authority shall consider the application within thirty days from the date of receipt of the application and shall make a decision on whether to register the applicant or not in accordance with the Act and these Regulations.

11C. Certificate of registration of public transport providers entity

(1) Where the Commissioner is satisfied that the applicant meets the requirements for registration as a public transport providers entity, the Commissioner shall register the entity and issue the applicant with a certificate of registration.

(2) A certificate of registration of a public transport providers entity shall be in Form 5 set out in Schedule 2 to these Regulations.

11D. Refusal to register

(1) Where the Commissioner is not satisfied that the applicant meets the requirements for registration as a public transport providers entity, the Commissioner shall reject the application and inform the applicant stating the reasons for the refusal in writing within thirty days from the date of receipt of the application.

(2) A person aggrieved by the decision of the Commissioner may appeal to the Minister within fifteen working days from the date of receipt of the decision.

11E. Transferability of certificate

A certificate of registration issued in accordance with these Regulations is not transferable or assignable to another person or entity.

11F. Duration

A certificate of registration issued to a public transport providers entity under these Regulations is valid until revoked by the Commissioner.

11G. Terms and conditions of the certificate

(1) The certificate of registration issued under regulation 11C, shall be subject to the following terms and conditions—

- (a) the certificate is not a licence to operate a motorcycle or tricycle;
- (b) the Competent Authority may suspend or revoke the certificate; and
- (c) the certificate of registration does not exonerate the entity from complying with other statutory and regulatory requirements.

(2) A public transport providers entity shall not operate or permit its members to provide transportation services in a manner which is inconsistent with the terms and conditions of a licence to operate a motorcycle under these Regulations or the Act.

11H. Revocation of registration

(1) The Commissioner may revoke a certificate of registration issued under regulation 11A where a public transport providers entity—

- (a) is declared insolvent;
- (b) fails to comply with regulation 11I (3) of these Regulations;
- (c) fails to comply with any condition or directive issued by the Competent Authority; or
- (d) fails to comply with the requirements of these Regulations.

(2) The Commissioner shall, before revoking a certificate of registration, give notice to the public transport provider's entity, stating the reasons for revocation, at least

thirty days before the revocation to allow the public transport provider's entity to show cause why the registration should not be revoked.

11I. Internal organisation of public transport providers entity

(1) A public transport providers entity shall, in its internal organisation, comply with the principles of democracy and good governance including conducting regular elections to elect its leaders.

(2) A public transport providers entity shall elect an executive committee of the public transport provider's entity with due consideration for gender equity.

(3) The election of members of the executive committee referred to in subregulation (1), shall be conducted at regular intervals, not exceeding three years.

11J. Reporting

(1) A public transport providers entity shall, within ten working days from the last day of every quarter of a calendar year, submit to the Competent Authority information relating to—

- (a) the number of registered and active members;
- (b) incidents of fraud, theft, robbery or any other offence reported by its members or against its members; and
- (c) such other information as may be required by the Competent Authority from time to time.

(2) The operator of a public transport providers entity who without reasonable cause, fails to comply with this regulation or submits inaccurate information of its operations, commits an offence and is liable, on conviction, to a fine not exceeding thirty currency points or to imprisonment not exceeding two years or both.

11K. Markings on motorcycle

(1) An operator of a commercial motorcycle shall mark, label or put an identifier on a motorcycle indicating the name or logo of the public transport providers entity under which the motorcycle is registered in a manner approved by the Competent Authority.

(2) The mark, label or identifier on the motorcycle referred to in subregulation (1), may include—

- (a) the brand name or logo of the public transport provider’s entity;
- (b) the use of a beacon; or
- (c) any other unique identifying sign or feature.

(3) The mark, label or identifier referred to in this regulation shall be approved by the Competent Authority.

(4) The mark, label or identifier may be inscribed on the helmet or reflector jacket if it is impracticable to be placed on the motorcycle.

11L. Exception

For the avoidance of doubt, part IIIA of these Regulations does not apply to an operator of a motorcycle operating under a digital network licenced under the Traffic and Road Safety (Digital Network) Regulations, 2023.

7. Amendment of Schedule 2 to the Principal Regulations

Schedule 2 of the principal Regulations is amended by inserting immediately after Form 3 the following—

Reg. 11B (2).

“REPUBLIC OF UGANDA

FORM 4

APPLICATION FOR REGISTRATION OF A PUBLIC TRANSPORT PROVIDERS ENTITY

1.	NAME OF APPLICANT <i>(as it should appear in the registration certificate):</i>	M/S:
2.	APPLICANT'S	
	Physical address:	
	Street/Road:	
	Plot No:	
	Town/City:	
	Building:	
	Floor:	
	Postal address:	
	Phone/Fax No.	
	Mobile No.	
	Email Address:	

3. Particulars shareholders

<i>S/N</i>	<i>Name</i>	<i>Nationality</i>	<i>Telephone Numbers & Email address</i>	<i>Occupation</i>	<i>Percentage of share-holding</i>

4. Particulars of directors, managers and members of executive committee

<i>S/N</i>	<i>Name</i>	<i>Nationality</i>	<i>Designation</i>	<i>Educational Qualifications</i>

1. Details of motor cycle or motorised tricycle to be used—

<i>Registration No.</i>	<i>Make</i>	<i>Engine No.</i>	<i>Name of the registered owner</i>	<i>Driving licence number of rider or driver</i>

7. DECLARATION

I/We, the undersigned, hereby declare:	
(a) THAT the particulars set out herein are true and correct to the best of my/our knowledge and belief;	
(b) THAT I am/we are not undischarged bankrupts and that I/we have never been convicted of an offence of fraud;	
Name:	Signature:
Name:	Signature:
Name:	Signature:

PART II.
For Official Use Only.

Remarks and recommendation of Commissioner

Decision of Competent Authority

“REPUBLIC OF UGANDA

FORM I

CERTIFICATE OF REGISTRATION.

This to certify that _____ (*insert in name*) of _____ (*insert address*) has been registered as a public transport providers entity.

Dated this _____ day of _____ 20_____

Commissioner”

8. Amendment of principal Regulations

The principal Regulations are amended by inserting immediately after Schedule 2 the following—

Reg 3 (2) (h)

“Schedule 3

FEES

No.	Item	Fees (Shillings)
	Application for licence or renewal of licence	
1	(a) Motorcycle	30,000/=
	(b) Motorised tricycle	100,000/=
2	Duplicate licence	50% of the licence
3	Application for registration of public transport operators entity	5,000,000/=

“

Cross reference

The Traffic and Road Safety (Digital Network) Regulations, 2023

GEN. EDWARD KATUMBA WAMALA,
Minister of Works and Transport.

