ISSN 0856 - 034X

Supplement No. 4 *23" January, 2009*

SUBSIDI LEGISLATION

to the Gazette of the United R44 of Tanzania No.4 Vol. 90 dated 23" January, 2009

Printed by the Government P ter, Dar es salaam by Order of Government

GOVERNMENT NOTICE No. 21 published on r23/1/200

THE ROADS ACT, 2007
(No. 13 OF 2007)

REGULATIONS

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THE ROADS MANAGEMENT REGULATIONS, 2009

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THE ROADS ACT, 2007
(ACT No. 13 OF 2007)

REGULATIONS

(Made under Section 61)

THE ROADS MANAGEMENT REGULATIONS, 2009

PART I
PRELIMINARY PROVISIONS

Citation

1. These Regulations may be cited as the Roads Management Regulations, 2009.

Interpretation

2. In these Regulations unless the context requires otherwise-

Act No. 13 of 2007

"Act" means the Roads Act, 2007;

"area" when used in relation to any local government authority, means an area in which the local government authority is established, or empowered by or under the Local Government (District Authorities) Act to exercise jurisdiction in accordance with the Local Government (District Authorities) Act;

"bridge maintenance" includes all maintenance works on bridges that aim at repairing or restoring the bridge and its various components to the original specifications;

"bridleway" means a road over which the public have the following but no other right of way, that is to say a right of way on foot and a right of way on horseback or leading a horse, with or without the right to drive animals of any description along the road;

"byway" means a road over which the public have the right to travel for vehicular and other kinds of traffic, but which is used mainly as footpaths and bridleways;

Caps. 287 and 288

"camps and places" means a roadside facility established pursuant to

Regulation 36 for providing convenient and safe rest to the passengers, motorists and general public;

"carriageway" means that part of a road normally used by vehicular traffic but does not include that part of a road which consists of street refuge or central reservation whether within the limits of a pedestrian crossing or not;

"district" means any part of Mainland Tanzania proclaimed or deemed to be proclaimed by the President of the United Republic to be a district pursuant to powers conferred on him by the Constitution;

"driver"—

(a) in relation to a motor vehicle or any other vehicle means person who drives or attempts to drive or is in-charge of the vehicle and includes an instructor of a learner driver;

(b) in relation to animals, means a person who guides cattle singly or in herds, or flocks or draught, pack or saddle animals on a road; and

(c) in relation to a towed vehicle, means a person who drives the towing vehicle;

"emergency maintenance" means activities on paved and unpaved roads undertaken for the purposes of opening or repairing roads or bridges after a natural or other unforeseen disaster like land slides, floods, falling of trees and stones, major accidents which damage or block the road;

"interest in land" includes interest in any building erected on the land;

"intersection" means any level cross road, junction or fork and it includes an open area founded by such cross road, junction or fork;

"land" includes any interest in land and any easement or right in, to or over land;

"lane" means any one of the longitudinal strips into which the carriageway is divisible whether or not defined by a longitudinal road marking which is wide enough for one moving line of motor vehicles other than motorcycles;

"local government authority" means a district council, a township authority or a village council established under the Local Government (District Authorities) Act and includes any urban council to which the Local Government (District Authorities) Act applies;

"Minister" means the Minister responsible for roads;

"motor vehicle" means any mechanically or self-propelled vehicle intended or adapted for use on the roads and includes an engineering plant;

G N No 21 (contd.)

"national road classification committee" means a road classification committee constituted under regulation 48;

"pedestrian" means a person traveling on foot, whether walking or running;

"periodic maintenance" means maintenance works undertaken at intervals of specific periods or years including but not limited to resealing, overlaying, fog spraying and shoulder reforming or re-graven ing;

"region" means any part of Mainland Tanzania proclaimed or deemed to be proclaimed by the President of the United Republic to be a region pursuant to powers conferred under him by the Constitution of the United Republic of Tanzania;

Cap. 2

"rehabilitation" includes activities aimed at restoring the original condition of the road through relatively extensive works like pavement layer reconstruction, mill and replace, reshaping of the cross section, reconstruction of the shoulders, drainage works and thick overlays;

"road" means an identifiable route, way or path between two or more places and includes any road, highway, street, bridge, culvert, wharf, car park, footpath or bridle path on which vehicles are capable of traveling and to which the public has access whether or not such access is restricted and whether subject to any condition, but does not include any road within the cartilage of any dwelling;

"routine maintenance" means maintenance works undertaken continuously whatever its engineering characteristics or traffic volume, and comprises of grass cutting, drain cleaning, culvert and bridge cleaning and maintenance, replacement of road furniture, paved road patching, edge repair, crack sealing and line remarking, unpaved roads grading, shaping and pothole repair;

Caps 287 and 288

"sign" includes any advertisement sign, placard, boarding, billboard, or any other from or means or device whatsoever of public notice or announcement whether erected, pasted, or painted and also includes any advertisement sign, placard, boarding or billboard or other device or medium intended or suitable or adapted as a form of or means of public notice or announcement whether or not the same is at the time actually used for such purpose, but does not include a campaign sign during an election or plebiscite in the area in which the sign is located if the sign complies with the laws governing the election or plebiscite;

"spot improvement" means maintenance works carried out on paved and unpaved roads on short sections of roads in order to ensure

reasonable level of pass ability and comprises of road surface repair, culverts and drainage repair, road reshaping and re-gravelling;

"towing" means pulling or drawing behind a chain, line, bar or some other form of coupling;

"trailer" means any vehicle designed to be drawn or propelled by a motor vehicle but does not include—

(a) an integral sidecar, integral forecar or integral trailer attached to a motorcycle (which shall be regarded as forming part of the vehicle to which it is attached);

(b) engineering plant;

"upgrading" means improvement of the level of service beyond the original specifications including widening, geometric changes and improvements, pavement works and ancillary works;

"urban area" means an area within the jurisdiction of a city, municipal or town council declared to be an urban area for the purposes of the Local Government (Urban Authorities) Act;

"urban authority" means a city council, a municipal council or a town council;

"urban council" means a city council, a municipal council, a town council;

"vehicle" means a vehicle of any description whatsoever, and includes a machine or implement of any kind drawn or propelled along roads whether by animal, mechanical, electrical or any other motive power;

"village" means a village registered as such under the Local Government (District Authorities) Act; Cap. 287

"ward" means a division of the jurisdiction of a local government authority demarcated as such in pursuance of the provisions of the Local Government Authorities Act and declared to be a ward of that local government authority. Cap. 287

PART II
MANAGEMENT OF ROADS

General control of roads

3. The road authority in whose jurisdiction a road is situate shall be responsible for control and management of the road.

Control of use of public roads

4.—(1) The road authority shall control the maximum, gross vehicle weight, dimensions of permitted vehicles and speed limits, in accordance with the provisions of section 42 of the Act.

G N. No. 21 (contd.)

(2) The road authority shall enforce the weight standard prescribed under the Road Traffic (Maximum Weights and Measures) Regulations, 2001. GN. No. 157 of 2001

5.—(1) The road authority shall be responsible for developing, maintaining and managing road network as classified and declared in sections 12,13 and 14 of the Act and ensure the road network is passable at all the time. Road Management

(2) The road authority shall develop, maintain and use road management systems for planning, budgeting, rational use of resources and decision making.

(3) The road authority in managing roads may use force account unit, or private sector including, engineering consulting services, contractors or suppliers of goods and services.

6.—(1) Subject to the provision of Part VI of the Act, the specifications requirements for road of access shall be— Road of access

(a) intersect with the main road at an angle which will provide sufficient visibility for safe maneuvering;

(b) have entrance radius sufficient to allow turning of vehicles;

(c) be of a minimum width of 4 metres near the entrance to the main road; and

(d) have acceleration and deceleration lanes at the entrance and exit to the main road, which shall be provided at locations and the places as the road authority deems necessary.

(2) An applicant for a road of access shall pay property compensation based on a valuation report as prepared in accordance with the provision of Land Acquisition Act, the Land Act, and any other written law. Caps 118 and .113

(3) Subject to sub regulation (2), the valuation report shall be certified by Government Valuer.

(4) Where the principal use of the property is residential one road of access to main road may be sufficient and where the principal use of the

property is more than residential two or more road access to the road may be allowed.

Prohibited activity

7.—(1) Where a road or portion thereof or any land has been designated as a road of access, no person shall, without a written permit from the road authority-

(a) construct, use or allow the use of, any private road, entrance-way or gate which or part of which is connected with or open upon the road of access;

(b) sell, or offer, or expose for sale, any vegetables, fruit, meat, fish or other produce, or any goods, wares or merchandise upon or within the road reserve limit of a road of access.

(2) Arty person who violates this regulation is liable to a penalty of not more than two hundred thousand shillings or imprisonment for not more than one month.

Closure of road for urgent action

8.—(1) Where urgent action is necessary for the protection of the public or maintenance of a road, the road authority may close any road or any part of any road to all traffic or to any class or classes of traffic for a temporary period or may prescribe the terms and conditions on which all traffic or any class or classes of traffic will be permitted on any road or on any part of any road for a temporary period.

(2) Where an order is made under sub-regulation (1), signs may be posted restricting the use of the road in accordance with the order and any person who does not comply with the direction on such a sign shall be guilty of an offence.

(3) Any person who uses a road or part of road in violation of an order made under sub-regulation (1) or contrary to any terms or conditions prescribed under sub-regulation (1) is liable to a penalty not exceeding two hundred thousand shillings or imprisonment for a term of not more than two months.

Obstruction to other road users Cap. 168

9.—(1) Any person who faces mechanical breakdown of a vehicle or trailer within the roadway shall be required to remove that vehicle or trailer from the roadway in accordance with the Road Traffic Act.

G N. No. 21 (contd.)

(2) Subject to sub-regulation (1) a vehicle or trailer with mechanical breakdown in urban areas shall be removed within six hours.

(3) No person shall repair a vehicle or trailer along a public road except for emergency cases and such repair shall not exceed a period of twenty four hours.

(4) Repair of mechanically broken down vehicle or trailer shall not be done in a manner which causes or is likely to cause damage to the road.

(5) The road authority shall, after twenty four hours outside urban areas or six hours in urban areas, cause to be towed a mechanically broken down vehicle or trailer to a yard at a police station which shall not be removed by the person in control of such vehicle or trailer at the owner's cost.

(6) A vehicle left unattended on a road for twenty four hours or more shall be considered to be abandoned unless prior to twenty four hours or six hours as the case may be the owner of such vehicle or trailer or his representative has notified the road authority that the vehicle or trailer is to be parked for an extended period of time and the road authority has consented thereto.

(7) Any person who repairs a vehicle along the road or leaves a vehicle unattended on a public road without permit from the road authority commits an offence.

(8) Every driver of a motor vehicle or trailer shall park in such a way that it does not cause or is not likely to cause danger, obstruction or undue inconvenience to other road users and, where the manner of parking is indicated by a sign board or markings on the road side, the driver shall be required to park the vehicle or trailer in such manner.

(9) Driving a motor vehicle or trailer on the shoulders of a public road is prohibited and a person commits an offence if he drives on the shoulders of a public road.

(10) No person shall drive on a service road as a carriageway unless that person intends to access the nearest road of access.

(11) A driver of a motor vehicle shall not park his vehicle or trailer-

(a) at or near a road crossing, a bend, a hill, a bridge or hump of bridge or entrance of a road of access;

(b) on a footpath;

(c) near a traffic light or pedestrian crossing;

(d) in a main road or carriage way;

(e) opposite another parked vehicle or trailer causing an obstruction to other vehicle or trailer;

(f) alongside another parked vehicle;

(g) at locations where there is a continuous centre line or without a broken line;

(h) near bus stop, school or hospital entrance or blocicing a traffic;

(i) at a sign or entrance to a premises of fire hydrant;

(j) on the wrong side of the road; or

(k) at a place or area where parking is prohibited.

(12) The road authority shall provide temporary parking bays during construction or maintenance of roads.

obstructing road or drain or water course

10.—(1) Any person who-

(a) places an obstruction on a road;

(b) places an obstruction in a drain, gutter, sluice or watercourse on a road;

(c) prevents by a dam or obstruction water flowing from the road on to the adjoining land whether or not he is the owner or occupant of such land; or

(d) causes water to flow over the road,

Shall be liable to a penalty of not more than one hundred thousand shillings or to imprisonment for a term not more than one month.

(2) The cost of removing any such obstruction or dam and of repairing any damage caused by it or by water may be recovered from such person by and in the name of the road authority as an action of debt.

(3) Where an obstruction or dam is on land adjacent to a road, the road authority or any person acting under its instruction, may enter the land and remove the dam or obstruction or demolish or destroy it.

(; V No. 21 (contd.)

(4) Where any obstruction is a structure of any kind, the Minister or person employed by the road authority designated by the Minister, may notify the owner thereof to remove the structure from the road within such times as the Minister or person employed by the road authority designated by the Minister, specifies and at the owner's expense.

(5) Such notice may be served by any literate person upon the person to whom it is directed either personally, or if such person cannot conveniently be met with, by leaving it for him at his last or most usual place of abode, with some inmate thereof, apparently not under sixteen years of age.

(6) Where the Minister or a person employed by the road authority designated by the Minister, gives any such notice and such structure is not removed within the time specified, the Minister or person employed by the road authority designated by the Minister may remove, demolish, or destroy, or cause to be removed, demolished or destroyed such structure in such manner as he deems expedient.

(7) All persons who so erect, construct or place or cause to be erected, constructed or placed any such building, structure, fence, railing, wall, tree or hedge or,part thereof are jointly and severally liable for the expense of such removal or demolition and the expense may be recovered with costs from any such person or persons in any court of competent jurisdiction by action on behalf of the road authority.

Stopping or clogging drain or watercourse on road

11. Any owner or occupant of land adjoining a road, who permits any drain, gutter, sluice or watercourse on the road and bordering on such land tobe stopped or clogged for any purpose shall be liable to a penalty of not more than one hundred thousand shillings or to imprisonment for a term of not more than one month.

Garbage on road or on drain

12.—(1) No person shall-

(a) deposit any sewage, refuse, garbage, rubbish or other matter on any road or in any drain, gutter, sluice or watercourse on any road; or

(b) cause, suffer or permit any sewage, refuse, garbage, rubbish or other matter to discharge or flow upon any road or into any drain, gutter, sluice or watercourse on any road.

(2) Every person who violates this Regulation is i able to ii: of not less than three hundred thousand shillings and in default of payment to imprisonment for a term not exceeding fifteen days, and in addition to such penalty shall be for the expense of removing such sewage, refuse. or other rnatter or of preventing such discharge or flow.

(3) The road authority may sue for and recover all such expenses in any court of competent jurisdiction.

Construc-tion of drain or watercourse

13.-- (1) The road authority or any person acting on its instructions, may at any time ai .1 from time to time construct, open, maintain or repair any drain, sluice or watercourse upon any land adjoining a road and for such purpose, may at any time and from time to time enter into and upon any such land.

(2) Any person who hinders or obstructs the road authority, or any person acting on its instructions, in the exercise of any power or autilority conferred by this Regulation. is liable to a penalty of not more than two hundred thousand shillings or to imprisonment for a term of not more than one month.

Damage from water uollected on land

14.—(1) Any owner or occupant of land, who collects water upon his land, and turns or allows such water to flow upon the road, shall be liable for all damage to the road, gutters, or drains occasioned thereby.

(2) The road authority may sue for and recover in any court of competent jurisdiction the damages occasioned as aforesaid by such water.

(3) If, by reason of the collection of such water the flow requires, in the opinion of the road authority, the construction of a larger drain, sluice or culvert on the road, or makes necessary any alteration in the road, or the building of new drains, sluice or culvert, such person is liable to pay the expenses of any such alteration or construction.

romng vehicles

15.41) No person shall drive on a public road a motor vehicle that is towing more than one other vehicle or trailer.

(2) Notwithstanding the provisions of sub-regulation (1), a person may drive on a public road a combination of a towing unit and two trailers if the combination meets the following requirements-

(a) the lead trailer is being towed by a pin and plate fifth wheel coupling mounted over the rear axle of the towing vehicle and fastened to its frame;

(b) the lead trailer has two or more axles in tandem;

(c) the longer trailer is the lead trailer; and

(d) the hitch connecting the lead trailer and the second trailer is fastened to the frame of the lead trailer.

(3) The provisions of sub regulation (1) shall not apply to a tractor pulling -

(a) a double trailer combination designed to operate in a combination; or

(b) some other configuration which is comprised of vehicles or trailer designed to be pulled together and which has been approved by a road authority.

Prevention of obstruction

16.—(1) Subject to the provisions of sections 43 and 50 of the Act, the road authority shall ensure that no person obstructs visibility, or hinders convenient passage or safe passage of motor vehicles or trailer along the roads by-

(a) planting un-appropriate trees, flowers or shrubs along the road median;
(b) installing bill boards;
(c) collecting revenue along the roads; save for toll roads;
(d) trading along the road; and
(e) installation of flash lights directed to the roads.

(2) Where a need arises for planting flowers or trees, it shall be necessary to consult the road authority with a view to obtaining a permit for that purpose.

(3) Where a road authority enforcing the provision of sub regulation (1) has found an obstruction on a road, it shall be lawful to issue an

instruction requiring him to remove the obstruction within a period of fourteen days.

(4) Where an obstructing vehicle, trailer or object has not been removed within a period directed, the road authority may cause obstructing object to be removed and compensate the cost of such removal.

(5) The cost for removal of obstruction may be recovered as a civil debt through the court of law.

Existing pole or wire on road

17.—(1) Notwithstanding any law regulating the permitting or sanctioning the constructing, erecting, placing, setting, maintaining, or keeping on, or over or under any road of any telegraph, telephone, electric light, power or other pole, or of any wires, fixtures or attachments, or the constructing, erecting, placing, maintaining or keeping on, or over, or under any road of any object or thing whatsoever, whether or not of the kind hereinbefore enumerated, all such poles, wires, fixtures, attachments are lawfully on or over, or under any road in any municipality shall be held to be there solely by the leave and licence and during the pleasure of the Minister, and on such terms and conditions as the Minister thinks fit to impose.

(2) Any person or corporation with the consent of the Minister and until such consent is revoked and upon such terms and conditions the Minister thinks fit, either generally or in any particular case, to impose, may, in any municipality, erect, place, set and maintain on any road any such poles, wires, fixtures and attachments and construct, erect, place and maintain and keep thereon, or there over, or there under any such object or thing and break up the soil of any such road, and where any such poles, wires, fixtures, attachments, objects or things have without proper authority been constructed, erected, placed or set on, under, or over any such road, to keep the same erected, set or placed and to maintain the same.

(3) No person or corporation shall break up the soil of a road without first making application in writing to the road authority, specifying the purpose for which it is required to so break up the soil, and obtaining its permission thereof in writing.

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Lighting ire

18.—(1) If a person lights a fire on any land not forming part of a road which consists of or comprises a carriageway and in consequence a user of any road which consists of or comprises a carriageway is injured, interrupted or endangered by or by smoke from, that fire or any other fire caused by that fire, that person commits an offence and shall be liable to a fine not exceeding five hundred thousand shillings or to imprisonment not exceeding six months.

(2) In any proceedings for an offence under this regulation, it shall be a defence for the accused to prove that-

(a) that at the time the fire was lit he was satisfied on reasonable grounds that it was unlikely that users of any road consisting of or comprising a carriageway would be injured, interrupted or endangered by or by smoke from that fire or any other fire caused by that fire; or

(b) that-

(i) both before and after the fire was lit he did all he reasonably could not prevent users of any such road from being so injured, interrupted or endangered; or

(ii) he had a reasonable excuse for not doing so.

Roads maintenance

19.—(1) The road authority shall develop, update and make use of maintenance management systems to assist the decision making for maintenance of roads.

(2) Without prejudice to sub regulation (1), the decision making for maintenance of roads shall be based on technical and economic consideration.

(3) The types of road maintenance shall be-

(a) routine maintenance;

(b) spot improvement ;

(c) periodic maintenance;

(d) emergency maintenance; and

(e) rehabilitation.

Construction of Roads

20.—(1) Irrespective of the size of the road works, the road authority shall undertake designs using appropriate standards.

(2) The designs and associated records shall be safely kept open for public.

(3) Any new construction or reconstruction of road shall conform to the Tanzania Road Standards and Specification of 2000 together with good engineering practices.

(4) A road authority or its agents shall not construct, maintain or otherwise alter a road without provision of measures for smooth flow traffic.

(5) The road authority may conduct public inquiry for purposes of obtaining comments about rehabilitation or construction of a road.

(6) The road authority shall, daring the stage of design and construction of road, provide for accommodation of public utilities across the road by using appropriate means such as conduits, ducts or tunnels.

(7) When the road authority decides to constructs a new road infrastructure or modify to the existing road infrastructure it shall consult the utility owners to consider whether the proposed road works may-

(a) affect the safety of the public utility and workers engaged in installing or maintaining such utilities;

(b) impact negatively on the safety of users of the road reserve;

(c) increase risk of damage to the existing infrastructure by being accidentally damaged of such public utilities; and

(d) affect any planned maintenance works, significant infrastructure installations or upgrades.

Permit for work performa-nce

21.—(1) A person shall not construct a private road without a permit from the road authority.

(2) An application for a permit shall be in writing and shall prescribe in detail the purpose and full extent of the use for which a permit is sought.

(3) Where the construction of private road is approved, a permit shall be issued to authorize the roads works, setting out the conditions that the applicant shall comply with.

(4) Application for a permit under sub regulation (1) shall be submitted within thirty days prior to the commencement of work.

(5) The applicant for a permit for construction of a private road shall during submission of the application prove to the authority that he is the owner of such land.

(6) The road authority shall give the reasons for refusal of granting permit to the applicant.

Construction maintenance and alterations of roads

22. No person shall construct, maintain, or alter a road of access to or from a public road without complying with the construction, maintenance, and alteration standards approved by the road authority.

Surveys of roads

23.—(1) For purposes of section 14 of the Act, the road authority shall carry out surveys for establishment of centre line of road and road reserve limits and submit to the Director of Surveys and Mapping for registration.

(2) The methods of surveys shall include-

(a) geographical position system technology and total station technology with adequate precision; and

(b) any other technology acceptable by the Director of Surveys and Mapping.

Lighting of roads Caps. 287 and 288

24.--(1) Subject to the provisions of the Local Government (Urban Authorities) Act, and the Local Government (District Authorities) Act the urban authorities shall ensure sufficient lighting of all the areas, places in the cities, municipalities and towns.

(2) Notwithstanding the provisions of sub regulation (1), any road authority which constructs or reconstructs or rehabilitates roads shall provide for installation of lighting.

(3) On completion of installation of lighting systems, the urban authority under whose jurisdiction the lighting systems are situate shall assume ownership, control and maintenance.

(4) The design, installation of lighting systems and commissioning phases shall ensure that they conform to the relevant standards and electricity agency requirements.

(5) Notwithstanding the provision of in sub-regulation (4), the street lighting system shall provide for the three distinct types of street lights, namely-

(a) beacon lights installed at road junctions which shall not shine onto main roads;
(b) roadway lighting installed along the roadway for the purpose of revealing signs and hazards outside the headlights; and
(c) security lighting with high intensity lighting on busy major streets or sidewalks in densely populated urban areas.

(6) Every road authority shall ensure that all lighting systems along the Roads comply with the following-

(a) where there is double carriageway with adequate median, the poles shall be installed on the median and in the case of single carriageway the poles shall be installed alongside the road;
(b) height of the poles shall be 4 metres from the ground level; and
(c) spacing between poles shall be 50 - 60 metres.

Laying of lines

25.—(1) Subject to any other written law, the road authority shall regulate the maintenance and construction of railway and tramway crossing over public roads.

(2) A person shall not carryout works within a road reserve for the purposes of surveying, constructing, re-constructing, maintaining or laying of lines for trolleys, tramways, railway or pipelines, or beneath public roads, or for the installation, maintenance of infrastructure utilities including but not limited to cables, gas works, pipelines or other structures, buried

G.N. No. _ *I (could)*

or at grade except in accordance with a permit issued by the road ori ty.

(3) Any person who upon grant of permit issued pursuant to sub regulation (2). causes damage to the road by such construction shall be liable to pay the costs for reinstatements of that damage as determined by the road authority.

(4) An application for a permit shall be made on prescribed form set oui in the First Schedule to these Regulations and shall be accompanied of one hundred thousand shillings.

(5) The applications shall describe in detail the purpose and full extent of the work that is to be carried out.

Lal)our based technology

26.—(1) The road authority shall, where appropriate, strive to ensure that road construction, maintenance and management is done using labour based technology.

(2) Construction, rehabilitation and maintenance of road by labour based technology shall basically be applied in low traffic volume roads and shall be guided by the Labour Based Road Works Technical Manual for Road Works Volume I IV developed and adopted in 1997 by the Government and as amended from time to time.

(3) For the purposes of promoting labour based technology the Minister shall develop manuals, guidelines and specifications for use as alternative tools and equipment in lieu of heavy construction equipment or highly mechanized equipment and in relation therewith, conduct seminars and workshops intended to sensitize and disseminate education to the public and road authorities on the use of labour based technology.

(4) The use of labour based technology shall, where appropriate, involve road maintenance and rehabilitation in areas and situation where heavy construction equipment or highly mechanized equipment cannot be readily deployed.

(5) Where a road authority opts to use labour based method of road construction or maintenance, it shall give priority to villagers and social groups residing along the road, as the case may be within the vicinity of the road.

(6) Without prejudice to the preceding provisions of this Regulation, activities to which labour based technology shall be applied includes but not limited to-

(a) reshaping of road formation
(b) cutting and re-shaping of open drains
(c) compaction of road materials by using light - hand equipment;
(d) grass cutting;
(e) filling potholes by applying engineered road materials;
(f) patchworks for paved roads; and
(g) cleaning of drainage structures.

PART III
ROAD WIDTHS AND RESERVE

Road width

27.—(1) The minimum width of roadway lanes for respective classes of roads shall be, for-

(a) trunk roads, 3.25 metres;

(b) regional roads, 3.25 metres; and

(c) all classes of District roads, it is 3.1 metres.

(2) Where the Minister is satisfied that certain land would be required in future for the construction of public roads he shall consult the Minister responsible for Land for the purposes of preservation of that land.

(3) The land preserved pursuant to sub regulation (1) shall not be subject for any private development.

(4) Upon consultation with the Minister responsible for land, the Minister shall take all measures to procure acquisition of that reserved land including measures to compensate any person who lawfully claim interest to that land.

(5) Sixty days following the acquisition of the land the Minister, through the road authority, shall notify the owner of such land to vacate or not to make any further deVelopment within that land.

(6) Upon issuance of the notice the Minister shall compensate owners of interest to the said land as required by section 16 of the Act.

Prescription of road widths

28.—(1) The road authority shall, giving due regard to the classification of road, maintain a detailed profile or data of the widths of both paved and unpaved roadways, bridges or even of the road reserve which are within it jurisdiction. '

(2) Without prejudice to the provision of sub regulation (1), each road authority shall, in its road construction; repair and maintenance plans and programmes provide details of width of roadways, bridges or area of road reserve which is within its jurisdiction.

Road reserve widths

29.—(1) Subject to sub regulation (2), the various classes of roads shall have the following road reserve widths, namely-

(a) trunk roads and regional roads sixty metres consisting of thirty metres from either side of the centre of roadway for single carriage way roads;

(b) trunk roads and regional roads sixty metres consisting of thirty metres from either side of the centre of the median for dual carriage way roads;

(c) collector roads 40 metres consisting of 20 metres from either side of the centre of the road way;

(d) feeder roads, 30 metres consisting of 15 metres from either side of the centerline of the road way; and

(e) community roads 25 metres consisting of 12.5 metres from either side of the centerline of the road way.

(2) The Morogoro Road shall have the following road reserve widths running from the junction of the United Nations Road measured in kilometers commencing at the Askari Monument-

(a) the United Nations Road to kilometer 10 (ex Dar es Salaam: 60 metres;

(b) kilometre 10 to kilometer 16: 90 metres;

(c) kilometre 10 to kilometer 16: 90 metres;
(d) kilometre 16 to kilometre 37: 120 metres;
(e) kilometre 37 to kilometre 69: 60 metres;
(f) kilometre 69 to kilometre 70.60 (Ruvu Bridge) : 90 metres; and
(g) remainder of the road to Morogoro: 60 metres.

Alternative use of road reserve

30.—(1) For the purposes of sub section (2) and (3) of section 29 of the Act, terms and conditions of alternative use of road reserve are that-

(a) the management and control of the road and the road reserve shall be the responsibility of the road authority

(b) a person shall not use the road reserve of a public road without a written approval from the roads authority;

(c) where, the road authority has approved the use of the road reserve for utilities such as placing of public telegraph, telephone, electric supply, sewers and water supply, such utilities shall be located at the edge of the road reserve or a distance from the end of the road reserve as may be authorized in writing by the road authority;

(d) application for approval shall be in writing prescribing the purposes and use for which the approval is sought;

(e) application is submitted to the road authority within thirty days prior to the days on which the purpose and use is due;

(f) where the road authority refuses application it shall within fourteen days and in writing give reasons to the applicant for refusal; and

(g) the approval shall expire within six months from the date of issuance.

(2) Where the application is granted a written approval as specified in the Second Schedule to these Regulations shall be issued authorizing the intended purpose and use and may contain conditions which the applicant shall comply with.

(3) The road authority shall mark the edge of the road reserve of all roads under its jurisdiction using End of Road Reserve Marker posts and

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the spacing of such marker posts from one to another shall be determined by the road authority which shall not, in any case, exceed 500 metres.

(4) It will be the duty of the road authority, using any appropriate means to educate the public on the different limits or boundaries of road reserve, proper use• of road reserve and procedure for application for the use of the road reserve.

Taking of soil for construction

31. No person is allowed to take soil, construction materials, or to dump soil or construction materials or any waste on the road or road reserve without a written approval of the road authority.

Erection of sign other than prescribed roads signs

32.—(1) Prior to placing of bill boards or sign boards in the road reserve, the local government authorities shall liaise with the relevant road authority to agree on size, location and height of the respective structures in order to avoid conflict of interest in the management of the road reserve.

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(2) No sign, other than a road sign prescribed by regulations made under the Road Traffic Act, shall be erected within the road reserve measured as provided for under Regulation 29 and never without the sanction of the appropriate road authority.

(3) Notwithstanding sub-regulation (1), a concession may be made in respect of a road safety campaign bill board or others and the following conditions relating to the site shall apply so that no bill board shall be erected where

(a) it is likely to obscure an obstacle from the view of a driver approaching it;

(b) it would distract a driver's attention at the time when it is most needed for the safe handling of his vehicle on a bend or a road junction or a summit or at or on a road structure;

(c) with its edge nearer than 6.5 metres measured from thc centreline of the carriageway; and

(d) the actual on-site position has not been agreed by the road authority.

Sites of petrol tilling stations

33.—(1) When a petrol filling station is considered to be locited along a public road, the sanctioning authority, if it is not the road authority, shall consult the appropriate road authority before finally approving the site and the layout.

(2) The sites of petrol stations close to the road junctions shall not be permitted except in special cases where no other suitable site is available away from the junction and where no other station exists.

(3) When approving a site close to a junction, the sanctioning authority shall ensure that sufficient space is left for future improvements on the junction.

Distance of the pump from the carriageway

34. The distance of the pump shall not be less than 15 metres from the centreline of the road where foot paths are not likely to be constructed but where they are likely to be required, the allowed distance shall not be less than 20 metres.

Warning signs

35. Where there is specific limitation on the roadway such as narrow roadway, narrow bridge, low bridge headroom or any .other special limitations, the authority shall fix warning sign or any other traffic control mechanisms.

Provision of camps and places

36.—(1) The road authority shall establish camps and places adjacent to the trunk roads

(2) For each camp and place established, road authority shall work out modality and manner in which such camp and place shall be operated

(3) The road authority may collaborate with the, relevant local government authority to put on facilities for recreation, which include toilets, bathrooms, parking yards, restaurants, mini groceries, supermarkets, and garage and resting centres.

Designation of parkway area

37.—(1) The Minister may declare an area adjoining any road outside the limits of a city or town to be a parkway area and may define the limits of such area.



(2) No person shall, within any such parkway area, without written consent of the Minister-

(a) erect, construct, alter or reconstruct any building;

(b) fell or remove any tree, shrub or bush; or

(c) erect any fence, railing, wall or hedge.

(3) Every Person who violates any of the provisions of this Regulation is liable to a penalty of not more than five hundred thousand shillings or to imprisonment for six months.

Land for camps and places

38. Where the area of the road reserve is not adequate the road authority may acquire land for the purposes of establishing such camps and places.

Design standards for camps and places

39.—(**1)** The design of the camps and places shall be specified by road authority, but attempts shall be made to ensure that the designs of the camps are of the standard design.

(2) The camps and places shall be operated by the relevant road authority by way of out sourcing to the private sector or through private public partnership or any other appropriate method.

Road information

40.—(1) It shall be the duty of each road authority to provide detailed information to the public on all roads including details of widths of roadways, bridges and areas of road reserve which is within its area of jurisdiction.

(2) The road authority shall keep a register of public roads specifying the roads of which it is the coordinating road Authority of which its details shall include name, classification, length and surface type.

(3) Subject to sub regulation (2) such register shall be available for inspection by members of public free of charge during normal business **hours.**

PART IV
ROADS CLASSIFICATION

Categorization of roads according to surface type

41.—(1) The public road network shall be categorized according to surface type as earth, gravel, engineered gravel, surface dressed, asphalt concrete and cement concrete.

(2) A trunk road shall have either of the following surface types-
- (a) an earth trunk road, designated as TE;
- (b) a gravel trunk road, designated as TG;
- (c) an engineered gravel trunk road, designated as TEG:
- (d) a surface dressed trunk road, designated as TSD;
- (e) an asphalt concrete trunk road, designated as TAC; and
- (0 a cement concrete trunk road designated as TCC.

(3) A regional road shall have either of the following surface types
- (a) an earth regional road, designated as RE;
- (b) an gravel regional road, designated as RG;
- (c) an engineered gravel regional road, designated as REG;
- (d) a surface dressed regional road, designated as RSD;
- (e) an asphalt concrete regional road, designated as RAC; and
- (f) a cement concrete regional road designated as RCC

(4) A district road shall have either of the following surface types-
- (a) an earth district road, designated as DE;
- (b) a gravel district road, designated as DG;
- (c) an engineered gravel district road, designated as DEG;
- (d) a surface dressed district road, designated as DSD;
- (e) an asphalt concrete district road, designated as DAC; and
- (f) a cement concrete district roads designated as DCC.

(5) A feeder road shall have either of the following surface types-
- (a) an earth feeder road, designated as FE;
- (b) a gravel feeder road, designated as FG;
- (c) an engineered gravel feeder road, designated as FEG;
- (d) a surface dressed feeder road, designated as FSD;
- (e) an asphalt concrete feeder road, designated as FAC; and
- (f) a cement concrete feeder road designated as FCC.

(6) A community road shall have either of the following surface types-

(a) an earth community road, designated as CE;
(b) a gravel community road, designated as CG;
(c) an engineered gravel community road, designated as CEG;
(d) a surface dressed community road, designated as CSD; and
(e) an asphalt concrete community road, designated as CAC.

Classification and reclassification of road

42.—(1) The classification or re-classification of roads shall be made on the basis of administrative and functional criteria.

(2) In order for a candidate road to be considered for re-classification, there must be administrative changes warranting changes in the status of a starting point and or ending point of the road.

(3) Before making an order converting a road from one class to another class, the Minister may call upon the National Road Classification Committee to investigate and report upon the necessity for or desirability of any such road and to advise as to the best class to which the road is to be dedicated.

Mandate to apply for road re-classification

43 .—(1) The authority or institution which has the mandate to apply for road re-classification and designation shall be the regional roads hoards.

(2) Notwithstanding sub regulation (1), an individual person or group of person may apply to the Minister for re classification of a road.

Procedure for application for road re classification and designation

44. (1) An application for re-classification of a road shall be made in writing and shall contain but not limited to the following information-

(a) point on the trunk, regional, district, feeder or community road from which the candidate road starts
(b) terminal point up to which the candidate road is proposed to be designated;
(c) geometric characteristics of the candidate road in terms of-
(i) road length;
(ii) type of surface and shoulders;
(iii) width of carriageway;
(iv) •width of formation;
(v) actual width of road reserve

function and characteristics of the candidate road in terms of-

(i) level and composition of traffic;

(ii) number of towns and villages (together with their names) directly linked and principal nodes;

(iii) bus routes;

(iv) number of public service facilities served by the candidate road in terms of markets, schools, dispensaries, clinics, religious centres; and the like; and

(v) description of any alternative route if available.

(2) The application shall be addressed to the Minister who shall forward it to the National Road Classification Committee for recommendations.

(3) After considering an application and making any further appropriate inquiries, the National Road Classification Committee shall make a report • and recommendations to the Minister.

(4) If, after consideration of any such report and recommendations, it shall appear to the Minister that a need exists that justifies re-classification of the candidate road, the Minister may, by order in the Gazette, designate such road to be classified as such.

(5) If, in the opinion of the Minister, it shall appear that a need does not exist to classify or re-classify the candidate road, the Minister will notify the applicant in writing the grounds upon which his decision was based.

Minister's power For refusal

45.-(1) Where, a road does not meet the criteria for classification to the applied higher class, and the Minister is unable to re-classify that road to a higher class, he may-

(a) reaffirm the class of that road commensurate with the status of that road provided that the road meets the minimum classification criteria for that class, or

(b) direct that-

(i) the road authority in whose jurisdiction that road falls, to provide and carry out adequate improvements to the road to a bttter condition

(ii) adequate financial resources be budgeted and provided for that road as would be sufficient to bring that road commensurate with the class to which the road belongs;

(iii) the road be designated to be under the jurisdiction of another road authority in which case the provisions of Regulation 46(2) to these Regulations shall apply without altering the status of the classification of the road;

(iv) appropriate technical expertise or other assistance be provided to the road authority in whose jurisdiction the road falls

(2) The Minister may, on the recommendations of the National Road Classification Committee or suo moto, down - grade or declassify a road if that road no longer meets the basic criteria for which it belongs.

(3) Any person aggrieved by the decision of the Minister refusing classification of a road may appeal to the Minister for administrative review and the dedision of the Minister shall be final and conclusive.

Effect of re classification of a road

46.—(1) A candidate road that has been re classified shall be registered and placed in the appropriate class and the designated road authority shall be notified and shall take full responsibility for the management of the road.

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(2) The amount of the funds allocated to the respective road authority from the Roads Fund established under the Road Tolls Act or other sources shall be adjusted to reflect the movement of the reclassified road.

Procedure for evaluation of application

47.—(1) The road reclassification application submitted to the Minister will be forwarded to the National Road Classification Committee for evaluation in accordance with the following criteria-

(a) political administrative status of the areas linked by any o'f such roads; and

(b) functional linkages of such roads.

(2) The National Road Classification Committee shall-

(a) apply the criteria for adoption of roads to be re-classified as provided for under sub-regulation (1);

(b) organize seminars and workshops to disseminate information about the re classification procedures;

(c) assist designated road authorities and regional road boards in preparing applications for road re classification;

(d) undertake field visits to validate the accuracy of information provided in the applications submitted by the designated road authorities and road boards;

(e) prepare detailed report and make recommendations to the Minister regarding the appropriate road class for designation of the candidate road; and

(f) prepare draft statutory instrument for implementation of the Minister's decision on road re classification.

(3) The National Road Classification Committee shall apply the basic criteria stipulated in the succeeding provision of this regulation in making classification of roads:

(4) The road shall be classified as trunk road if it is-

(a) linking a new regional headquarter with an existing or another new regional headquarter following creation of new region by order of the President;

(b) a primary national road linking two or more regional headquarters;

(c) an international route that links regional headquarters and another major or important city, town, or major ports outside the United Republic;

(d) not running parallel to an existing trunk road connecting the same cities, towns or major port; and

(e) not forming a loop road connecting two points on the same trunk road.

(5) The road shall be classified as regional if it is—

(a) directly joining any two or more existing district headquarters;

(b) linking a new district headquarter with an existing regional or district headquarter following creation of a new district by order of the President;

(c) linking a new regional headquarter with a new or existing district headquarter following the creation of a new region by order of the President;

(d) a secondary national road that connects a trunk road and a district or regional headquarters;

(e) a secondary national road that connects a regional headquarters and a district headquarters;

(f) not forming a loop road connecting two points on the same regional road; and

(g) not running parallel to an existing regional road connecting the same regional headquarters and the same district headquarters.

(6) The road shall be classified as a district road in the category of collector road if it is-

(a) linking a new district headquarter with an existing or new ward centre following the creation of a new district by order of the President;

(b) linking a new division or ward with an existing or new, ward following the creation of a ward or division by order of the Minister responsible for local government;

(c) a new ward centre has been created following the creation of a new ward by order of the Minister responsible for local government and that road links the ward centre with a division centre;

(d) a road linking a district headquarters and a division centre;

(e) linking a division centre with any other division centre;

(f) linking a division centre with a ward centre:

(g) within an urban area carrying through traffic which predominantly originates from and destined out of the town and links with either a regional or a trunk road;

(h) not running parallel to an existing collector road starting and ending at the same points with another existing collector road; and

(i) not forming a loop connecting two points on the same collector road.

(7) For a road to be classified as a district road under the category of feeder road, that road shall be-

(a) liking a new district headquarter with an existing or new ward centre following the creation of a new district by order of the President;

(b) linking a new division or ward with an existing or new ward following the creation of a ward or division by order of the Minister responsible for local government;

(c) a new ward centre has been created following the creation of a new ward by order of the Minister responsible for local government and that road links the ward centre with a division centre

(d) a road within an urban area linking a collector road and a minor road within the vicinity and collects or distributes traffic between residential, industrial and principal business centres of a town; and

(e) a village access road linking wards to other ward centres.

(8) The road shall be classified as a district road under the category of community road, if that road shall be-

(a) running within the village; and

(b) linking one village to another village.

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Establishment of road classification committee

48.—(1) For the purposes of Regulation 47, there shall be a National Road Classification Committee.

(2) The Chairman of the National Road Classification Committee will be the Roads Fund Manager and shall be appointed by the Minister.

(3) Members of the National road Classification Committee shall be appointed by the Minister from the following category of person and institutions-

(a) the Ministry responsible for roads;

(b) the Ministry responsible for Regional Administration and Local Government Authorities;

(c) the Ministry responsible for agriculture;

(d) the Ministry responsible for finance

(e) the Ministry responsible for lands

(f) the Ministry responsible for tourism;

(g) the Attorney General's Chambers;

(h) the Roads Fund Board;

(i) the Transport Operators; and

(j) the Association of Non - Governmental Organizations.

(4) In appointing persons under sub-regulation (3), the Minister shall have regard to gender balance.

(5) The provisions of the Third Schedule to these Regulations shall have effect to the composition, tenure and proceedings of the National Classification Committee.

(6) The director responsible for roads in the Ministry responsible for roads shall be the secretary of the National Road Classification Committee.

PART V

FORMATION, CONSTRUCTION, MAINTENANCE AND REPAIR OF TRACES, TRACKS AND BYWAYS

Traces, tracks, byways

49.—(1) Every road authority shall determine the need for provision of traces, tracks, byways, existing and needed facilities, and current practices shall accommodate bicycle, pedestrian, ridden and driven animals' needs in designing transportation facilities

(2) Without prejudice to sub-regulation (1), where a road carries high speed motor vehicles or high volume traffic which is likely to pose safety concerns to other road users, it shall be necessary for the road authority to construct and maintain special roads in the form of traces, tracks or byways for use by pedestrians, cyclists, ridden or driven animals.

(3) Where tracks, traces, byways, bicycle and pedestrian facilities are not constructed concurrent with the project road a sufficient road reserve shall be acquired and dedicated for construction of such facilities.

(4) The tracks, traces and byways to be constructed and maintained shall be transportation-oriented and, located within or outside the road reserve and may include riding or walking surfaces and related amenities.

Design considera-tions for traces, tracks, byways

50.—(1) While designing traces, tracks and byways, the road authority shall take into consideration the following-

(a) bicycle paths must be at a minimum of 1.5 metres in width;

(b) bicycle paths must connect to logical, and accessible termini;

(c) bicycle path surfaces typically to include concrete or asphalt concrete, and other materials may be acceptable as long as they meet Standard Specification for Roads of 2000;

(d) paved shoulders / bicycle lanes must be at least 1.5 metres in width and located at both sides of the road;

(e) the minimum sidewalk width must be at least 1.5 metres along trunk, regional and collector roads and 1.2 metres along local streets and in high use areas, a sidewalk of 1.8 metres;

(0 the need for lighting along the byways or walkways; and

(g) wheelchairs path of 0.9 metres at minimum clear width for continuous passage.

(2) Without prejudice to sub-regulation (1) during development of each road project, the road authority shall address the needs of bicycles and pedestrians, analyze land - use, demographics, existing facilities and barriers to bicycle and pedestrian travel in the design study.

(3) The pedestrian facilities to be constructed must be accessible by person with disability and vehicles used by persons with disability.

(4) A road authority shall provide bicycle and pedestrian facilities for safe accommodation, either through construction of new facilities or modifications to existing facilities.

Construction of traces, tracks, byways

51.—(1) The road authority, or its agent, shall as much as possible construct traces, tracks or byways by using quality construction materials close to the quality of materials used to construct the main road with better quality materials for the surfacing.

(2) Pavement loading shall accommodate occasional use by maintenance and emergency vehicles, where needed, but must be designed for cost-effectiveness based on its intended use for bicycles, pedestrians and pedestrian vehicles used for the persons with disability.

(3) Wheelchair ramps and curb cuts shall be designed to allow direct access to cross-walks and prevent wheelchair from moving into the path of traffic.

(4) During construction of roads, road authority and contractors shall ensure provisions for safe detours for motor vehicles, pedestrians and other road users.

Protection of traces, tracks and byways from use by motor vehicles

52. For the purposes of preventing motor vehicles from using the traces, tracks and byways to the detriment of the pedestrians, cyclists, ridden or driven animals, the road authority shall provide appropriate measures that would discourage motor vehicles from using the traces, tracks and byways.

PART VI
OFFENCES AND PENALTIES

Interference with bridges

53. Any person who destroys, climbs, jumps or rappels on, from or into bridge on or a public roads unless he is authorized by a road authority commits an offence and shall be liable to a fine of two hundred thousand shillings.

Offences of constructing without permit

54. Any person, who constructs, maintains or alters a means of access to or from a public road without having a permit, commits an offence and shall be liable to a fine of not exceeding five hundred thousand shillings or imprisonment for a term of one year or to both such fine and imprisonment.

Offences . of damages of lighting

55.—(1) Any person who damages, destroys, pulls up, breaks, defaces a lighting on a public road commits an offence and shall be liable to pay costs for replacement.

(2) Not withstanding the provision of sub regulation (1) no person who damage, destroys pulls up, calls, defaces a lighting on public road during construction maintenance alternation as a road without approval from the road authority.

Offence leaving vehicle unattended

56. Any person who repairs a vehicle along the road or leaves a vehicle unattended on a public road without permit commits an offence and shall be liable to a fine of two hundred thousand shillings,

Offence for towing more than one vehicle

57. Any person who drives on a public road a motor vehicle that is towing more than one vehicles commits an offence and shall be liable to a fine not exceeding three hundred thousand shillings,

Livestock control

58.—(1) Any person who allows or drives any animal in his care or owned by him to cause obstruction on the road commits an offence and shall be liable to a fine of five thousand shillings per animal or imprisonment to a period not exceeding one year.

(2) The provision of sub regulation (1) shall not apply to the designated crossing points by the roads authority.

FIRST SCHEDULE

PERMIT FOR LAYING LINES

(Made under Regulation 25 (4)

It is hereby notified that ..... Being a road authority hereby grant the permission for laying of lines for tro'lley/tramway/railway/pipeline to be constructed over/across/ beneath the public land at ..... Submitted by ..... on the ..... day of ..... 20..... up on the following conditions:

(a) the alignment of the lines shall be as shown on the enclosed sketch plan

(b) the widths of the area to be covered shall not exceed ..... metres;

(c) compensation and cost of reinstatement of damaged road to be paid to ..... by ..... at the amount of Tshs.

(d) the application fee shall be Tshs. I00,000/=;

(e) the alignment of the lines hereby to be used as planted shall in no part traverse on already existing legally placed utility/structure;

(f) the cost of construction and maintenance of the lines hereby granted shall be born by the permit holder; and

(g) the applicant and his servant or agent is hereby granted leave to enter upon the following lands for the purposes of construction of the said lines.

……

……

SECOND SCHEDULE

PERMIT TO USE THE ROAD RESERVE

(Made under Regulation 30 (2))

It is hereby notified that the ..... being a road authority hereby grants the Permission to the area of the road reserve to ..... in accordance with the application submitted on ..... 20.....for (use) ..... upon the following conditions:

(a) the location of requested area is at chainage ..... measured from ..... to .....

(b) the specifications of the intended structure including height, length, width/ diameter and location with respect to the road reserve is as shown on the attached sketch plan;

(c) the cost of installation, maintenance and removal of the structure shall be borne by the applicant;

(d) this permit will expire by a notice by the road authority of 60 days from the date of notice which will be accompanied with reasons thereof; and

(e) the applicant and his servants or agents are hereby granted leave to enter upon the road reserve specified for the purpose of .....

THIRD SCHEDULE

PROCEEDINGS OF THE NATIONAL ROAD CLASSIFICATION COMMITTEE

(Made under Regulation 48 (5))

1. The members shall elect one of the members to be the Vice - Chairman and any member elected as Vice - Chairman shall, subject to his continuing to be a member hold office for a term of one year from the date of his election, but shall not be eligible for re-election. Vice Chairman



Tenure of appoint ment of members of a National Road Classifica-tion Committee

2.-(1) A member of a National Road Classification Committee shall hold office for such period of three years but shall be eligible for re appoint for re-appointment for another one term.

(2)A member who is appointed by virtue of holding some office, he shall cease to be a member upon ceasing to hold that office.

Casual vacancies

3. If any vacancy occurs in the membership of the road classification committee by reason of death, resignation or permanent incapacity of any member or any other reason, the appointing authority may appoint another person to fill that vacancy and the person so appointed shall hold office for the un-expired of residue of the period of office of the member in whose place he is appointed.

Meetings of the road classification committee

4.-(1) The secretary of the National Road Classification Committee shall give each member at least seven days notice of the time and place of every meeting and shall keep a record of the proceedings of the National Road Classification Committee.

(2) The Chairman, or in his absence, the Vice-Chairman shall preside at every meeting of the National Road Classification Committee and in the absence of both the Chairman and the Vice-Chairman, members present shall appoint one of their number to preside over the meeting

(3) The appointing authority may, at any time, revoke an appointment and any member may at any time resign his office by notice in writing to the Minister.

(4) .The Chairman or with his consent, the secretary, may invite any person who is not a member, to participate in the deliberation at any meeting of the National Road Classification Committee, but any person so invited shall not be entitled to vote.

Dar es Salaam,
21st January, 2009

Shulcuru J. Kawambwa,
Minister for Infrastructing Development