

LEGAL NOTICE NO. 181

THE TRAFFIC ACT

(Cap 403)

IN EXERCISE of the powers conferred by section 119 of the Traffic Act, the Minister for Power and Communications hereby makes the following Rules:—

THE TRAFFIC (AMENDMENT) RULES, 1969

1. These Rules may be cited as the Traffic (Amendment) Rules, 1969.

Cap. 403
(Sub. Leg.).

2. Rule 2 of the Traffic Rules is hereby amended by inserting after the definition of "pneumatic tyre" the following new definition—

"reflective material" means material complying with the specifications contained in Part I of the Tenth Schedule to these Rules;

3. Rule 7 of the Traffic Rules is hereby amended—

(a) in paragraph (1) by the deletion of subparagraphs (e) and (g) and the substitution therefor respectively of the following—

(e) unless it is fitted with reflective plates, every vehicle, other than a vehicle used under the authority of a dealer's general licence or a public service vehicle, shall carry identification plates having a black ground with the distinctive letter and numbers thereon in white or in silver or light grey raised and polished unpainted metal;

(g) unless it is fitted with reflective plates every public service vehicle shall carry identification plates having a white ground with the distinctive letters and numbers thereon in black;

(b) by the addition of the following new paragraph—

(3) In this rule, "fitted with reflective plates" means carrying a set of two identification plates, as required by subparagraph (b) of paragraph (1) of this rule, comprising distinctive letters and numbers in black on a ground of reflective material which—

(a) in the case of the plate on the front elevation or front mudguard of the vehicle concerned, is white; and

(b) in the case of the plate on the rear elevation of such vehicle, is yellow.

4. The Traffic Rules are hereby amended by the deletion of rule 12 and the substitution therefor of the following—

Provincial
licences. 12. (1) A provisional licence shall be subject to the following conditions—

(a) the holder of the provisional licence shall not drive a motor vehicle unless he is, at all times whilst so driving, accompanied in the vehicle by a person sitting next to him who holds a valid driving licence for the class of vehicle concerned:

Provided that this paragraph shall not apply to the driving of—

(i) a motor cycle that is carried on two wheels without a sidecar attached; or

- (ii) a motor vehicle whose construction is such that it provides no accommodation for a person to sit next to the driver;
- (b) the holder of the provisional licence shall not drive a motor vehicle unless, at all times whilst he is so driving, there is exhibited on the front and rear of such vehicle, in such a manner as to be plainly visible to any person in front of or behind the vehicle, a distinguishing mark in the form set out in the Fifth Schedule to these Rules;
- (c) the holder of the provisional licence shall not—
 - (i) carry any passenger on a motor cycle that is carried on two wheels without a sidecar attached;
 - (ii) drive any motor vehicle which is carrying passengers for hire or reward.

(2) Any person who, not being the holder of a provisional licence, drives any motor vehicle upon the front or rear of which is exhibited a distinguishing mark in the form set out in the Fifth Schedule to these Rules shall be guilty of an offence.

5. Paragraph (ii) of the proviso to rule 24 of the Traffic Rules is hereby amended by the deletion of all the words after "paragraph (a)" and the substitution therefor of the words "and paragraph (b) shall not apply".

6. The Traffic Rules are hereby amended by the deletion of rule 25 and the substitution therefor of the following—

Reflectors and warning signs. 25. (1) In addition to the lamps required or permitted to be carried on vehicles under these Rules, reflectors and warning signs shall also be carried as follows—

(a) on a bicycle or a power-assisted bicycle—

(i) one red reflector fitted at the rear thereof not less than 45 centimetres above ground level; and

(ii) on and after 1st January, 1970, a warning sign, securely affixed to the rear mudguard and extending upwards from the rear lower edge thereof, conforming to the dimensions and details set out in Part II of the Tenth Schedule to these Rules:

Provided that, in the case of a bicycle or a power-assisted bicycle having a rear wheel the diameter of which does not exceed 50 centimetres,—

(i) if such a bicycle is constructed so as to be suitable only for use by a child, nothing in this rule shall apply thereto; and

- (ii) in any other case, such warning sign shall be mounted on a metal plate, above the rear wheel, or on the offside, of the vehicle and having the lower edge of the sign not less than 30 centimetres above ground level;
- (b) on a motor cycle that is carried on two wheels without a sidecar attached, one red reflector fitted at the rear thereof not less than 45 centimetres above ground level;
- (c) on a heavy vehicle, or on a trailer having a tare-weight exceeding 225 kilograms,—
- (i) at the front—a warning sign consisting of a continuous strip of white reflective material, not less than 5 centimetres wide, mounted on a metal panel facing in a forward direction extending horizontally for such distance as is necessary to indicate the overall width of the vehicle, or to within 30 centimetres on either side thereof, and so placed that the lower edge of such sign is not less than 30 centimetres and the upper edge not more than 120 centimetres above ground level;
 - (ii) at each side of the rear—a warning sign conforming to the dimensions and details set out in Part III of the Tenth Schedule to these Rules mounted on a metal panel so placed that the lower edge of the sign is not less than 60 centimetres and the upper edge not more than 150 centimetres above ground level, and the outer edge is not more than 15 centimetres from the side of the vehicle;
- (d) on a medium vehicle on or after 1st January, 1970—
- (i) which is not fitted with reflective plates, as that expression is defined in rule 7 (3) of these Rules, each of which is fitted centrally on the central longitudinal axis of the vehicle, the warning signs set forth in subparagraph (c) of this paragraph; or
 - (ii) which is so fitted with reflective plates either the warning signs so set forth or two red reflectors on the back thereof fitted respectively not more than 30 centimetres from a line parallel to the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side, and placed at the same height which shall not be less than 75 centimetres and not more than 180 centimetres above ground level;
- (e) on a heavy vehicle or a medium vehicle two white, yellow or colourless reflectors on the front thereof fitted respectively not more than 30 centimetres from a line parallel to the longitudinal axis of

the vehicle through the lateral extremity of the vehicle on each side, and placed at the same height which shall not be less than 75 centimetres and not more than 180 centimetres above ground level;

(f) on any vehicle not herein before in this rule specifically mentioned, one red reflector fitted on the offside rear of the vehicle not less than 50 centimetres and not more than 180 centimetres above ground level.

(2) Every reflector carried on a vehicle pursuant to this rule—

(a) shall be securely affixed to the vehicle so as to be clearly visible from directly in front of or behind such vehicle, as the case may be;

(b) shall if circular, be not less than 4 centimetres in diameter or, if not circular, be of an area of not less than 12.5 square centimetres and be of such shape that a circle of 25 millimetres in diameter may be inscribed therein.

(3) Where the rear light of a vehicle is so constructed that, when not showing a light, it is an efficient red reflector facing to the rear and complies with the provisions of this rule applicable to such vehicle, it shall be treated as being such a reflector when it is, as well as when it is not, showing a light.

(4) Every warning sign required by this rule to be carried on a vehicle, and every reflective plate, shall at all times be maintained in a reasonably clean condition.

(5) Where under this rule a warning sign is required to be mounted on a metal plate, such plate—

(a) shall, in all its surface dimensions, be no smaller than the corresponding dimensions of the warning sign concerned; and

(b) shall be securely mounted on the body, chassis or frame of the vehicle at right angles to the longitudinal axis of the vehicle so that the warning sign is facing directly forwards or rearwards, as the case may be.

(6) Where the structure of any vehicle is such that it is not possible to comply with the provisions of this rule relating to the size or position of warning signs which are applicable to such vehicle, such signs shall be fitted of such size and in such position as to comply with such positions as nearly as may be.

(7) For the purposes of this rule and the Tenth Schedule to these Rules—

“commercial vehicle” means any motor lorry, truck, van (including a vehicle commonly known as a “pick up”), breakdown van or like motor vehicle, but does not include a vehicle commonly known as a “station wagon”;

"heavy vehicle" means a motor vehicle, having a tareweight exceeding two tonnes, which is either a commercial vehicle or a public service vehicle;

"medium vehicle" means a motor vehicle, having a tareweight not exceeding two tonnes, which is either a commercial vehicle or a public service vehicle licensed to carry more than five passengers.

7. Rule 35 of the Traffic Rules is hereby amended by numbering the existing rule as paragraph (1) and by the addition of the following—

(2) Every bicycle and power-assisted bicycle shall be fitted with an adequate rear mudguard extending from a point forward of the saddle bracket rearwards over and around the rear wheel to a point no higher from ground level than the hub of that wheel.

8. The Traffic Rules are hereby amended by the deletion of the Tenth Schedule and the substitution therefor of the following—

TENTH SCHEDULE

(r. 2)

PART I—SPECIFICATIONS FOR REFLECTIVE MATERIAL

(1) Reflective Material shall be retro-reflective sheeting consisting of spherical lens elements embedded within a transparent plastic material having a smooth flat outer surface and a precoated adhesive backing.

(2) The minimum reflective brightness values of the retro-reflective sheeting shall, as compared to magnesium oxide (MgO), be:—

Colour	Angle of Incidence	Reflective Value Compared to MgO	Angle of Divergence
Red	20 degrees	10	0.5 degrees
Red	50 degrees	3	0.5 degrees
White	20 degrees	50	0.5 degrees
White	50 degrees	20	0.5 degrees
Yellow	20 degrees	35	0.5 degrees
Yellow	50 degrees	10	0.5 degrees

(3) In addition to the minimum reflective brightness value, the retro-reflective sheeting shall comply with the following minimum standards—

(a) it shall have such wide-angle characteristics that it is brilliantly visible when placed at an angle of forty-five degrees to a light source;

(b) when the surface of the sheeting is entirely wet with water it shall retain not less than ninety per centum of the basic minimum reflective brightness applicable;

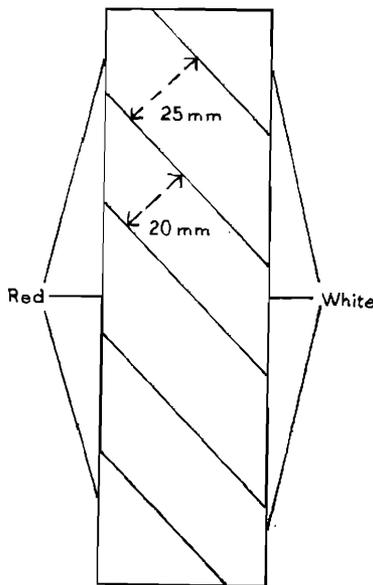
TENTH SCHEDULE—(Contd.)

(c) it shall be solvent resistant so as to be capable of withstanding normal cleaning with petrol, diesel fuel, mineral spirits, turpentine and methanol.

(4) A warning sign or reflective plate, notwithstanding that the reflective material of which it is composed complies with the above specifications, shall be deemed not to be a warning sign or reflective plate for any of the provisions of these Rules if, in a clean condition, it is not clearly visible to the naked eye from a distance of 225 metres, in the case of a bicycle or power-assisted bicycle, or 450 metres in any other case, at night in dry, clear weather when illuminated at the said distance by the undipped headlights of a motor vehicle, complying with rule 23 (1) of these Rules.

(r. 25 (1) (a))

PART II—WARNING SIGNAL FOR BICYCLES AND POWER-ASSISTED BICYCLES



(1) The warning sign to be carried on a bicycle or power-assisted bicycle shall consist of a strip of reflective material, at least 15 centimetres long by 4 centimetres wide, having alternate diagonal stripes of red and white at approximately forty-five degrees to the edges of the strip.

(2) The reflective strip may be fitted in two portions, one above and one below a reflector carried on the mud-guard of the bicycle, so, however, that the total length of such portions is not less than 15 centimetres.

(3) The perpendicular width of each full white strip shall be 20 millimetres and of each full red strip 25 millimetres, with an allowable variation in each case of ± 1 millimetre.

TENTH SCHEDULE—(Contd.)

(r. 25 (1) (c) and (d))

PART III—WARNING SIGNS FOR MOTOR VEHICLES

(1) The warning signs to be carried at the rear of heavy vehicle or a medium vehicle shall consist of reflective material having alternate diagonal stripes of red and white at approximately forty-five degrees to the edges of such material.

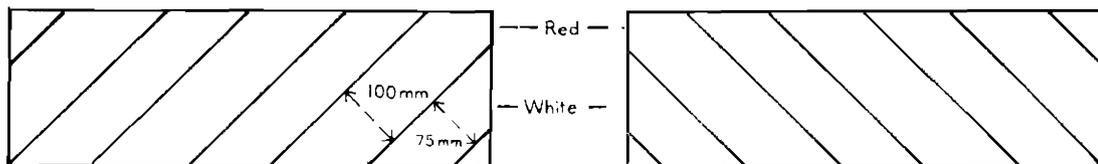
(2) The perpendicular width of each full white strip shall be 75 millimetres and of each full red strip 100 millimetres, with an allowable variation in each case of ± 2 millimetres.

(3) Rear warning signs shall be—

(a) in the case of a heavy vehicle, 60 centimetres long by 30 centimetres high;

(b) in the case of a medium vehicle, 30 centimetres long by 30 centimetres high, with an allowable variation in each case of ± 1 centimetre.

(4) Each pair of rear warning signs shall be so affixed that the diagonals represented, by the stripes are mutually opposed as indicated in the diagram below.



Made this 31st day of July, 1969.

JAMES NYAMWEYA,
Minister for Power and Communications.