



Niger State of Nigeria Gazette

Published by Authority

No. 18

Minna - 28th July, 2021

Vol. 26

Niger State Legal Notice No. 18

The following is published in the Supplement to this Gazette:-

**N. S. L. N. No.18 of 2021 - A LAW TO ESTABLISH AN AGENCY
FOR MOTOR VEHICLE ADMINISTRATION AND FOR OTHER
MATTERS CONNECTED THERETO, 2021**

Printed and Published by the Government Printer, Minna - 10/08/2021

Annual subscription: Nigeria N1,000 Overseas \$25, post free. Present issues N1,000.00 per copy including Supplement. Application for Purchase of the Gazette and other Government Publications should be submitted to the Government Printer, Private Mail Bag 48, Minna. Remittances should be in Money or Postal Order, Crossed and made payable to the Government Printer, Minna. Postage Stamps are **NOT** acceptable.

A LAW TO ESTABLISH AN AGENCY FOR MOTOR VEHICLE ADMINISTRATION AND FOR OTHER MATTERS

ENACTED by the Niger State House of Assembly by the Authority of same in the present State Assembly as follows: *Enactment*

1. This Law may be cited as Niger State Motor Vehicle Administration Law, 2021 and shall come into operation on the 13th day of July, 2021. *Citation and Commencement*
2. In this Law, unless the context otherwise requires: *Interpretation*
 - “Agency” means the Niger State Motor Vehicle Administration Agency.
 - “Central Motor Registry (CMR)” means Motor Registry established by Niger State Government for the purposes of this Law and its regulations;
 - “Director/Chief Executive” means the Executive Officer of Niger State Agency For Motor Vehicle Administration appointed under Section 10(1) of this Law;
 - “Governor” means the Executive Governor of Niger State;
 - “Motor Vehicle” means and shall include all categories of Transport which is most frequently self-propelled and includes also all categories detailed by its regulations;
 - “Operation” means enforcement of Motor Vehicle Administration Agency law and regulations in the State.
 - “Roads Marshal” means volunteer Officer Marshal of the Agency in Niger State.

“State” means Niger State of Nigeria;

3. (1) There is hereby established a body to be known as the Niger State Agency for Motor Vehicle Administration

Establishment of the Agency

(2) The Agency shall be a body corporate with perpetual succession and with a common seal which can sue and be sued in its corporate name.

(3) The Agency shall be capable of holding, acquiring and disposing of property moveable or immovable.

(4) The Agency shall be a Uniform based Agency with rankings.

(5) The Agency shall have professional divisions and sections or units to include Central Motor Registry, Operations and Administration, accounts, Planning, Research and Statistics as well as any other as may be necessary.

4. There shall be a Board for the Agency which shall consist of a Chairman and six other non-officio Members, two of whom shall be from each of the three Senatorial Districts of the State and other Officio Members which staff consist of;

Establishment of a Board for Agency

- (a) a representative of the Commissioner of Police, Niger State Command who shall not below the rank of Assistant Superintendent of Police (ASP);
- (b) a representative of the Ministry of Transport who shall not be below the rank of a Director;
- (c) a representative of Ministry of Environment who shall not be below the rank of a Director;

- (d) a representative of Board of Internal Revenue who shall not be below the rank of a Director;
- (e) a representative of State Sector Commander, Road Safety, Niger State Command;
- (f) a representative of Ministry of Finance, and
- (g) a representative of Ministry of Justice who shall not be below the rank of a Director.
- (h) The Legal Adviser/Secretary of the Agency shall be the Secretary.
5. (1) The Chairman shall be a person with knowledge and experience in transport related matters who shall be appointed by the Governor.
- (2) Members shall be people of high integrity who shall be appointed by the Governor.
6. (1) The Chairman and non-officio members of the Board shall hold office for a period of three years and may be re-appointed for another period of three years but shall not be eligible for further re-appointment.
- (2) There shall be paid to the Chairman and non-officio members such salaries, allowances and other remuneration as the Governor may determine.
- (3) There shall be paid to the members of the Board such sitting allowances as may be determined by the Agency.
7. (1) Notwithstanding anything to the contrary that may be contained in the letter of appointment, the Chairman or any non-officio members may at any time resign his appointment by writing under his hand addressed to the Governor.

Appointment and Qualifications of the Chairman and Ex-Officio Members of the Board

Tenure and Remuneration of the Chairman and non-officio

Resignation or removal of the Chairman and non-officio members

(2) The membership of such person that may resign his appointment in accordance with sub-section (1) above shall terminate on the date of receipt of his letter of resignation by the Governor.

(3) The Governor may at any time remove the Chairman or any non-officio member from office if, in his opinion, it is in the interest of the Agency or of the State for such person to be removed.

8. (1) In the case of any vacancy occurring in the Membership of the Board as a result of the provision of Section 7(1), (2) and (3) of this Law, the Governor shall fill in the vacancy from the same Senatorial Zone of the previous membership.

Vacancy accruing from the membership of the Board

(2) The person appointed in accordance with Sub-section (1) above shall serve the remaining period of the former member.

9. (1) The Board shall have powers to make rules and Regulations to guide its proceedings for the purpose of effectively carrying its functions as provided under this law.
(2) The Board shall also in addition to its powers in Sub-section (1) above, apply the provisions of the First Schedule to this Law with respect to its proceedings.

Powers of the Board to make Regulations guiding its proceedings

10. (1) There shall be appointed to the Agency a Director/Chief Executive who shall be the Chief Executive Officer of the Agency.

Appointment of Director/Chief Executive of the Agency

(2) The person appointed under Sub-section (1) shall have requisite degree and educational qualification in Mechanical Engineering or Automotive Engineering or

Transport Professional with sufficient working experience within the cadre of the Agency

(3) The person with such requisite qualification and experience shall be registered with Council for Regulation of Engineering in Nigeria (COREN) or shall be a Member of Transport Professional Institution such as Chartered Institute of Logistics and Transport (CILT) or Chartered Institute of Transport Administration (IOTA) or both.

(4) The appointment of the Director/Chief Executive shall be made by the Governor based on advice of the Board.

11. The salary and other remuneration of the Director/Chief Executive shall be fixed by the Governor.

*Remuneration
and salary of
Director/CEO*

12. The Director/Chief Executive shall:

*Duties of
Director/
CEO*

- (a) exercise general supervision and control over the staff of the Agency
- (b) implement all the general policies and directives of the Board
- (c) direct the activities of the Agency.
- (d) provide a focal point for traffic management and safety programmes, information, execution and funding of the Agency
- (e) the chief accounting officer of the Agency and Manage the Agency's finances; and
- (f) deploy the human and material resources of the Agency in such manner as will best ensure the attainment of the aims and objectives of this Law.

13. (1) There shall be established for the Agency, such number of Divisions or sections or units as the Agency with the approval of the Board deemed necessary. *Structure of the Agency*
- (2) Each Divisions and units shall be headed by a Deputy Director and Assistant Director respectively, who shall be professionally qualified to hold the office appointed from within.
- (3) Subject to the approval of the Board, the service may create additional divisions and units as it may deem necessary to achieve the object of the Service.
- (4) The State shall also be divided into such number of Zones and Area Commands as it may, from time to time, determine for effective organization and performance of the Service;
- (5) Establish, in each zone, a zonal command which shall oversee the activities of the Area Commands within the Zones.
- (6) The Zonal command shall subject to direction and overall command of the Service, be responsible for coordinating the activities of the Area Commands in the Zone.
14. (1) There is established for the Agency, a management committee comprising of all the Deputy Directors and the Director/Chief Executive of the Agency who shall be the Chairperson of the committee. *Establishment of Management Committee*
- (2) The management committee shall be responsible for the general administration of the Agency.
- (3) The Committee may create additional standing or ad-

- hoc committees and give them specific function(s).
15. (1) All appointed staff of Motor Administration Department and Motor Licensing Authority unit in the State shall be deemed to have transferred their service to the Agency. *Staff of the Agency and Remuneration*
- (2) The staff of the Agency shall be paid Consolidated Para- Military Salary Structure (COMPASS) as a required salary structure for all other paramilitary establishments.
- (3) The staff shall also be entitled to incentives as may be approved from time to time by the Board.
16. (1) There shall be other staff of the Agency to be known as Special Volunteer Road Marshals. *Volunteer staff of the Agency*
- (2) All staff appointed in accordance with this section, shall act under the general directive of the Agency.
17. (1) The Agency may in addition to funds disbursed to it by Government as provided by this law, be entitled to other percentage of incentives monthly. *Special Incentive to the Agency*
- (2) The percentage of monthly incentives to the Agency shall depend on the total amount of the monthly generated revenue to the Government and shall be automated where technology is available.
18. (1) The Agency shall also have responsibility for:- *Functions of the Agency*
- (a) registration of Motor Vehicles;
- (b) issuance of certificate of title of a Motor Vehicle in the prescribed form to any applicant whose name appears on the vehicle registration form and who provides evidence of ownership in respect of the motor vehicle;

- (c) demanding and obtaining in prescribed form an assignment of title by the registered owner of a motor vehicle in the event of transfer of ownership of a Motor Vehicle;
- (a) issuance and renewal of Motor Vehicle; and Driver's license; Learner's permit; Vehicle trade Licenses; Articulated vehicle license; such other licenses, permits and/or fees as may be deemed necessary by the Agency and duly approved by the Board from time to time;
- (b) stipulating conditions for the issuance of licenses under this law after consultation with the relevant agencies of the Ministry;
- (c) inspecting, regulating and ensuring the roadworthiness of motor vehicles in the State;
- (d) pre-registration inspection of vehicles;
- (e) issuance of Road Worthiness Certificate (RWC) in respect of all vehicles;
- (f) providing accessible emergency services;
- (g) cooperating with relevant agencies engaged in road safety activities in the prevention of accidents on the highways.
- (h) training and testing of applicants for driver's license.
- (i) training and testing of applicants for Rider's Card;
- (j) carrying out inspection and issuing reports on accident vehicles in the State;

- (k) revoking, suspending or withdrawing any license granted pursuant to the provisions of this Law;
- (l) appointing, immediately upon commencement of this Law, such private sector corporate body or bodies as it may deem fit, to collect any revenues accruable from its functions, duties and activities which revenue shall be dealt with in a manner stipulated;
- (m) preparing and keeping statutory registers and database of all licenses issued and revoked;
- (n) provide course of instruction, training and set standards for driving schools in the State.
- (o) ensure that all professional drivers in the employment of Government and private organizations attend professional trainings to update their skills from time to time.
- (p) establish a plate number production plant when funds for such is made available from sources.
- (q) exercise authority to produce number plates for the State and also sell to other States, appoint consultants or dealers, while materials for production are sourced from both internal and external producers;
- ® deal in such products as may be approved by the State;
- (s) enter into agreement with any person for the supply, construction, manufacture, maintenance or repair of any property whether moveable or

immovable which is necessary or appropriate for the purpose of Agency.

- (t) collaborate with Local, National and International bodies or agencies or groups engage in vehicular administration to ensure that licensed drivers and roadworthy vehicles ply the road;
 - (u) carrying on such other activities as may be conducive to the discharge of its functions under this Law or any other law;
 - (v) applying appropriate policy for due process in the procurement of goods and services to be approved by the Board.
 - (w) educating the general public and providing all necessary sensitization or awareness campaign on the tenets of motor vehicle administration in the State.
19. The Board shall be charged with the responsibilities to:-
- (a) review progress of the programmes of the Agency;
 - (b) recommend changes and additions to current progress especially the Annual Work Plan;
 - (c) identify areas of inter-departmental and intergovernmental co-coordinations.
 - (d) identify areas of expertise that can be applied to specific problems;
 - (e) offer technical advice to the Governor on vehicular administration
 - (f) be responsible for recruitment, promotions and discipline of staff and also traffic penalties

Responsibilities of the Board to the Agency

provided for in the second schedule to this law.

20. (1) In the exercise of the function conferred on the Agency, members of the Agency shall have power to arrest and hand-over traffic offenders reasonably suspected of having committed any offence prescribed under the second schedule of this Law for prosecution. *Power of the Agency under the second schedule*
- (2) In the discharge of its functions, the Agency by or under this law, a staff of Agency shall have power to:-
- (a) arrest any person suspected of committing or having committed an offence under this law;
 - (b) impound any vehicle by which an offence under this Law is reasonably suspected to have been committed until the case is determined or disposed of;
 - (c) remove and impound any vehicle which has been parked in a manner that caused an obstruction on a highway until the case is determined or disposed of;
 - (d) rickety or unroadworthy vehicles shall be placed OFF-ROAD and impounded in an approved location; and
 - (e) declare an offender wanted when he fails to report to the Agency and answer charge against him under this law.
- (3) after the first twenty four (24) hours of seizure under this law, the driver or owner of the vehicle shall be liable to pay custody fees each day the vehicle remains in custody of the Agency, and provided that the driver or owner of the

vehicle fails to reclaim the vehicle within the period of six (6) months, the impounded vehicle shall be vested in the Niger State Government which reserved the right to dispose of such vehicle as it deems fit.

(4) Any person who contravenes any of the provisions of the sub-sections of this section or commits any offence under this law shall be liable on conviction to a penalty as specified in the relevant section of the enactment concerned with the offence or, as the case may be in respect of offences specified in the second schedule to this law.

(5) (a) For the purpose of deterring traffic offenders, this law empowers the Agency to introduce the penalty point rating and apply the points contained in the Third Column of the second schedule for each traffic offenders;

(b) accumulative number of penalty points in excess of any offender accumulated in one or more arrests would lead to the withdrawal of such offenders driver's licenses and operational permits for motor vehicles for a period of six months in the first instance.

(6) Any person suspected of having committed any offence to which this section applies, and who refuses without lawful excuse to give an authorized officer any information demanded or gives a false name or addresses or any other false information to an authorized officer shall be liable on summary conviction to a fine of Five Thousand Naira (N5,000.00) Only and community services or to imprisonment for six months and may be subjected to psychiatric evaluation.

(7) Persons suspected to have committed an offence under this law may be prosecuted in any Magistrate Court in the State.

(8) Notwithstanding the provisions of sub-section (4) of this section, the court convicting an offender under this law may impose imprisonment not exceeding (6) six months.

21. (1) For the purpose of speedy trial of Traffic offenders under this law, there shall be established within the State, Road Traffic Mobile courts to be presided over by Magistrates who shall sit at places to be determined from time to time for the purpose of imposing fine or imprisonment in respect of the offences as set out in the second schedule to this law.

Establishment of Mobile Traffic Courts

(2) The proceedings of the Road Traffic Court shall be held in public unless the Magistrate considers that in the interest of justices, private sitting of the Road Traffic Court shall be held.

(3) Notwithstanding the provisions of this section, a traffic offender may wish to waive his rights to court trial by paying the stipulated fines to the fine tickets to the designated State Account.

(4) All accounts kept by the Registrar shall be audited at such time and in such manner as the Auditor General may require.

22. (1) Any fine impose on any person as set out in the second schedule to the law shall be paid either on the spot if it is imposed by a Road Traffic Court or within twenty four

Traffic Fine tickets

- (24) hours if it is imposed by a Road Traffic Officer on highway patrol.
- (2) The offender in both instance as mentioned in subsection (1) above, shall obtain an official ticket showing the offence committed and the amount of fine paid thereof.
23. A member of the Agency who acquire any financial interest in any organization undertaking transportation of passengers or goods or engaged in the repairs and maintenance of vehicle in the production or sales of any equipment used by the Agency may after taking into consideration all the circumstances of the case, decided whether;
- (a) to remain as a member of the Agency;
- (b) to remove him from such membership; or
- (c) attach any condition to his membership
24. The Agency shall provide for the services of members such equipment as the Agency may consider for the effective and efficient discharge of the functions conferred by and under this law; including the provisions of uniforms, identification cards, retro-reflective jackets, towing vans, raincoat, high powered motorcycle, patrol car, ambulance, recovery vehicles, two-way mobile radio, telephone sets, computers, rescue tools and powerful touches.
25. (1) The Agency shall exercise its jurisdiction and operational powers in the entire State.
- (2) For the purpose of proper, efficient and effective

*Declaration
of interest by
members.*

*Provision of
Equipment
and Materials
for the Agency*

*Jurisdiction
and Operat-
ional Areas*

administration and operation of its functions under this law, the Agency shall create operational areas in all the Local Government Areas of the State.

(3) The administrative and operational areas created in each Local Government, shall be under the control of an officer deployed by the Agency.

(4) The Agency may deploy or employ to each administrative and operational area of each Local Government, such number of traffic control officers or traffic Marshalls as it may deem sufficient for enforcing the provision of this law within the administrative and operational areas.

26. A uniformed or non-uniformed staff of the Agency including Traffic Marshalls and honorary public member shall not, when on duty, be liable for any act validly done by him in the exercise of his duty and within the limit of true power confined on him by this law or any rules or regulation made hereunder.

*Immunity of
Members and
Staff of the
Agency*

27. (1) Service by the Director/CEO and Deputy Directors and other Staff employed in the employment of the Agency under this law shall be deemed to be service under the public service of Niger State.

*Director,
Deputy
Directors and
staff of the
Agency are to
be regarded as
persons of the
Agency*

(2) The Director/Chief Executive may require any person employed and staff of the agency to undergo such course or training related to functions of the Agency under this law and at such institutions or organizations, as he may from time to time.

28. (1) Every Member of the Agency shall have allocated to

*Allocating
Service numbers*

him, a service number, which shall be fixed against his name in the register of the staff to be kept within the Agency.

*to the staff of
the Agency*

(2) The service number shall be the identity number of the member and it shall be affixed in the case of the uniformed member above breast pocket of his shirt or such other conspicuous part of his uniform as the Agency may decide.

(3) A uniformed member of the Agency shall be in the uniform whenever he is on duty in his office or on the road.

29. (1) Members of the Agency shall bear such ranks and designations as may be assigned to them within the following grades, that is –

*Ranks of
Members of
the Agency*

- (a) Director/Chief Executive Officer
- (b) Deputy Director (xxx)
- (c) Assistant Director (xxx)
- (d) Chief Road Traffic Officer (xxx)
- (e) Assistant Chief Road Traffic Officer (xxx)
- (f) Principal Road Traffic Officer (xxx)
- (g) Senior Road Traffic Officer (xxx)
- (h) Road Traffic Officer I (xxx)
- (i) Road Traffic Officer II (xxx)
- (j) Trainee Traffic Officer (xxx)
- (k) Chief Traffic Assistant (xxx)
- (l) Assistant Chief Traffic Assistant (xxx)
- (m) Principal Traffic Assistant I
- (n) Principal Traffic Assistant II

- (o) Senior Traffic Assistant
- (p) Higher Traffic Assistant
- (q) Traffic Assistant I
- (r) Traffic Assistant II
- (s) Chief Patrolman
- (t) Assistant Chief Patrolman
- (u) Senior Patrolman
- (v) Patrolman
- (w) Assistant Patrolman

(2) The entry qualification for the appointment of members shall be in accordance with the rules made by the Agency for the civil service commission and will not be less than:

- (a) A minimum entry qualification of Senior Secondary School Certificate or its equivalent;
- (b) Certificate of medical fitness from a government hospital.

(3) Members of the Agency in addition to the conditions prescribed in Section 15(2) above would also require to be:

- (a) Physically fit;
- (b) Of minimum height 1.67 meters (5ft 6in) for the male members; and of minimum height 1.62 meters (5ft 4in) for the female members.

(2) The Agency may require any person employed and staff of the agency to undergo such course or training related to functions of the Agency under this law and at such institutions or organization, as the Director/Chief Executive may from time to time decide.

30. (1) The funds of the agency shall consist of:-
- Funds and
Resources of
the Agency*
- (a) Such sums or grants by the State Government as may be provided under the State financial estimates;
 - (b) Such sums or other property whatsoever as may from time to time be advanced by way of loans or grants to the Agency by any other Government Agency or institution, any international organization or private foundation or any person whatsoever,
 - (c) All other sum or other property whatever which may be in any manner become payable to or vested in the Agency in respect of its powers and duties or any matter incidental thereto under this law;
 - (d) The agency in terms of finances shall be autonomous and the Agency shall be entitled to an agreed percentage of revenue generated by it.
 - (e) The Agency may in addition to funds disbursed to it, be also entitled to other incentives as may be approved by the Governor when necessary.
31. (1) The Agency shall kept proper accounts of all transactions in such a form as the Governor may direct, being a form that shall conform with the best and standard commercial practices.
- Transaction
of the Account
of the Agency.*
- (2) The form of accounts shall be such as to secure the provision of separate information in respect of each of the

main activities and departments of the Agency.

(3) The Account shall be audited annually by external auditors provided by the Auditor-General of the state.

(4) The Agency shall within six months after the end of each financial year, furnish the Governor with:-

- (a) A copy of audited account of the Agency.
- (b) A copy of the General Report and full report of the external auditor; and
- (c) A detailed report of the state of affairs of Agency for the financial year, including a statement of the change in the general source fund arising from the activities of the Agency during the year reported upon.

(5) The Agency shall cause audited account and the Annual Report of the Agency to be published in the State Government

Official Gazette after complying with Sub-section (4) of this Section and be available, on demand to the public.

32. The Agency shall operate funds with a reputable bank or banks in the State and Signatories to the account shall be the Director General and Head of Accounts or their designated representatives as duly authorized by the Agency.

*Operation of
Agency's
bank
Account*

33. There shall be appointed for the Agency a Secretary/Legal Adviser who shall be responsible to the Director/CEO in the discharge of his functions and shall be:

- (a) Providing Legal Advice and all other Legal Services.

- (b) Generally performing all other duties affecting the Agency as may be specially assigned to him by the General Manager; and
- (c) The person to be appointed as the Secretary/Legal Adviser shall be a qualified Legal Practitioner and shall be of not less than five (5) years post call experience.
34. (1) The Agency may, upon commencement of this Law, appoint suitable private sector corporate organizations for the collection of revenues that may be due to the Agency.
- (2) The Agency shall appoint and engage the private sector organization upon such terms and conditions as may be contained in an agreement between the Agency and the organizations in accordance with the provisions of the State Council on Public Procurement and Public Procurement Board Law.
- (3) All revenues of the Agency as may be collected on its behalf by the private sector corporate organizations shall be paid into designated account(s).
- (4) All gross revenue payable into such designated account, net of agreed commission to private sector corporate organizations engaged for collection of the revenue, shall be distributed on a basis or manner as agreed and, shall also be automated in it payment where the technology is available.
35. The Agency shall, in relation to proceeds payable to it from the designated account , operate an account with a
- Engagement of Private Sector or Cooperate organization for collection of revenues*
- Opening of Designated accounts*

- bank or banks in the State and the signatories to the account shall be the Director/Chief Executive and such other persons as may be duly appointed by the Board in that Behalf.
36. (1) The Agency shall keep proper account of all its transactions in such Accounts and form as it may direct, being in a form that shall conform to the best and standard commercial practice. *Keeping records of accounts.*
- (2) The form of accounts shall be such as to secure the provision of separate information in respect of each of the main activities and any division of the Agency.
- (3) The Accounts shall be produced and audited by external auditors appointed by the Agency from a list of auditors approved by the Auditor – General of the State within six months after the end of each financial year.
37. The Agency shall, within six months after the end of each financial year, furnish the Governor with a copy of the audited account of the Agency; a copy of the annual general report and full report of the external auditor; and a detailed report of the State of affairs of the Agency for that financial year. *Furnishing the Governor with Audited Accounts*
38. The Board shall regulate its own proceedings and shall meet at least once every quarter. The quorum at the meeting of the Board shall be at least, five member provided that all members of the Board shall be given at least seven days' notice in writing. *Regulation of proceedings by the Board*

39. The Agency shall, in consultation with relevant transport agencies in the State recommend from time to time fees chargeable for – Issuance and renewal of license under this Law; and Registration of a motor vehicle or a hackney or stage carriage or for such other related matters undertaken by the Agency. Provided that the time frame for renewal of chargeable fees shall not exceed three years. *Consultation with relevant transport stakeholders*
40. (1) The owner of a motor vehicle or trailer shall, upon the payment of the prescribed fees, register and obtain a license in respect of same. *Payment of prescribed fee for registration*
(2) The license issued pursuant to this Section, shall expire at the end of a period of twelve months.
(3) The Agency shall assign to each registered vehicle a separate number and each number together with the distinctive letter assigned to the Agency shall be the identification mark and such mark shall be displayed on the vehicle in such manner as may be prescribed.
41. (1) An application for the issue of a motor vehicle hackney or stage carriage license shall be made to the Agency by the owner of the vehicle who may be normally resident in Niger State or otherwise and such vehicle shall be registered within the State. *Application for issue of hackney or stage carriage permits*
(2) The form and condition for the issue of hackney and stage carriage license shall, subject to the provisions of this law be specified by the Agency.
42. (1) No person shall drive or being the owner, shall permit any other person to drive a motor vehicle on a highway *Registration and display of identification*

unless such vehicle is registered or licensed under this Law and have affixed thereto in the prescribed manner an identification mark.

*ion marks
before plying
the road.*

(2) A person shall not be liable to a penalty for a breach of sub-section (1) of the section if he proves he has taken reasonable steps to comply with this requirement.

43. In any cause or matter relating to a motor vehicle or any license permit, certificate or other document issued under this law, the production of a document purporting to be a copy of an entry in a register, database of a copy of a license, permit, certificate or other document as aforesaid, by or from the records of the Agency or any officer deputed by it for that purpose, shall be prima facie evidence of any matter, fact or thing stated or appearing thereon.

*Prima facie
Evidence*

44. The provisions of this Law shall apply to vehicles and persons in the public service of the State as if the vehicle are for private use and the persons are not in the public service, and for the purpose of proceedings for an offence in connection with any such vehicle against any person other than the driver of the vehicle, the person nominated in that behalf by the department in whose service the vehicle is used shall be deemed to be the person actually responsible unless it is shown to the satisfaction of the court that the driver only was responsible.

*The applicab-
ility of the
law to vehicles
in public
service.*

45. The Agency may, subject to the approval of the Governor, make regulations generally for carrying into effect the provisions of this law and for Conditions and forms in

*Power of the
Agency to
make regulat-
ions*

respect of licenses or permits issued pursuant to this Law; Forms of certificate of motor vehicle; Fees to be paid for the issuance of any license, permit or certificate issued under this Law; and any other matter incidental to the effective performance of its functions under this Law.

46. The provisions of Sections 3, 4, 5, 6, 7, 8 and 9 of the Road Traffic Law CAP 118 Laws of Niger State are hereby repealed. *Repeal of section of the Road Traffic Law Cap 118.*
- All valid licenses, learner's permits, hackney Motor Vehicle and stage carriage permits etc. issued by any authorized body under the Laws and Regulations existing prior to the enactments of this Law are deemed to be renewed under the provision of this law.

FIRST SCHEDULE (SECTION 5)

1. The Board may make standing orders regulating its proceedings or any committee thereof. *Standing order*
2. The quorum of the Board shall be 1/3 and the quorum of any Committee of the Board shall be determined by the Board. *Quorum*
3. At any time, the Office of the Chairman is vacant or in the opinion of the Board, the Chairman is temporarily or permanently unable to perform his functions, the Board shall appoint a Member to preside pending the appointment of a substantive Chairman by the Governor. *Vacancy of the Chairman*
4. (1) Subject to the provisions of any applicable Standing orders, the Board shall meet whenever summoned by the *Notice of Meeting/ Co-option*

Chairman, and if the Chairman required so to do by notice given to him by not less than three members, he shall summon a meeting of the Board to be held within twenty-one days from the date of which the notice is given.

(2) At any meeting of the Board, the Chairman or in his absence, any member duly appointed by the Board, shall preside at the Meeting.

(3) Where the Board wishes to obtain advise of any person on a particular matter, the Board may co-opt him as a member for such period as it deems fit and the person so co-opted shall not be entitled to vote at any meeting of the Board and shall not count towards quorum.

5. (1) The Board may appoint one or more Committees to carry out the functions of the Board as the Board may determine.

Committee

(2) A committee appointed under this paragraph shall consist of the numbers of persons determine by the Board and not more than one-third of those persons may be persons who are not members of the Board, and a person other than a member of the Board shall hold office of the Committee in accordance with the terms of the instrument by which he is appointed.

6. The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or some other member authorized generally or specially by the Board to act for that purpose.

Seal

SCHEDULE II
(SECTION 18 AND 22)
TRAFFIC OFFENDERS AND PENALTIES

MOTOR VEHICLE ADMINISTRATION OFFENCES AND PENALTIES

S/N	Violation	Points	Penalty		
			Fine	Additional	
1.	Driving without valid driver's license	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for the licence
2.	Driving of a vehicle by person under 18 years	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	Payment for removal and storage
3.	Learner driver without permit	2	1 st offender N3,000.00 subsequent offender N5,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for permit
4.	Learner driver on highways	2	1 st offender N5,000.00 subsequent offender N10,000.00	Dislodge driver	
5.	Learner driver unaccompanied by licensed driver	2	1 st offender N5,000.00 subsequent offender N10,000.00	Dislodge driver	
6.	Driving an unlicensed unregistered vehicle	4	1 st offender N5,000.00 subsequent offender N10,000.00	Imprisonment for a term of three (3) month	Or both fine and imprisonment
7.	Driving with a fake number plate	4	1 st offender N10,000.00 subsequent offender N15,000.00	Imprisonment for a term not more than six (6) month	
8.	Driving a vehicle with unauthorized or defective number plate	4	1 st offender N5,000.00 subsequent offender N10,000.00	Imprisonment for a term not more than six (6) month	Or both fine and imprisonment

Niger State of Nigeria Gazette No. 18, Vol. 26, 28th July, 2021 Supplement - Part A

S/N	Violation	Points	Penalty		
			Fine	Additional	
9.	Driving with a forged driver's license	4	1 st offender N20,000.00 subsequent offender N30,000.00	Imprisonment of not more than six (6) months	Or both fine and imprisonment
10	Driving without a valid MOT Test	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for the Certificate
11.	Driving without a valid Certificate of Road Worthiness	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for the Certificate
12.	Driving without a valid vehicle licence	2	1 st offender N3,000.00 subsequent offender N5,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for the licence
13.	Not painting a commercial vehicle in approved colours	4	N5,000.00	Enforce painting	
14.	Driving a commercial vehicle without valid hackney permit	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for permit
15.	Driving a commercial vehicle without Certificate of Road Worthiness	2	1 st offender N10,000.00 subsequent offender N15,000.00	Impound vehicle	Payment for removal, storage and evidence of payment for the Certificate
16.	Non – display of hackney permit	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	
17.	No car hire service permit	2	1 st offender N5,000.00 subsequent offender N10,000.00	Impound vehicle	
18.	Failing to stop o demand by a road traffic officer	2	1 st offender N20,000.00 subsequent offender N30,000.00	Impound vehicle	Training
19.	Neglected of traffic direction	2	1 st offender N20,000.00 subsequent offender N30,000.00	Forfeiture of the vehicle to the State	1 st offence – one (1) year imprisonment and forfeiture of the vehicle to the State; 2 nd and subsequent offence – three (3) years imprisonment and forfeiture of the vehicle to the state and capturing of offender's data and biometrics

Niger State of Nigeria Gazette No. 18, Vol. 26, 28th July, 2021 Supplement - Part A

20.	Smoking, Drinking and Eating while driving	2	1 st offender N10,000.00 subsequent offender N15,000.00	Impound vehicle	Three (3) Months Imprisonment or six (6) month community service
21.	Riding motorcycle without approved crash helmet for rider for passenger	1	1 st offender N3,000.00 subsequent offender N5,000.00	Imprisonment of not more than six (6) months	Three (3) months Imprisonment or community service
22.	Riding motorcycled/Tricycle without rider's permit		1 st offender N5,000.00 subsequent offender N10,000.00	Impound motorcycle and collect permit before release	Payment for removal, storage and evidence of payment for permit or community service
23.	Operating vehicle within restricted routes or beyond approved hour	3	N10,000.00	Impound vehicle	Six (6) months Imprisonment or both fine and imprisonment
24.	Physical assault on traffic officer		N50,000.00	Six (6) months Imprisonment or both fine and imprisonment	Compensation to assault officer
25.	Commuter or conductor hanging on tailboard of moving vehicle	2	1 st offender N10,000.00 subsequent offender N15,000.00	Dislodge and impound vehicle	Community service
26.	Driving vehicles with doors left open	2	1 st offender N10,000.00 subsequent offender N15,000.00		Community service in additional to fine
27.	Driving a right hand vehicle	2	1 st offender N10,000.00 subsequent offender N15,000.00	Conversion	
28.	Riding Motorcycle/Tricycle with non-functional lamps	2	1 st offender N3,000.00 subsequent offender N5,000.00	Effect repairs	
29.	Driving private motor vehicle with non-functional lamps	2	1 st offender N3,000.00 subsequent offender N5,000.00	Effect repairs	
30.	Driving commercial vehicle with non-functional lamps	2	1 st offender N3,000.00 subsequent offender N5,000.00	Effect repairs	

Niger State of Nigeria Gazette No. 18, Vol. 26, 28th July, 2021 Supplement - Part A

31.	Driving trailers, tankers and tippers with non-functional lamps	4	N10,000.00	Impound vehicle	
32.	Driving company motor vehicles with non-functional lamps	3	N5,000.00	Effect repairs	
33.	Driving a trailer or other vehicle carrying containers unlatched and not properly secured	4	N50,000.00	Impound vehicle	
34.	Driving with worn-out tyre(s)	1	1 st offender N10,000.00 subsequent offender N15,000.00		
35.	Driving without a functional spare tyre	1	1 st offender N10,000.00 subsequent offender N15,000.00		
36.	Excessive smoke emission	1	1 st offender N10,000.00 subsequent offender N15,000.00		
37.	Fire extinguisher	1	1 st offender N5,000.00 subsequent offender N10,000.00		
38.	Windscreen violation	1	1 st offender N5,000.00 subsequent offender N10,000.00		
39.	Storage charge for impounded cars, jeeps and mini-buses per day		N1,000.00/day		
40.	Storage charge for impounded motorcycles and three (3) wheels per day	2	N500.00/day		
41.	Storage charge for all other impounded vehicles (6 wheelers and above) per day	2	N2,000.00/day		
42.	Towing an impounded car, jeep, or mini-buses	4	N10,000.00		
43.	Towing other commercial vehicles excluding trailers (mini-buses)	2	N10,000.00		
44.	Towing a trailer or tanker (empty)		N50,000.00		

Niger State of Nigeria Gazette No. 18, Vol. 26, 28th July, 2021 Supplement - Part A

45.	Towing a trailer or tanker (loaded)		N50,000.00		
46.	Towing tippers and lorries (loaded)	1	N50,000.00		
47.	Towing luxuries buses		N50,000.00		
48.	Towing an overnight breakdown trailer		N100,000.00		
49.	Towing tricycles	2	N2,000.00		
50.	Towing motorcycle	2	N500.00		
51.	Hire of Heavy duty recovery equipment (Towing/recovery fees)			At Hire's cost	
52.	Failure to pay penalty fee within prescribed time				Double the initial penalty
S/N	Miscellaneous MVA offences	CODE		PENALTY	
1.	Taxi without roof light	MLO-03		2,000	Impound vehicle
2.	No vehicle registration book	MLO-01		1,000	
3.	Change of colour of vehicle without permit	MLO-02		5,000	
4.	Alteration of vehicle registration books	MLO-03		3,000	
5.	Used off the road in violation of road traffic removal	MLO-04		2,000	
6.	Off the road removal	MLO-05		10,000	
7.	Unnecessary blocking of carriage way by any person or vehicle	MLO-06		50,000	And or one year imprisonment
8.	Violation use of trade license	MLO-07		10,000	
9.	Operating a dealership business premises without certificate of registration or expire certificate	MLO-08		30,000	
10.	Sales of fake and sub -standard spear parts	MLO-09		10,000	
11.	Violation of the use of trade identification plate	MLO-10		10,000	
12.	Operate a workshop without certificate or registration/license or expired certificate	MLO-11		20,000	
13.	Violation of passenger service vehicle or goods service vehicle sticker	MLO-12		2,000	

Niger State of Nigeria Gazette No. 18, Vol. 26, 28th July, 2021 Supplement - Part A

14.	Rider of a motor/tricycle operates in violation or regulation	MLO-13	2,000	
15.	Illegal transfer of plate number to another vehicle	MLO-14	10,000	
16.	Violation of procedures regarding property left in commercial vehicle	MLO-15	2,000	
17.	Any person who molest or obstructs the driver while on motion	MLO-16	2,000	
18.	Violation condition for use of motor vehicle General	MLO-17	2,000	
19.	Daily payment of removed vehicle	MLO-18	1,000	
20.	Violation of maximum period of driving commercial vehicles	MLO-19	2,000	
21.	Prohibition of motorcyclist on expressway violation	MLO-20	20,000	
22.	Breaches of payment for use park and ride area of rout	MLO-21	5,000	
23.	Destruction of road furniture	MLO-22	5,000	Replace
24.	Operates a driving school without approval	MLO-23	5,000	
25.	Uses driving license belong to another person	MLO-24	2,000	
26.	Destruction of wheel lock	MLO-25	30,000	
27.	Zebra crossing violation	MLO-26	5,000	
28.	Unauthorized removal of MVA 42 (Off the Road)	MLO-27	5,000	Impound

FIRST SCHEDULE

I assented this 14th day of July, 2021 Time 18:02

Alhaji Abubakar Sani Bello
Governor of Niger State

SECOND SCHEDULE

I withheld assent this day of 2021 Time

Alhaji Abubakar Sani Bello
Governor of Niger State

THIRD SCHEDULE

I, **Abdullahi M. Kagara**, Clerk to the Legislature of Niger State hereby certify that this Law has been passed in accordance with Sub-Section 3 of Section 100 of the Constitution of the Federal Republic of Nigeria, 1999. This printed impression has been carefully compared by me with the Bill, which has been passed by the Legislature and found by me to be a true and correctly printed copy of the said Bill.

ABDULLAHI M. KAGARA
Clerk to the Legislature

