

FEDERAL HIGHWAYS ACT
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FEDERAL HIGHWAYS ACT

An Act to vest the powers of management, direction and control of Federal highways throughout Nigeria in the Minister of Works and Housing, in respect of planning (including research and designing of Federal highways), the construction and maintenance, the supervision of users of such highways and the regulation of traffic thereon.

[1971 No.4.]

[1st June, 1971]

[Commencement.]

[L.N. 35 of 1971.]

Control of Federal highways

1. Minister to control, etc., Federal Highways

(1) Subject to the provisions of this Act, all Federal highways shall on the commencement of this Act, be under the management, direction and control of the Minister charged with responsibility for roads (in this Act referred to as "the Minister").

(2) The Minister shall have responsibility-

- (a) for the planning (including research and designing) of Federal highways;
- (b) for their construction and maintenance;
- (c) for the supervision of users thereof; and
- (d) for the regulation of traffic thereon.

(3) The Federal government may, subject to the provisions of this Act, delegate to the government of a State in respect of traffic on Federal highways all or any of the powers in subsection (5) of this section as may be expedient in the circumstances; and such powers may further be delegated by the government of a State to any local government within that State.

(4) Where any power is delegated pursuant to subsection (3) of this section, it shall be additional to and not in derogation of any other power of the police in respect of road traffic, and the power may accordingly be sub-delegated to and be exercised by any police officer.

(5) The powers referred to in subsection (3) of this section, are-

(a) restriction on type or class of vehicle and vehicle inspection;

(b) road diversion or closure where necessary as a temporary measure;

(c) prohibition of parking or waiting as the case may be on Federal highways or on specific parking or waiting places and on space reasonably required for vehicles approaching or leaving premises on or immediately adjoining a Federal highway;

(d) prohibition of erection of hoardings and other forms of advertising within a distance of three hundred feet from the middle line of any road formation in the vicinity of a Federal highway or within the distance aforesaid from the middle line of the Federal highway;

(e) generally ensuring the uninterrupted flow of vehicular and pedestrian traffic. (6) Penalties prescribed for the infringement of any regulations made by the Minister under the power conferred by this Act shall, apply and have effect in respect of powers delegated under and for the purposes of this section, to the like extent as if the regulations had been made contemporaneously with the operation of any such delegation as aforesaid under this section and had so provided.

2. Power to erect toll gates, etc.

(1) The Minister shall have power to erect, equip and maintain toll gates on any Federal highway as and when required, with the approval of the President.

(2) Without prejudice to the generality of subsection (1) of this section, the Minister may prescribe such fees, dues or charges that may be payable at any toll gate erected, equipped or maintained pursuant to subsection (1) of this section.

(3) In the exercise of the powers conferred upon the Minister by subsection (2) of this section, the Minister may classify the categories of vehicles plying or passing through any toll gate covered by the provisions of this Act and the amount payable by such category of vehicles.

(4) The Minister may authorise in writing any officer, agent or person to exercise any of the powers conferred upon him by subsections (1), (2) and (3) of this section.

(5) The Minister may make such order which may be published in the Federal Gazette or issue such notice as he may deem necessary in respect of fees, dues and charges payable under this Act.

(6) For the purposes of this Act "**vehicle**" includes motorcycle.

(7) Any person who wilfully-

(a) prevents or obstructs any authorised officer, agent or person in the performance of his function under this Act; or

(b) fails to pay to any officer, agent or person empowered to collect any fees, dues or charges payable under this Act; or

(c) withholds any fees, dues or charges paid under this Act; or

(d) does any other fraudulent act or thing relating to the issue of receipts or collection of fees, dues or charges under this Act,

shall be guilty of an offence and liable on conviction to a fine not exceeding ₦10,000 or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(8) Any person who commits any offence punishable under subsection (7) of this section shall be tried at the Federal High Court.

(9) Where under this section any power is delegated and in relation thereto an act or omission is an offence under this Act and also an offence under any road traffic enactment in force in a State, the provisions of this Act as to offences shall prevail so however that where before the coming into force of this Act proceedings commenced in respect of an act or omission which is an offence under a road traffic enactment in a State and the penalty prescribed differs from any prescribed for the like offence hereunder, any prosecution may, if the case has not been disposed of on the commencement of this Act, be continued as if this Act had not been made.

3. Power to acquire land for Federal highway

(1) The Federal Government may in consultation with the government of the State concerned, from time to time in such manner as it may prescribe, acquire land for the purposes of this Act and when so acquired such land shall be deemed to be a Federal highway within the meaning of this Act; and such land may be disposed of in accordance with the law of the area concerned; in this subsection, the reference to land includes reference to a road, other than a Federal highway, formed on land.

(2) Except in respect of roads which are deemed to be Federal highways, compensation shall be paid pursuant to the Land Use Act, for land acquired under subsection (1) of this section after the commencement of this Act.

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(3) Where land at the commencement of this Act or at any time thereafter is part of a Federal highway, the ownership shall include not only the surface but also the subsoil to an indeterminable depth; and user adverse to that as a Federal highway shall operate in favour of level crossings constructed by the Nigerian Railway Corporation and then only where a train or engine is approaching and within half a mile of a level crossing.

(4) It is declared for the avoidance of doubt that in the application of this section, an acquisition of land for the purposes of this Act shall be for a public purpose of the Federation within the meaning of the Land Use Act.

(5) The acquisition of land for the purposes of this Act includes the right to obtain control over the land and to use the land for the erection of buildings and for the supervision of the user by the public.

4. Drainage and other works

(1) The Minister may in the performance of his duties under this Act make and thereafter maintain in respect of any Federal highway, convenient decking and drainage work for the purpose of making good any interruptions caused to the use of the lands of adjoining owners or occupiers through which such Federal highway passes or is made, or of diverting storm or other water from a Federal highway.

(2) For all or any of the purposes in subsection (1) of this section, the Minister may enter upon land adjoining the Federal highway subject to the giving of reasonable notice to owners or occupiers and doing as little damage as possible through such entry or exit after entry; and in the course thereof the Minister may block up, divert or alter the level or course of water flowing in defined channels, natural or artificial, or otherwise contained by any means.

(3) Nothing in this section shall require the Minister to provide convenient decking or drainage work-

- (a) where the owners or occupiers have failed to make representations during the time that the section of the Federal highway affected, adjoining or passing through their land was in course of construction; or
- (b) where owners or, as the case may be, occupiers of the adjoining land have agreed to receive and have been paid compensation; or
- (c) where decking and drainage work provided by the Minister is thereafter diverted or altered otherwise than by the Minister.

(4) In the exercise of his power under this section, the Minister may require any person having apparent control over the location of any pipe, electric wire or post to alter the level or position thereof as the case may require after reasonable notice of the requirement has been duly given; and the Minister shall in the course of road works generally cause as little inconvenience as possible to persons affected.

(5) The failure to comply with the requirement of the Minister directed or given to any person under this section shall be an offence punishable on conviction by a fine of not less than ~~₦~~100 or more than ~~₦~~200 or by imprisonment for a term of three months, or by both such fine and imprisonment.

(6) In this section, "**convenient**" in relation to decking and drainage works, means of use or benefit to road users or as the case may be adjoining owners or occupiers.

Offences

5. Causing death by reckless or dangerous driving

Any person who causes the death of another person by the driving of a motor vehicle on a Federal highway recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the Federal highway, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the Federal highway, shall be guilty of an offence and liable on conviction to imprisonment for a term of seven years.

6. Reckless, etc., driving on Federal highway

(1) Any person who drives a motor vehicle on a Federal highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case including the state,

condition, and use of that highway, and to the amount of traffic which at the time is or might reasonably be expected to be on that highway shall be guilty of an offence and liable on conviction to a fine of four hundred naira or to imprisonment for two years or to both such fine and imprisonment.

(2) If upon the trial of a person for an offence under section 4 of this Act, the court is not satisfied that the person's driving was the cause of the death but is satisfied that he is guilty of driving as mentioned in subsection (1) of this section, the court may convict that person of an offence under this section.

7. Careless and inconsiderate driving

(1) Any person who drives a motor vehicle on a Federal highway without due care and attention, or without reasonable consideration for other persons using the Federal highway shall be guilty of an offence and be liable on conviction to a fine of one hundred naira or in the case of a second subsequent conviction, to a fine of two hundred naira or to imprisonment for six months or to both such fine and imprisonment.

(2) Where a person is charged with an offence under section 6 of this Act and the court is of the opinion that the offence is not proved, then at any time during the hearing or immediately thereafter the court may, without prejudice to any other power exercisable by the court, direct or allow a charge for an offence under this section to be preferred forthwith against that person and may thereupon proceed with that charge, so however that the person charged or his counsel shall be informed of the new charge and be given an opportunity, whether by way of cross-examining any witness whose evidence has already been given against him or otherwise, of answering the new charge, and the court shall if it considers that he is prejudiced in his defence by reason of the new charge being so preferred, adjourn the hearing.

8. Driving under influence of drink: power to disqualify from driving in certain cases

(1) Any person who when driving or attempting to drive, or when in charge of a motor vehicle on a Federal highway is under the influence of drink or drugs to such an extent as to be incapable of having proper control of such vehicle, shall be guilty of an offence and liable on conviction to a fine of four hundred naira or to imprisonment for two years, or to both such fine and imprisonment.

(2) If a person is convicted under this section or under section 4, 5 or 6 of this Act he shall, unless the court for any special reason otherwise orders, be disqualified for a period of twelve months or if the court thinks fit, for any greater period (from the date of the conviction) from holding or obtaining a driving licence.

9. Power of arrest in certain cases

A police officer may arrest without warrant the driver of a motor vehicle on a Federal highway who within his view commits an offence under section 5, 6, 7 or 8 of this Act, unless the driver either produces his licence to drive or produces other evidence of his identity acceptable to the police officer.

10. Drivers of motor vehicles to have driving licences

(1) A person shall not drive on a Federal highway a motor vehicle of any class or description unless, he is the holder of a valid licence authorising him to drive a motor vehicle of that class or description.

(2) A person shall not employ another person to drive on a Federal highway a motor vehicle of any class or description unless, the person employed is the holder of a valid licence authorising the person employed to drive a motor vehicle of that class or description.

(3) A person who acts in contravention of subsection (1) or (2) of this section shall be guilty of an offence and liable on conviction to a fine of one hundred naira or in the case of a second or subsequent offence to a fine of two hundred naira or to imprisonment for six months or to both such fine and imprisonment.

11. Offences relating to licences and identification marks

(1) Any person who for purposes incidental to user on a Federal highway (and whether or not so used)-

- (a) forges, or fraudulently defaces, alters, adds to or mutilates, any driving or vehicle licence or identification mark;
- (b) exhibits or uses any driving or vehicle licence, or identification mark which has been forged or defaced;
- (c) lends or allows to be used by any other person any such licence as aforesaid or identification mark pertaining to another vehicle; or
- (d) uses a driving licence belonging to another person or exhibits or uses on a vehicle any licence upon which figures or particulars have become illegible, or exhibits or uses on a vehicle any colourable imitation of a licence to which he is not entitled,

shall be guilty of an offence.

(2) Any person who drives on a Federal highway a motor vehicle required to bear a prescribed identification mark without that identification mark or with a false identification mark shall be guilty of an offence.

(3) In this section the burden of proof of any absence of intent to commit an offence shall lie upon the person charged therewith.

12. Driving without authority of owner of motor vehicle

Any person who on a Federal highway drives a motor vehicle on any occasion without the authority express or implied of the owner shall, be guilty of an offence and liable on conviction to a fine of N100 or to imprisonment for six months, or to both such fine and imprisonment.

13. Failure to report accidents

(1) Where an accident occurs on a Federal highway by reason of the use of a motor vehicle or trailer and injury is caused to any person, property, or livestock in the charge of any person, the driver of the motor vehicle shall-

- (a) immediately stop the vehicle;
- (b) when requested so to do furnish his name and address, the name and address of the owner of the vehicle, the identification mark of the vehicle, and other particulars relating thereto to any person to whom or to the owner or person in charge of the property or of the livestock to which, the injury or other damage has been caused, or to any police officer;
- (c) if the person injured so requests, (and in case that person is unconscious or the injury caused to that person appears to endanger life) do all things reasonably practicable to attend to the injured person so as to procure for him medical attention and, where necessary, his removal to a

hospital, and the driver aforesaid shall report the accident as early as possible to the nearest police station; and

- (d) where a case is not within paragraph (c) of this subsection, report the accident as soon as possible (not later in any event than 24 hours from the time when the accident occurred) to the nearest police station.

(2) Any person who fails to comply with any of the requirements of subsection (1) of this section shall be guilty of an offence under this Act.

14. Failure to supply, etc., information lawfully demanded

(1) Any person suspected of having committed an offence under this Act, and who refuses without lawful excuse to give a police officer his name and address or such other information that may reasonably be demanded of him by the police officer, or who gives a false name or address or false information, shall be guilty of an offence.

(2) The owner and any other person in control or apparent control of a vehicle or of any animals on a Federal highway shall on lawful demand by a police officer, give to that officer information which the owner or other person aforesaid may have concerning any offence involving the use of the vehicle or the driving of animals on the Federal highway at the time of the offence, and the failure to comply with any such lawful demand shall itself be an offence under this Act.

15. Overloading or driving a vehicle in an unsafe condition

Where on a Federal highway an offence relating to the overloading of a commercial vehicle or of driving a commercial vehicle in an unsafe condition or at a speed exceeding that prescribed by law is committed, the persons liable to conviction in respect of the offence shall be-

- (a) the driver;
- (b) the owner if not also the driver; and
- (c) a bailee if not also the driver,

so however that proceedings against any person as owner or bailee under paragraph (b) or (c) of this section shall not be instituted without the approval of the Attorney-General of the Federation, and it shall be a good defence to a prosecution if the owner or bailee as aforesaid, proves to the satisfaction of the court that no act or omission on his part was conducive to the commission of the offence.

16. Use of motor vehicle for purposes other than licensed

Any person who uses a motor vehicle for a purpose other than that for which it is licensed shall be guilty of an offence; and save in the case of driving without a licence (in respect of which a different penalty may be imposed) nothing in this Act shall affect or diminish the liability of the driver or, as the case may be, the owner or bailee of the vehicle or as a driver under any other enactment or rule of law.

17. Offences in respect of which penalties are not elsewhere prescribed

Where in respect of an offence under this Act no penalty is prescribed, the court convicting may in the case of a first offence, impose a penalty by way of fine of two hundred naira or of imprisonment for a term of twelve

months or both, and in respect of a second or any subsequent offence (whether of the same kind or not) the penalty shall be imprisonment for a term of eighteen months without the option of a fine unless the court otherwise considers that a fine will be appropriate in the circumstances.

18. Power of police officer to retain driving licence, etc.

(1) Notwithstanding any other provision of this Act, if a police officer is of the opinion on reasonable grounds that there may be difficulty in effecting service of a summons, he may demand and retain the driving licence of any person who commits or is suspected by him of having committed an offence under this Act.

(2) Where a driving licence is retained, whether or not pursuant to this section, the police officer retaining the licence shall give a written receipt for it and inform the person surrendering the licence of the name of the police station at which it may be reclaimed.

(3) If a summons in respect of an offence under this Act is served on the person whose driving licence is retained by the police or that person appears personally at the nominated police station not later than three days after retention of the driving licence, he may have it returned to him upon giving to the police a receipt therefore, duly signed and dated by him.

19. Power to nominate driver of vehicle in public service, etc.

Notwithstanding the provisions of any other enactment or rule of law, where in respect of vehicles used in the public services of the federation or of a State an offence under this Act is committed on a Federal highway, the Ministry or other department of State in whose service (Federal or otherwise) the vehicle is used, may nominate an official as the person responsible for the offence, and that person shall be deemed to be the person actually liable therefor unless the court hearing the charge is satisfied that the driver of the vehicle was in fact the person guilty of the offence.

20. Recovery of expenses incurred consequent upon damage to federal highways

(1) Where any structural damage to any part of a Federal highway, or to the information of or to any decking or drainage work as part of a Federal highway, has been caused by any person whether or not that person has been charged with an offence causing such damage or with any other offence under this Act (or under any other enactment or law), the Minister shall recover the cost of making good such damage from the person causing or responsible for the damage, the owner or driver of the motor vehicle or thing that caused such damage, or all of them, jointly or, in the case of an exempt vehicle, from any of the persons aforesaid.

(2) Where damage is caused as aforesaid, the Director or any person acting under his authority shall, with the assistance of a police officer seize the motor vehicle or thing involved in the damage, or cause it to be seized, and remove same to any premises under the control of the Federal Government or the government of a State, and may for such purpose use such force as may be reasonably necessary for the seizure or removal, or for gaining access to it or any part thereof in order to facilitate its seizure or removal.

(3) The cost of making good the damage shall be assessed and certified in writing by the Director, who shall immediately thereafter serve the certificate of such assessment on the person to whom subsection (1) of this section relates; and the certificate shall contain a demand notice for the payment of the cost (as thus certified) into the Consolidated Revenue Fund of the Federation.

(4) The certificate of the Director shall be conclusive evidence of the cost of making good the damage, and the amount as thus certified shall be a debt due to the Federal Government and shall, subject to the provisions of this section be recoverable as such.

(5) Any vehicle or thing seized pursuant to subsection (2) of this section, shall be detained in the said premises until the amount of the cost of making good the damage as certified under subsection (3) of this section, has been paid in the manner specified in the said subsection (3) or until disposal thereof in pursuance of subsection (6) of this section.

(6) The Minister may by regulations provide for the maintenance of places to which such vehicle or thing may be removed and such suitable facilities as may be necessary for its safe custody, and may also by regulations, prescribe the procedure for reclaiming it and for its disposal by sale or otherwise:

Provided that where a sale is made pursuant to this subsection and-

- (a) the sum realised exceeds the sum stated in the certificate, the excess sum shall be refunded to the owner of the vehicle or thing;
- (b) the sum stated on the certificate exceeds the sum realised, the outstanding sum shall be recoverable from the person responsible for the damage,

and where a sale is so made, the Minister or any person acting on his behalf shall ensure that the best price available is obtained for the vehicle or thing, as the case may be.

(7) The foregoing provisions of this section are in addition to and not in derogation of any penalty for offences that may be imposed on the conviction of any person for any offence under this Act or under any other enactment or law, and the provisions of this Act shall apply-

- (a) where more than one motor vehicle or thing is involved in the damage so caused;
- (b) notwithstanding that any civil action or suit has been commenced or instituted or is contemplated by or against any person; and
- (c) whether or not the person on whom the certificate of assessment of damage is served in accordance with subsection (3) of this section is the person charged with causing the damage or proved to have caused the damage or to have been guilty of any offence under this Act or under any other enactment or law:

Provided that where negligence leading to the damage is attributable wholly or substantially to a person, that person shall be proceeded against to the exclusion of other persons contributing to the damage.

(8) The foregoing provisions of this section are without prejudice to the right of any person claiming to be innocent of the damage to recover from any other person through the due process of the law, the amount which he had paid pursuant to the foregoing provisions of this section.

(9) In this section-

"the Director" means-

- (a) the Director of Federal Public Works in the Federal Ministry of Works and Housing; or

- (b) any State director of public works (however designated) to whom the powers of the Director of Federal Public Works are delegated by the Minister by an order published in the Federal Gazette,

so however that any such delegation shall be without prejudice to the exercise by the Director of Federal Public Works of his powers under this section;

"exempt vehicle" means any vehicle owned by or in the service of-

- (a) the Government of the Federation or a State;
- (b) any local government (howsoever called) established under the provisions of any law in force in any State;
- (c) any person covered by the provisions of section 9 of the Diplomatic Immunities and Privileges Act, and such other persons as may be exempted under the provisions of any other written law;

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"vehicle or thing" includes, in appropriate cases, ships, boats, canoes and other water-craft, and aircraft of all descriptions.

Miscellaneous and supplemental

21. Powers incidental to intention to acquire land for Federal highway

(1) Subject to the provisions of this section, where it appears to the Minister that land in any locality is likely to be needed for the purposes of a Federal highway, the Minister may in writing authorise any person to enter upon any land in the locality for the purpose of surveying and taking necessary levels, and for that purpose the person so authorised may-

- (a) dig into or bore under the subsoil and do all other acts necessary to ascertain whether the land is suitable for use as a Federal highway; and
- (b) clear and demarcate the boundaries of any such land.

(2) Notwithstanding the provisions of subsection (1) of this section, the Minister may for purposes of and incidental to this Act surveyor otherwise demarcate in any State and thereafter layoff on a plan the middle line of a Federal highway, and notice of such surveyor demarcation and laying off shall be published in the Federal Gazette, and in the Gazette of any State affected or likely to be affected; if the middle line is so laid off, the Minister may not later than twelve months thereafter, exercise his power under this section within a distance of 60.35 metres on either side of such middle line.

(3) Nothing in this section shall authorise the Minister or any person authorised by him to enter into any building or upon any enclosed court or garden attached to a dwelling house (except with the consent of the occupier thereof) unless at least seven days' notice in writing of the intended entry has been given to such occupier.

(4) Compensation for damage done under this section shall in case of dispute as to amount be determined-

- (a) in the case of a customary land in the manner provided by the Land Use Act where a right of occupancy is revoked; and

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(b) in any other case by a magistrate having jurisdiction in respect of the place where the land is situated.

22. Powers relative to obstruction of view on Federal highways

(1) If trees are standing in a position likely in the opinion of the Minister to obstruct traffic in the event of falling on a Federal highway or likely to obstruct the view of traffic using the Federal highway, any person duly authorised in writing in that behalf by the Minister may enter on adjoining land to any necessary extent in order to fell or otherwise remove or log the trees as circumstances may require,

(2) If the power conferred by subsection (1) of this section is exercised in respect of a tree on land other than a Federal highway, compensation shall be payable to the owner only where the Federal highway was in use before the tree became a potential source of obstruction, and the tree had at the time of its felling a marketable value; in default of agreement under this subsection the amount shall be fixed by a competent person appointed for this purpose by the Minister.

(3) An award of compensation fixed by agreement under subsection (2) of this section, shall be final, and a court shall only entertain a suit to recover compensation for any trees felled or otherwise dealt with under this section where the amount is fixed in default of agreement.

23. Power to enter adjacent land

The Minister or any person authorised by him in writing may in case of any slip or other accident happening or being apprehended in any cutting, embankment or other work under the Minister's control, enter upon any land adjoining a Federal highway and do all work necessary to repair damage thereby occasioned and for the purpose of prevention or control of slips likely to occur from adjoining land on to a Federal highway.

24. Power to acquire land under special enactments

Where land is acquired for the purposes of this Act pursuant to section 2 of this section-

(a) under the Land Use Act;

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(b) if the land is customary land within the meaning of the Land Use Act and a requisition in respect of such land declares it to be required by the Federal Government for the public purposes of the Federation,

the provisions of that enactment pertaining to such acquisition shall have effect accordingly, and the land shall vest in the Minister without any further assurance.

25. Power to declare road to be Federal highway

The Minister after consultation with the government of the State concerned and with the approval of the President may, by order published in the Federal Gazette, declare any road in Nigeria (not being a Federal trunk road) to be a Federal highway, and may by the same or any other order and with the like approval, cancel, amend

or vary any notice relating to Federal highways to which, on its commencement, this Act applies, or thereafter may apply.

26. Application of Motor Vehicles (Third Party Insurance) Act to road users generally

(1) The operation of the Motor Vehicles (Third Party Insurance) Act hereafter in this section referred to as "the Act" is hereby extended and that Act shall apply throughout the Federation, notwithstanding the provision of any enactment (including the Act aforesaid) or any State Law or rule of law to the contrary; and the requirements of the Act as to insurance against third party risks as set out therein and the issue and production of certificates of insurance in respect thereof shall continue to have effect in all States of the Federation, and in particular the provisions of the Act shall, in relation to any Federal highway within the meaning of this Act have effect as modified by this Act, and shall stand amended to any extent necessary.

[Cap. M22.]

(2) Accordingly, the reference in the Act to "Lagos" shall be deleted and section 1 shall stand amended as from 31 August 1960 (being the date of commencement of the Laws of the Federation of Nigeria, etc., 1958).

(3) The provisions of any other enactment relating to road traffic having application within a State of the Federation shall, on the commencement of this Act, be read and have effect in respect of traffic on federal highways subject to this Act.

(4) In this section, the reference to an "**enactment**" includes a reference to an Act, and a Law of a State.

27. Regulations

(1) The Minister may by regulations make provisions generally for the regulation of the use of Federal highways and for the management, direction and control of Federal highways and without prejudice to the generality of the foregoing provisions may make such regulations as appear to him to be necessary-

- (a) with respect to-
 - (i) the speed at which motor vehicles of any class or description thereof may be driven either generally on any specified Federal highway or within any defined area or place; and
 - (ii) the registration and licensing of motor drivers and conductors, and also the prescribing of fees and other matters relative thereto;
- (b) with respect to the construction of motor vehicles and trailers and may in particular make provisions with respect to the following matters-
 - (i) the width, height and length of motor vehicles and trailers and the load carried thereby, the diameter of wheels, and the width, nature and condition of tyres of motor vehicles and trailers;
 - (ii) the consumption of smoke and the emission of visible vapour, sparks, ashes and grits;
 - (iii) the excessive noise owing to the design or condition of a vehicle or the loading thereof;

- (iv) the maximum laden weight of motor vehicles and trailers, and the maximum weight to be transmitted to the road or any specified area thereof by a motor vehicle or trailer of any class or description or by any part or parts of such a vehicle or trailer in contact with the road, and the conditions under which the weights may be required to be tested;
- (v) the particulars to be marked on motor vehicles and trailers;
- (vi) the towing of or drawing of vehicles by motor vehicles;
- (vii) the number and nature of brakes, and any device for ensuring that brakes, silencers and steering gear are efficient and kept in proper working order;
- (viii) the appliances to be fitted for signalling the approach of a motor vehicle or enabling the driver of a motor vehicle to become aware of the approach of another vehicle from the rear, or for intimating any intended change of speed or direction of a motor vehicle, and the use of such appliance, and for ensuring that they are efficient and kept in proper working order;
- (ix) for prohibiting the use of appliances fitted to motor vehicles for signalling their approach, being appliances for signalling by sound, at any time, or on or in any specified part of a Federal highway;
- (x) for the placing on or near a Federal highway of traffic signs conformable with international standards and local requirements;
- (xi) for the prohibition or control of advertising on Federal highways or within 30.48 metres of the formation;
- (xii) for the exclusion of any class or classes of vehicles using or likely to use a Federal highway and for vehicle inspection;
- (xiii) for restricting the use of federal highways by any breed of animal;
- (xiv) for the line to be kept on a Federal highway and the direction to be followed by vehicles;
- (xv) for road division or temporary closure of any part of a Federal highway;
- (xvi) for the prohibition of parking or waiting on, or as the case may be, for prescribing specified parking or waiting places, and the provision of space reasonably required for vehicles approaching or leaving premises adjoining a Federal highway; and
- (xvii) generally for the uninterrupted flow of vehicular and pedestrian traffic.

(2) Regulations may prescribe penalties for offences by way of fine not exceeding two hundred naira or by imprisonment for a term not exceeding eighteen months or by both such fine and imprisonment.

28. Interpretation

(1) In this Act, unless the context otherwise requires-

"court" includes an area court;

"decking and drainage work" includes the provision of approaches, culverts and other erections on a Federal highway over or through water, and the making of drain and other water courses on or onto adjoining or adjacent land;

"Federal highway" means trunk roads including any approaches thereto whether formed or not in relation to which the Minister may exercise the powers conferred upon him by or under this Act, that is to say-

- (a) land acquired for the purposes of this Act and deemed to be a Federal highway under section 2 of this Act;
- (b) roads declared pursuant to section 25 of this Act to be Federal highways;
- (c) Federal trunk roads within the context of item 63 of Part 1 of the Second Schedule to the Constitution of the Federal Republic of Nigeria 1999; and

[Cap. C23.]

- (d) decking and drainage works on such land and roads;

"local authority" means with reference to an area, whether settled or not, a body with powers statutory or customary, of local administration;

"Minister" means the Minister charged with responsibility for Federal highways;

"vehicle" includes any means of conveyance whatsoever which is provided with means of locomotion on a Federal highway and used or intended to be used or capable of being used thereon for the carriage of persons or goods or both, or is capable of being adapted to any purpose and used on a Federal highway.

(2) For the purposes of section 1 (3) of this section, the references to the Federal Government and the government of a State are references to the President and the Governor of a State, respectively.

(3) For the purposes of the Constitution of the Federal Republic of Nigeria, 1999 land acquired under section 24 of this Act and roads declared pursuant to section 25 of this Act shall be deemed to have been duly declared as Federal trunk roads.

[Cap. C23.]

29. Short title

This Act may be cited as Federal Highways Act

FEDERAL HIGHWAYS ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Federal Highways (Building Lines) Regulations.
2. Federal Highways (Declaration) Order.
3. Federal Highways (Prohibition of Livestock and Handcarts) Regulations.
4. Federal Highways (Declaration) (No.2) Order.
5. Federal Highways (Control of Traffic, etc.) (Authorised Officers) Regulations.
6. Federal Highways (Declaration) (No.3) Order.
7. Federal Highways (Permissible Weights and Weigh-bridges) Regulations

FEDERAL HIGHWAYS (BUILDING LINES) REGULATIONS

[L.N. 98 of 1971.]

under section 26

[26th November, 1971]

[Commencement.]

1. Application

These Regulations shall apply in respect of all Federal highways.

2. Space on both sides of Federal highways to be clear of obstructions for 45.72 metres

No person shall create an obstruction within 45.72 metres of the centre line of any Federal highway or plant any crop which requires to be sown and reaped within a period of twelve months upon any ground occupied by any such Federal highway or drains adjacent thereto.

3. Offence

Any person who creates or causes to be created any obstruction in contravention of paragraph 2 of these Regulations shall be guilty of an offence and on conviction shall be liable to a fine of forty naira.

4. Power to remove obstruction

(1) An officer authorised in writing by the Minister may cause any building or part thereof which has been or is being created or any other obstruction which has been created or is being created in contravention of paragraph 2 of these Regulations, within 45.72 metres of the centre line of any Federal highway, to be pulled down or removed.

(2) When any expense has been incurred in the pulling down or removing any building or any part thereof or of any other obstruction as aforesaid, such expense may be recovered in a summary manner from the person who created the obstruction or from the person who caused the same to be created.

5. Interpretation

In these Regulations, unless the context otherwise requires-

"**Minister**" has the same meaning as it has in the Act;

[1971 No.4.]

"**create an obstruction**" includes to erect a building or to plant any permanent crop, or to erect any structure of a permanent nature;

"**permanent crop**" includes any tree valuable as food and trees having a trade value for their natural products to be sown and reaped within a period of twelve months;

"**structure of a permanent nature**" means any structure whatsoever which once having been erected is of such a nature that it cannot be removed within 12 months after notice without damage thereto.

6. Short title

These Regulations may be cited as the Federal Highways (Building Lines) Regulations.

FEDERAL HIGHWAYS (DECLARATION) ORDER

under section 24

[17th December, 1971]

[Commencement.]

1. Declaration of certain roads as federal highways

The roads specified in the Schedule hereto are hereby declared to be Federal highways.

[Schedule.]

2. Revocation of L.N. 73 of 1955

The Exclusive Legislative List (Federal Trunk Roads) Order 1955 is hereby revoked.

3. Short title

This order may be cited as the Federal Highways (Declaration) Order.

SCHEDULE

[Regulation 1.]

*Number
of
highway*

Description of highway

MAJOR NORTH-SOUTHERLY ROUTES:

- A.1 The road starting at the main entrance gate to Apapa Wharf and continuing thence via Iganmu- Western Avenue to Idi-Oro Roundabout across to Ikorodu Road-Ikorodu-Shagamu-Ibadan-Oyo- Ilorin-Jebba- Kontagora-Yelwa- Koko-Jega- Tambawal-Sokoto-Illela to the frontier with Niger Republic.
- A.2 The road starting at Kongolam at the boundary with Niger Republic and continuing thence to Daura-Kano-Zaria-Kaduna. (Projected southwards via Abuja-Lokoja-Auchi-Benin City to Warri).
- A.3 The road starting at the road-over-rail bridge on the Port Harcourt township boundary and continuing thence to Aba-Umu Uyo-Owerrinta-Umuahia-Umu Duru-Okigwi-Awgu-Oji River-14.4 kilometres Corner Otukpa -Oturkpo- Aliade- Makurdi - Lafia - Akwanga - Wamba -Jos- Bauchi - Kari – Potiskum-Maiduguri-Gamboru
- A.4 The road starting from Calabar Township (Projected Northwards via Mbarakom, Ugep to Ikom) continuing from Ikom (Projected from Ikom-Ogoja to Katsina Ala) and continuing from Katsina Ala- Jalingo-Yola Gombi-Bama-Maiduguri.
- A.5 The road starting 62.7 metres from the south abutment of Carter Bridge on Lagos Island and continuing over Carter Bridge and via Denton Street-Clifford Street, City Way-Yaba Roundabout- Agege Motor Road Agege-Sango Otta - Abeokuta - Ibadan.
- A.6 The road starting from Onitsha and continuing thence to Nnewi-Ihiala-Owerri to the Junction of Trunk Road A3 at Umu Uvo.
- A.7 The road starting from Chikanda on the frontier with the Republic of Dahomey- Yeshikere- Kosubosu-Kaiama Kishi- Ilorin.
- A.8 The road starting from Mayo Belwa Junction with Trunk Road A.4 to Canye (projected to Jamtari)- Serti-Mayo Selbe-Gembu on the Mambilla Plateau.
- A.9 The road starting from Jibiya at the frontier with Niger Republic and continuing thence to Katsina and to the junction with Trunk Road A.2 at approximately 14.4 kilometres North of Kano.

SPURS AND LINKS:

- A.1-1 The road starting from the junction of Malu Road (Oval Interchange) with A.I and continuing through Malu Road to Kirikiri terminating at the maximum security prison.
- A.1- 2 The road starting from the junction of Broad Street with Marina and continuing over Eko Bridge to the junction with A.I at Western Avenue (Aorta Interchange).
- A.151 The road starting from Iddo Railway Terminus-Iddo Flyover-Ijora Causeway and continuing to the junction with A.I (Neck Interchange).
- A.152 The road about five miles north of Yaba Roundabout Junction with Trunk Road A.I (Maryland) thence to Ikeja By Pass- Ikeja Airport.
- A.121 The road starting from Trunk Road A.1 North of Shagamu and continuing thence to Ijebu-Ode-Ore-Benin City.
- A.122 The road starting from Ibadan-Ife-Ilesha-Akure to its junction with trunk road A.121 approximately ten miles north of Benin (Oluku Junction).
- A.123 The road starting from Ilorin-Egbe-Kabba terminating at Lokoja.
- A.124 The road starting from Bokani Junction-Enagi-Bida-Agaie-Lapai-Izom terminating at Abuja.
- A.125 The road starting from Kontagora through Tegin-Mando terminating at Kaduna.
- A.126 The road starting from Sokoto and thence to Gusau-Funtua to its Junction with Trunk Road A.2 at approximately five miles North of Zaria.
- A.232 The road starting from Benin City-Agbor-Asaba-Onitsha-Awka to the Junction with Trunk Road A.3 at Oji River.
- A.233 The road starting from Lokoja and across the River Niger to Shintaku-Ayangba-Ankpa thence to Otukpa Junction with Trunk Road A.3.
- A.234 The road starting from Abuja through Keffi and terminating Akwanga on Trunk Road A.3.
- A.235 The road starting from Kaduna and thence to Kachia-Kafanchan and terminating at Gimi on Trunk Road A.3.
- A.236 The road starting from Zaria on Trunk Road A.2 to Pambegua thence to Jos junction with Trunk Road A.3.
- A.237 The road starting from Kano to Wudil-Foggo and terminating at a Junction with Trunk Road A.3 at Kari.
- A.342 The road starting from Aba thence to Ikot Ekpene-Uyo-Oron and terminating at Calabar.
- A.343 The road branching from Trunk Road A.3 at Nine Mile Corner and thence to Enugu-Abakaliki-Ijahe Junction with Trunk Road A.4.

- A.344 The road starting from Aliade Junction with Trunk Road A.3 thence to Gboko terminating at Katsina Ala.
- A.345 The road starting from Bauchi and thence to Gombe-Numan to Ngurore Junction with Trunk Road A.4.
- A.4-1 The road from Calabar-Itu (projected).
- A.4-2 The road starting from Calabar-Ekang-Ajasso-Yahe.
- A.4-3 The road starting from Takum-Bissaula.
- A.4-4 The road starting from Jimeta- Yoka.
- A.4-5 The road starting from Jiberu-Sorau.
- A.4-6 The road starting from junction with A.4-Mubi.
- A.4-7 The road starting from Bama-Dar-Al-Jimeil (towards Morua in the Federal Republic of Cameroons).
- A.5-1 The road starting at the frontier with the Republic of Dahomey and terminating at Sango Otta on A.5.

FEDERAL HIGHWAYS (PROHIBITION OF LIVESTOCK AND HANDCARTS) REGULATIONS

under section 27

[15th July, 1972]

[Commencement.]

1. Prohibition of movement of animals and handcarts on specified Federal highways

(1) No person shall, on or immediately adjacent to any specified Federal highway-

- (a) drive or permit the movement of livestock, other than that being carried in a motor vehicle;
- (b) permit or be concerned with the buying or selling of livestock;
- (c) permit the grazing of livestock;
- (d) operate or permit the operation of any handcart.

(2) Any person who fails to comply with any of the requirements of paragraph (1) of this regulation shall be guilty of an offence.

(3) A police officer may arrest without warrant, any person who within his view commits an offence under this regulation and may cause to be detained, in any premises provided for that purpose by the Minister, livestock or any handcart under the control or management of any such person, until disposal by court order made pursuant to paragraph (4) of this regulation.

(4) Any person found guilty of an offence under this regulation shall be liable on conviction to a fine of one hundred naira or imprisonment for three months or both such fine and imprisonment; and the court imposing the sentence shall make such further order as to the disposal or otherwise of any livestock or of any handcart detained under paragraph (3) of this regulation, as it thinks just.

2. Interpretation

In these Regulations-

"**livestock**" means cattle, camels, sheep, goats, swine and poultry;

"**specified Federal highway**" means any of the Federal highways or part thereof mentioned in the Schedule hereunder.

[Schedule.]

FEDERAL HIGHWAYS (DECLARATION) (NO. 2) ORDER

under section 24

[1st October, 1974]

[Commencement.]

1. Declaration of certain roads as Federal highways

The roads specified in the Schedule hereto are hereby declared to be Federal highways.

[Schedule.]

2. Short title

This Order may be cited as the Federal Highways (Declaration) (No.2) Order.

SCHEDULE

[Regulation 1.]

*Number
of
highway*

Description of highway

EAST-WESTERLY ROUTES:

F.100 The dual carriageway starting from the Apapa Road Flyover, south of Iganmu, and continuing westwards to Badagry up to the frontier with the Republic of Benin.

F.101 The road starting from Ikorodu on Trunk A.I Road, continuing thence to Agbowo-Epe-Sunmage and terminating near Oso on A.121.

- F.102 The road starting from Shagamu on the A.I Road, continuing thence to Owode-Abeokuta and terminating at Meko on the frontier with the Republic of Benin.
- F.103 The road starting from Effurun, continuing thence to Ughelli-Uwherum-Patani-Mbiama-Ahoadá-Rumukoroshe-Nchia-Opobo-Eket-Ikot Ubo and terminating at Oron (including Ekot Ferry on Qua Iboe River).
- F.104 The road starting from Aba-Azumini-Etinam-Ndiya and terminating at Ikot Ubo on the F.103 road.
- F.105 The road starting from Obelle on the frontier with the Republic of Benin continuing thence to Oja Odan-Ilaro and terminating at Owode on F.102.
- F.106 The road starting from Owerri-Nguru and terminating at Etiti on Trunk Road A.3.
- F.107 The road starting from Umuahia-Bende and terminating at Ohafia on F.234.
- F.108 The road starting from Arochukwu-Ikot Okpora-Orira on Trunk Road A.4.
- F.109 The road starting from Amukpe on Trunk Road A.2, continuing via Eku-Abraka-Obiaruku and terminating at Umutu.
- F.110 The road starting from the port of Kolo and terminating at a point on Trunk Road A.2 just south of Ologbo.
- F.111 The road starting from Ihiala on Trunk Road A.6 through Orlu and terminating at Umuduru on Trunk Road A.3.
- F.112 The road starting from Onitsha through Nnewi-Okigwi and terminating at Afikpo.
- F.113 The road starting from Ozalla on F.233, continuing thence to Agbani-Okposi-Abba Omega-Itigidi-Ediba and terminating at Ugep on Trunk Road A.4 (including the Itigidi/Ediba Ferry on the Cross River).
- F.114 The road starting from Igbogor on A.121, continuing through Okomo-Okeluse-Ute and terminating at Sobe in A.122.
- F.115 The road starting from Ifon on A.122, continuing thence to Uzebba-Sabon Gida Ora-Ozalla and terminating at Ekpoma on Trunk Road A.2.
- F.116 The road starting from Irrua on Trunk Road A.2, continuing thence to Uromi-Ubiaja-Illushi-Adani and terminating at Nsukka (including the Illushin Ferry on the River Niger).
- F.117 The road starting from Ilesha on A.122, continuing thence to Ado Ekiti-Ikare-Ishua-Ibillo-Auchi-Agenebode-Idah-Nsukka Eha Amufu and terminating at Nkalagu on A.343 (including the Agenebode/Idah and the Idah/Adoro Ferries both on the River Niger).
- F.118 The road starting from Wasimi (Republic of Benin border) continuing thence to Iseyin-Ovo-Iwo and terminating at Gbongan on A.122.

- F.119 The road starting from Omuo continuing thence to Kabba-Okene-Ajaokuta-Itobe and terminating at Ayangba on A.233.
- F.120 The road starting from Gakem on Trunk Road A.4, continuing thence to Obudu and terminating at Obudu Ranch.
- F.121 The road starting from Makurdi on Trunk Road A.3, continuing thence to Abinsi-Yandev-Gburuku and terminating at Zaki Biam on Trunk Road A.4 (including the Gburuku/Katsina Ala Ferry).
- F.122 The road starting from Rafin Kada, continuing thence to Sabon Gida-Ivaissa-Gembu and terminating at Bang on the frontier with the Federal Republic of Camiroun (including the Donga Ferry on the River Donga).
- F.123 The road starting from Beli and terminating at Jamtari on Trunk Road A.S.
- F.124 The road starting from Share on Trunk Road A.1, continuing thence to Ndeji-Pategi-Eggan-Baro- Abaji-Nassarawa-Lafia and terminating at Shendam on F.125 (including the Eggan/Baro Ferry).
- F.125 The road starting from Wamba on Trunk Road A.3, continuing thence to Shendam-Langtang-Wase Bashar and terminating at Bambur on F.250.
- F.126 The road starting from Zungeru, continuing thence to Minna terminating at Izom on A.124.
- F.127 The road starting from Kafanchan on A.235 and terminating at Vom on Trunk Road A.3.
- F.128 The road starting from the Republic of Benin border, continuing thence to Rofi-a-Bin Yauri-Rijau- Dan Gulbi - Chafe - Dayi - Gwarzo - Kano - Gumel Malammaduri- Hadejia- Birniwa- Nguru-Gashua- Geidam-Damasak and terminating at Bisagana on the Lake Chad (including Rofia/Bin Yauri Ferry on the River Niger).
- F.129 The road starting from Gombe, continuing thence to Hinna-Gondi and terminating at Biu on Trunk Road A.4.
- F.130 The road starting from a point on the A.237 south of K. Huguma, continuing thence to K. Huguma-Dutse Azare and terminating at Zindiwa on F.131.
- F.131 The road starting from Wudi1 on A.237, continuing thence to Gaya-Gamayin-Katagum-Udobo and terminating at Potiskum on Trunk Road A.3.
- F.132 The road starting from Kalgo on F.203, continuing thence to Jega-Dakin Takwas-Anka and terminating at Majinchi on A126.
- F.133 The road starting from the frontier with the Republic of Benin and continuing thence to Bwi - Argungu terminating at Jaredi on Trunk Road A.1.
- F.134 The road starting from Gubio on F.256, continuing thence to Gajiram and terminating at Dikwa on Trunk Road A.3.
- F.135 The road starting from Kukawa, continuing thence to Kauwa on F.258 and terminating at Baga on the edge of Lake Chad.

- F.136 The road starting from Dutsin Ma on F.219, continuing thence to Tareshi and terminating at Kankiya on Trunk Road A.9.
- F.137 The road starting from Kaura Namoda, continuing thence to Danja and terminating at Jibiya on Trunk Road A.9.
- F.138 The road starting from Sokoto, continuing thence to Goronyo and terminating at S. Birnin on F.218.
- F.139 The road starting from Ankpa on A.233, continuing thence to Abakpa and terminating at Boju Ega on F.238.

NORTH-SOUTHERLY ROUTES:

- F.200 The road starting from a point near Marogbo, about nineteen Kilometres East of Badagry on F.100, continuing thence to Ilaro-Abeokuta Iseying-Ago Are and terminating at Kishi on Trunk Road A.7.
- F.201 The road starting from Kaiama on Trunk Road A.7, continuing thence on Wawa-New Bussa and terminating at Yelwa on Trunk Road A.1.
- F.202 The road starting from Ago Are, continuing thence to Shaki-Ilesha-Okuta and terminating at Kosubosu on Trunk Road A.7.
- F.203 The road starting from Kamba on the frontier with the Republic of Benin, continuing thence to Kalgobirnin Kebbi and terminating at Argungu on F.132.
- F.204 The road starting from Itokin on F.101, continuing thence to Ibefun-Ijebu Ode and terminating at Idi Ayunre on Trunk Road A.1.
- F.205 The road starting from Ijebu Ode on A.121, continuing thence to Ijebu Igbo-Ile Ife-Shekona-Oshogbo-Offa and terminating at Ajasse on A.123.
- F.206 The road starting from Ilesha on A.122, continuing thence to Oshogbo-Ogbomosho and terminating at Igbetti on Trunk Road A.7.
- F.207 The road starting from Ondo on F.209, continuing thence to Oke Igbo and terminating at Ile Ife on A.122.
- F.208 The road starting from Ita Nla on F.209, continuing thence to Ile Oluji and terminating at Ipetu on A.122.
- F.209 The road starting from Okitipupa, continuing thence to Ore-Ondo- Ita Nla-Akure-Ado-Ekiti and terminating at Omu Aran on A.123.
- F.210 The road starting from Wawa on F.201, continuing thence to Luma and terminating at Rofia on F.128.
- F.211 The road starting from Mokwa on Trunk Road A.1, continuing thence to Eban and terminating at New Bussa on F.201.
- F.212 The road starting from Wara on the edge of the Kainji Lake, continuing thence to Auna and terminating at Ibeto on Trunk Road A1.

- F.213 The road starting from a point on F.132 south of Gunmi, continuing thence to Gunmi and terminating at Jabo on Trunk Road A.1.
- F.214 The road starting from Kontagora on A.125, continuing thence to Rijau-Zuru and terminating at Dakin Takwas on F.132.
- F.215 The road starting from Owo on A.122, continuing thence to Ikare-Omuo-Egbe-Pategi-Bida- and terminating at Tegini on A.125 (including the Ferry at Pategi on the River Niger). Zungeru
- F.216 The road starting from Sabon Birnin Gwari on A.125, continuing thence to Birnin Gwari-Funtua-Malumfashi-Dayi and terminating at Yashi on Trunk Road A.9.
- F.217 The road starting from Birnin Gwari on F.216, continuing thence to Dan Gulbi and terminating Anka on F.132.
- F.218 The road starting from Gusau on A.126, continuing thence to Kunya-Kaura Namoda-Shinkafe and terminating at S. Birnin on the frontier with the Republic of Niger.
- F.219 The road starting from Malumfashi on F.216, continuing thence to Kankara-Dutsin Ma-Katsina- Daura and terminating at Zango on the frontier with the Republic of Niger.
- F.220 The road starting on A.122 south of Ipele, continuing thence to Ipele-Ishua and terminating at Kabba on A.123.
- F.221 The road starting from Aiyetoro on A.123, continuing thence to Akutukpa-Eggan and terminating at Agaie on A.124.
- F.222 The road starting from Ogharefe-Sapoba-Agbor and terminating at Uromi on P.116.
- F.223 The road starting from Ughelli on F.103, continuing thence to Ozoro-Kwale-Ogwashi Uki and terminating at Asaba on A.232.
- F.224 The road starting from Kwale, continuing thence to Umutu and terminating at Agbor on A.232.
- F.225 The road starting from Onitsha on Trunk Road A.6, continuing thence to Aguleri and terminating at Adani on F.116.
- F.226 The road starting from Ifite Ukpo east of Onitsha on A.232, continuing thence to Awkuzu and terminating at Aguleri on F.225.
- F.227 The road starting from Brass, continuing thence to Nembe Yenagoa-Yenegue and terminating at Mbiama on F.103 .
- F.228 The road starting from Buguma, continuing thence to Degema-Ahoada-Ebocha and terminating at Uli on Trunk Road A.6.
- F.229 The road starting from Port Harcourt, continuing thence to Igrita-Elele-Owerri-Orlu and terminating at Awka on A.232.
- F.230 The road starting from Bonny, continuing thence to Bomu and terminating at Chara on F.103 .

- F.231 The road starting from Igrita on F.229, continuing thence to Chokoehe- Ibodo and terminating at Okpalla on Trunk Road A.6.
- F.232 The road starting from Opobo, continuing thence to Abak-Ikot Ekpene and terminating at Umuahia on Trunk Road A.3.
- F.233 The road starting from Awgu on Trunk Road A.3, continuing thence to Ozalla and terminating at Enugu on A.343.
- F.234 The road starting from Uyo, continuing thence to Itu-Arochukwu-Ohafia-Afikpo-Abba Omega and terminating at Abakaliki on A.343 (including the Itu Ferry on Eniong Creek).
- F.235 The road starting from Okurikang on A.4-1, continuing thence to Akpap and terminating at Creek Town.
- F.236 The road starting near Cross River Mills on Trunk Road A.4, continuing thence to Obubra and terminating at a point on the A.343 just east of Abakaliki (including the ferry at Obubra on the Cross River).
- F.237 The road starting from Ikom on Trunk Road A.4 and terminating at Obudu on F.120.
- F.238 The road starting from Iyaha on A.343, continuing thence to Oturkpo-Loko-Nasarawa-Keffi and terminating at Kachia on A.235 (including the Loko Ferry on the River Benue).
- F.239 The road starting near Yahe on A.343, continuing thence to Ogoja-Shangev Tiev and terminating at Aliade on A.344.
- F.240 The road starting from Akwanga on Trunk Road A.3, continuing thence to Nunku and terminating at a point on Trunk Road A.3 just North of Fadan Ayu.
- F.241 The road starting from Wamba on Trunk Road A.3, continuing thence to Panyan-Pankshin and terminating at a point north-west of Dawaki on F.247.
- F.242 The road starting from Takum on A.12, continuing thence to Rafla Kada-Wukari-Ibi-Shedam- Panyam and terminating at Bukuru on Trunk Road A.3.
- F.243 The road starting from Rahama on A.236, continuing thence to Yaryasd-Tudun Wada and terminating at Kafin Mayaki on Trunk Road A.2.
- F.244 The road starting from Kunya on Trunk Road A.2, continuing thence to Babura and terminating at the frontier with the Niger Republic.
- F.245 The road starting from Fustam Mata on A.236, continuing thence to Ningi and terminating at Samamiya on A.237.
- F.246 The road starting from Gubi on Trunk Road A.3, continuing thence to Miya and terminating at Ningi on F.245.
- F.247 The road starting from Langtang on F.125, continuing thence to Dawaki-Boi-Tafawa Balewa and terminating at Bauchi on Trunk Road A.3.
- F.248 The road starting from Shira on A.237, continuing thence to Azare on F.130.

- F.249 The road starting on A.237 South of Misau, continuing thence to Misau-Azare-Gamayim and terminating at Hadejia on F.128.
- F.250 The road starting from Lankoviri on Trunk Road A.4, continuing thence to Lau-Mutum Daya- Filiya and terminating at Biliri west of Kaltungo on A.345.
- F.251 The road starting from Gombe on A.345, continuing thence to Bajoga and terminating at Potiskum on Trunk Road A.3.
- F.252 The road starting from Ganye on Trunk Road A.8, continuing thence to Mapeo-Yola and terminating at Jimeta on Trunk Road A.4.
- F.253 The road starting from Gombi on Trunk Road A.13, continuing thence to Biu-Damaturu-Dapchi and terminating at Baromari on F.128.
- F.254 The road starting from Uba on Trunk Road A.13, continuing thence to Damboa-Boroza and terminating at Beni Sheik on Trunk Road A.3.
- F.255 The road starting from Sorau on the frontier with the Republic of Cameroun and terminating at Mubi on a.4.-6.
- F.256 The road starting from Maiduguri on Trunk Road A.3, continuing thence to Magumeri-Gubio and terminating at Damasak on F.128.
- F.257 The road starting from Maiduguri on Trunk Road A.3, continuing thence to Gajiram and terminating at Monguno on F.258.
- F.258 The road starting from Dikwa on Trunk Road A.3, continuing thence to Mongonu-Kauwa and terminating at Yo on F.128.
- F.259 The road starting from Bama on Trunk Road A.4, continuing thence to Gulumba Gana-Kala and terminating at Gambaru on Trunk Road A.3.
- F.260 The road starting from Pulka on Trunk Road A.13 and terminating at Kerawa on the frontier with the Republic of Cameroun.
- F.261 The road starting from Rumukoroshe on Trunk Road A.3 and terminating at Chokoche on F.231.

SPURS AND LINKS:

- F.101-1 The road starting from Sunmage on F.101 and terminating at Iwopin.
- F.103 -1 The road starting from Okrika and terminating at Nchia on F.103.
- F.118-1 The road starting from Gbongaon F.118 and continuing thence to Ode Omu and terminating at Sekona on F.205.
- F.124-1 The road starting from Sheshi on F.124 and terminating at Lafiagi on the River Niger.
- F.128-1 The road starting from Gumel on F.128 and terminating at Maigatari on the frontier with the Republic of Niger.

F.128-2 The road starting from Nguru on F.128 and terminating at Machina on the frontier with the Republic of Niger.

F.128-3 The road starting from Geidam on F.128 and terminating at the frontier with the Republic of Niger.

F.252-1 The road starting from Yola on F.252 and terminating at Gurin on the frontier with the Republic of Cameroun.

F.255-1 The road starting from Mubi on A.4-6 and terminating at Bukula on the Cameroun border.

FEDERAL HIGHWAYS (CONTROL OF TRAFFIC ETC.)

(AUTHORISED OFFICERS) REGULATIONS

[L.N. 1 OF 1982.]

made under section 27

[11th January,1982]

[Commencement.]

1. Control of traffic, etc., on Federal highway to be carried out only by authorised officers

(1) Any person, not being an authorised officer, who enters upon any Federal highway for the purpose of enforcing the provisions of any enactment relating to road traffic on any such highway shall be guilty of an offence and shall be liable on conviction to a fine of ₦200 or imprisonment for six months or to both such fine and imprisonment.

(2) In these Regulations, "**authorised officer**" means-

- (a) any police officer;
- (b) any member of the Traffic Warden Service established by the Police Act;
- (c) any officer in the Federal Ministry of Works acting on any special or general delegation of powers made to him in that behalf by the Minister; or
- (d) any member of the public service of the Federation discharging functions conferred upon him pursuant to the provisions of any enactment.

2. Short title

These Regulations may be cited as the Federal Highways (Control of Traffic, etc.) (Authorised Officers) Regulations.

FEDERAL HIGHWAYS (DECLARATION) (NO. 3) ORDER

under section 24

[23rd April, 1982]

[Commencement.]

1. Declaration of certain roads as Federal highways

The roads specified in the Schedule hereto are hereby declared to be Federal highways.

[Schedule.]

2. Short title

This Order may be cited as the Federal Highways (Declaration) (No.3) Order.

SCHEDULE

<i>Number of High way</i>	<i>Description of highway</i>
A.3-1	The dual carriageway starting from Enugu to Port Harcourt.
A.8	The road starting from Mayo Balewa junction with Trunk Road A.13 to Ganye to Jamtari to Mayo Selbe to Gembo on the Mambilla Plateau.
A.10	The road starting from junction with A.1 and terminating at Tegna.
A.11	The road starting from the junction with A.2 near Rigacikun and terminating at Pambeguwa.
A.12	The road starting at the junction with A.4 and A.344 at Katsina Ala to Sabon Gida thence to Beli and terminating at Jalingo the junction with A.4.
A.13	The road starting at the junction with A.4 Garinkunini continuing to Mayo- Belwa to Namtari to Jimeta to Jiberu to Gombi to Gwoza and terminating at Bama.
A.14	The road starting at the junction with A.1 near Ilorin continuing to Oloru and terminating at Bode Sadu.
A.121-1 City.	The dual carriageway starting from the junction with E.1, by-passing Shagamu to Benin
A.232-1	The dual carriageway from Enugu to Onitsha.

- A.345 The road starting from Bauchi and continuing to Gombe to Numan and terminating at the junction with A.13 near Namtari.
- E.1 The expressway starting from Ojota interchange in Lagos to Ibadan and continuing along the Ibadan Eastern By-Pass terminating at Ojo, the junction with A.1.
- F.113 The road starting from Udi-Ozalla on F.233, continuing thence to Agbani-Okposi-Abba Omega-Itigidi-Ediba and terminating at Ugep on Trunk Road A.4 (including the Itigidi/Ediba Ferry on the Cross River).
- F.262 The Old Marina Street starting from Broad Street and continuing southward to terminate at King George V Road.
- F.263 The Ahmadu Bello Way - a dual carriageway starting from King George V Road and continuing southerly to terminate at the Bar Beach Road.
- F.264 The Lagos Island Inner Ring Road complex starting from the southern end of Eko Bridge and continuing along the New Marina shoreline road, and the parallel elevated structure and thence to the Clover-leaf interchange at MacGregor Canal and from there to the Clover-leaf interchange at Idumagbo. The road thereafter continues along the Adeniji Adele foreshore to terminate at the north end of the New Marina shoreline road.
- F.265 The outer loop dual carriageway starting from Wharf Road, on to Creek Road at Apapa and continuing through Tin Can Island, Isolo, Oshodi, to Oworonshoki thence to Third Mainland Bridge to the North foreshore line in Ikoyi and thereafter continuing along Kingsway road and terminating at the south end of Falomo bridge.
- F.266 Herbert Macaulay Street starting from the Murtala Mohammed Way at Oyingbo and continuing north to terminate at Ikorodu Road.
- F.267 The road enclosing the Tafawa Balewa Square complex.
- F.268 The Dockyard road starting from Malu road and continuing through the Naval Base to Lagos Ports complex.
- F.269 The International Airport Road - a dual carriageway starting from outer loop at Isolo and terminating at the Murtala Mohammed International Airport.
- F.270 The access road starting from the junction on A.1 near Ikorodu and continuing to the New Ikorodu Lighter terminal.
- F.271 The dual carriageway starting with the flyover at Obalende and terminating at the Federal Secretariat, Ikoyi.
- F.272 The dual carriageway starting with the flyover at Obalende and terminating at the State House, Ribadu Road.
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**FEDERAL HIGHWAYS (PERMISSIBLE WEIGHTS AND
WEIGH-BRIDGES) REGULATIONS**

under section 26

[11th March, 1983]

[Commencement.]

1. Conditions relating to weight of vehicles on Federal highways

As from the commencement of these Regulations, no person shall cause or permit a vehicle to be used on any Federal highway or shall drive or have charge of a motor vehicle or trailer when so used on such highway unless all the conditions hereinafter set forth are satisfied, that is-

- (a) a vehicle, if its net weight exceeds 250 kg., shall be capable of being so worked that it may travel either forwards or backwards;
- (b) no motor vehicle or trailer inclusive of the load thereon shall exceed 2.5 metres in overall width; and the overall length of an articulated vehicle shall not exceed 14 metres and the overall length of a vehicle and trailer drawn by such vehicle shall not exceed 18 metres;
- (c) no load may protrude more than one metre beyond the front elevation of a motor vehicle or trailer or more than two metres beyond the rear elevation of the vehicle or more than 75 mm beyond either side of the vehicle and where the load projects more than one metre from the rear of such vehicle, a red flag shall be fixed by day and a red lamp by night in a similar position and the flag or lamp shall be clearly visible from the rear;
- (d) the height from the ground level of any motor vehicle or trailer with any freight or load placed thereon shall not at any point exceed 3.5 metres; so however that where the freight or load is entirely composed of seed cotton or cotton lint the height of the highest point of such freight or load from the ground may be increased to not more than 4 metres;
- (e) any freight or load on any motor vehicle or trailer shall be secured in such manner as to render it impossible for such freight or load or any part thereof to fall or be jolted off that motor vehicle or trailer when in motion or to come into contact with the road while the motor vehicle or trailer is in motion;
- (f) no freight or load of greater weight than that which the vehicle is constructed to carry as registered and stated in the registration book shall be placed on any commercial vehicle or trailer, and the owner shall cause the net weight of the vehicle or trailer, the weight of such freight or load and the axle weights to be painted on some conspicuous part of the off-side of the motor vehicle in figures and letters not less than 2.5 cm in height and of such shape and colour as to be legible and clearly distinguishable from the colour of the background whereon the letters and figures are painted or marked.

2. Vehicles not to exceed 32 tonnes gross weight, etc.

(1) No vehicle shall be used on a Federal highway if the single axle and tandem axle weight exceeds 10 tonnes and 16 tonnes respectively or if the gross weight of the vehicle exceeds 32 tonnes except as specified in Parts I and II of the Schedule to these Regulations.

[Schedule.]

(2) Notwithstanding the foregoing provisions of this regulation, any authorised officer may grant a permit for a particular occasion or occasions for the use of a motor vehicle or trailer which does not conform to the requirements of these Regulations and such permit shall be subject to such conditions as may be imposed thereon and shall be carried by the driver of the motor vehicle on all occasions and be produced by him on demand by a police officer or an authorised officer.

(3) An owner of a motor vehicle above ten tonnes but not exceeding 32 tonnes shall obtain an annual permit in such form as the Minister may determine to operate the said vehicle on any Federal highway.

3. Establishment of weigh-bridges

(1) The Minister may install at such locations on any Federal highway as he may determine, weigh-bridges for the purpose of weighing of vehicles in pursuance of these Regulations.

(2) An authorised officer may, if he so requires with the assistance of a police officer, at any time and for reasonable cause require a vehicle affected by these Regulations to be driven to a weigh-bridge location to have its net, gross or axle weight ascertained and the person driving the vehicle or in charge thereof shall comply with such requirement.

(3) The provisions of these Regulations shall not apply to an omnibus, being a vehicle capable of carrying a load of not less than 750 kg designed and constructed for the sole purpose of carrying passengers and their luggage.

4. Penalty

(1) No person shall cause or permit to be used on any Federal highway or thereon have charge of a motor vehicle or a trailer which is not in all respects in accordance with the provisions of these Regulations.

(2) Any person who operates a motor vehicle in contravention of these Regulations shall pay at the weigh-bridge location a penalty of ~~N~~100 and in addition, the owner shall at his own risk and expense, remove the excess load from his vehicle.

(3) Any person who fails to pay the penalty in paragraph (2) of this Regulation or who fails to comply with or acts in contravention of any provision of these Regulations shall be guilty of an offence and liable on summary conviction to a fine of ~~N~~200 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

5. Interpretation

In these Regulations, unless the context otherwise requires-

"authorised officer" means any officer in the Ministry authorised in that behalf by the Minister;

"owner" includes the agent, driver or other employee of the owner or hirer, charterer or any other person in control of the vehicle at the material time.

6. Short title

These Regulations may be cited as the Federal Highways (Permissible Weights and Weigh-bridges) Regulations.

SCHEDULE

PART I

[Regulation 2 (1).]

Permissible Maximum Weight for Motor Vehicles

Vehicle Weights

The permissible maximum weight for various categories of heavy vehicles which may be operated on a Federal highway is as specified hereunder, that is-

A. For motor vehicles and trailers in each case not forming part of an articulated vehicle, the following classes of such vehicles are permitted-

	<i>Class of vehicle</i>	<i>Permissible gross weight tonnes</i>
(a)	Two-axled vehicles-	
	(i) Where the distance between the axles is less than 2.65 metres	14
	(ii) Where the distance between the axles is at least 2.65 metres	16
(b)	Three-axled vehicles-	

Their weight shall not exceed 16 260 kilograms except as specified below:

(i)	Where the distance between the foremost and rearmost axle is at least 3 metres	18
(ii)	Where the distance between the foremost and rearmost axle is at least 3. metres and the maximum axle weight is not more than 8 130 kilograms	20

(iii) Where the distance between the foremost and rearmost axle is at least 3.9 metres and the maximum axle weight is not more than 8 130 kilograms	20
(iv) Where the distance between the foremost and rearmost axle is at least 3.9 metres and the maximum axle weight is not more than 8 640 kilograms	22
(v) Where the distance between the foremost and rearmost axle is at least 4.6 metres and the maximum axle weight is not more than 8 640 kilograms	22
(vi) Where the distance between the foremost and rearmost axle is at least 4.9 metres and the maximum axle weight is not more than 9 400 kilograms	24
(vii) Where the distance between the foremost and rearmost axle is at least 5.1 metres and the maximum axle weight is not more than 9 400 kilograms	24
(c) Vehicles with four or more axles, their weight shall not exceed 18 290 kilograms except in a case below, where the weight opposite that case shall apply-	
(i) Where the distance between the foremost and rearmost axle is at least 3.7 metres and the maximum axle weight is not more than 8 640 kilograms	20
(ii) Where the distance between the foremost and rearmost axle is at least 4.6 metres and the maximum axle weight is not more than 8 640 kilograms	22
(iii) Where the distance between the foremost and rearmost axle is at least 4.7 metres and the maximum axle weight is not more than 8 640 kilograms	24
(iv) Where the distance between the foremost and rearmost axle is at least 5 metres and the maximum axle weight is not more than 9 150 kilograms	24
(v) Where the distance between the foremost and rearmost axle is at least 5.6 metres and the maximum axle weight is not more than 9 150 kilograms	26
(vi) Where the distance between the foremost and rearmost axle is at least 6 metres and the maximum axle weight is not more than 9660 kilograms	26
(vii) Where the distance between the foremost and rearmost axle is at least 5.9 metres and the maximum axle weight is not more than 9 150 kilograms	28
(viii) Where the distance between the foremost and rearmost axle is at least 6.3 metres and the maximum axle weight is not more than 9 660 kilograms	28
(ix) Where the distance between the foremost and rearmost axle is at least 6.3 metres and the maximum axle weight is not more than 9400 kilograms	30

(x) Where the distance between the foremost and rearmost axle is at least 6.4 metres and the maximum axle weight is not more than 9 660 kilograms 30

B. For articulated vehicles, the following class of vehicles are permitted-

<i>Class of articulated vehicles</i>	<i>Inner axle spacing in metre</i>	<i>Gross weight tonnes</i>
(a) Two-axled motor vehicle with-		
(i) 1 axled trailer	less than 2.1	20
(ii) 1 axled trailer	at least 2. 1	22
(iii) 1 axled trailer	at least 3.1	24
(iv) 2 or more axled trailer	less than 2.9	24
(v) 2 or more axled trailer	at least 2.9	26
(vi) 2 or more axled trailer	at least 3.1	28
(vii) 2 or more axled trailer	at least 3.6	30
(viii) 2 or more axled trailer	at least 4.2	32
(b) Three or more axled motor vehicle with-		
(i) 1 axled trailer	less than 2	22
(ii) 1 axled trailer	at least 2	24
(iii) 1 axled trailer	at least 2.7	26
(iv) 1 axled trailer	at least 3	28
(v) 1 axled trailer	at least 4	30
(vi) 1 axled trailer	at least 4.4	32
(vii) 2 or more axled trailer	less than 2	24
(viii) 2 or more axled trailer	at least 2	26
(ix) 2 or more axled trailer	at least 2.3	28
(x) 2 or more axled trailer	at least 3.2	30

(xi) 2 or more axled trailer at least 4 32

C. Maximum weight for two closely-spaced axles-

<i>Distance between axles metres</i>	<i>Total weight tonnes</i>
less than 1.02	11
at least 1.02	16
at least 1.05	17
at least 1.2	18
at least 1.35	18.5
at least 1.5	19
at least 1.85	20

D. Maximum weight for three closely-spaced axles-

<i>Distance between outer axles metres</i>	<i>Axle weight tonne</i>
less than 1.4	3.66
at least 1.4	4
at least 1.5	6
at least 2	6.51
at least 2.55	7
at least 3.15	7.51

PART II

[Regulation 2 (1).]

Maximum Weights for Closely-Spaced Axles

Two Closely-Spaced Axles

*Distance between Axles
metres*

Permissible Combined Weight

Less than

At least

tonnes

1.0	-	11
-	1.02	16
-	1.05	17
-	1.2	18
-	1.35	18.5
-	1.5	19
-	1.85	20

Three Closely-Spaced Axles

*Distance between Outer Axles
metres*

Permissible Axle Weight

Less than

At least

tonnes

1.4	-	3.66
-	1.4	4
-	1.5	6
-	2	6.5
-	2.55	7
-	3.15	7.5
