

# Who Legislates Uganda's Speed Limits?

A Legal Analysis of Regulations and Prescription of the Speed Limits

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**ROSACU**

Road Safety Advocacy Coalition Uganda

# Abbreviations and Acronyms

**EAC** - East African Community

**WHO** - World Health Organization

**KCCA** - Kampala Capital City Authority



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# Executive Summary

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In Uganda, more than 3,600<sup>1</sup> people lose their lives in road crashes every year. Data shows that speed is among the leading causes of these crashes, yet the legislative pathways to addressing speed limits have remained unclear to policy makers and civil society advocates.

This report seeks to examine existing legal and regulatory frameworks related to the prescription of speed limits in Uganda as a road safety measure; interrogate whether local government authorities can enact a bylaw or ordinance to prescribe speed limits for different categories of roads, urban areas or specific kinds of vehicles; identify the relevant laws in Uganda that govern speed limits; and ascertain who is responsible to regulate and prescribe the speed limits in Uganda.

Top-line findings reveal a complex web of policies that sometimes lack a clear directive for ownership of speed prescription and enforcement. That said, our analysis has identified lines of authority and key guiding policies to legislate on road safety at the national and sub-national levels:

- Further, the Directorate of Engineering and Works within the Ministry of Works and Transport is responsible for the implementation of the Roads Act, 2019, including guiding the Minister in prescribing and enforcing the speed limits in Uganda; however, the Minister of Works and Transport has not operationalized the Roads Act, 2019 and exercised their authority to set limits
  - The Minister of Works and Transport may under sections 33 (2) and 52 of the Roads Act delegate this power to roads authorities in accordance with the Regulations made under the Act; “roads authorities” include Uganda National Roads Authority, designated local governments and the Kampala Capital City Authority. If delegated, the road authorities may prescribe the speed limits applicable to roads within their jurisdictions in accordance with Roads Act, 2019 Regulations. On the date of this report’s publication, these powers have not been delegated.
- The Roads Act, 2019 is the guiding legislation that governs speed-related road safety policy. Prior to its enactment, speed was regulated by the Traffic and Road Safety Act 1998, and the regulations therein empowered the Minister of Works and Transport to prescribe speed limits
  - While the provisions of 1998 legislation that empowered the Minister of Works and Transport to legislate speed were repealed, other elements of the Roads Act, 2019 state that the Minister of Works and Transport does, in fact, have the power to prescribe speed limits

## Recommendations

Based on the extensive policy analysis contained herein, the Road Safety Advocacy Coalition Uganda (ROSACU) recommends that the Minister of Works and Transport enacts speed regulations urgently under the Roads Act, 2019. As road safety stakeholders await the completion of the updated speed limit regulations, the government should consider putting in place interim policy solutions. As a short term measure, the Minister of Works and Transport should issue a directive to reduce the current speed limit to 30 km/hour in highly populated areas and school zones and local government authorities should work with the relevant authorities to enforce these speed limits in their areas of jurisdiction.

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<sup>1</sup>According to a 2020 Uganda Police Report, there were 3,663 road fatalities and 8,370 people were seriously injured.

## Introduction

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Speed limits are a critical component of traffic management and road safety. Properly set speed limits provide a safe, consistent, and reasonable speed to protect drivers, pedestrians, and motorists. Community residents often maintain concerns that traffic is moving too fast through their neighborhoods. In recent years, schoolchildren and their families across the country have demonstrated in support of a 30 km/hour speed limit in places where people learn, work, live and play. Understanding the engineering principles and processes used to set speed limits — and learning the terminology used to describe them — are the first steps in finding the best policy pathway to strengthen them and keep communities safe.

Speed limits can either be a statutory speed limit or posted speed limit. A statutory speed limit is one that is established and prescribed by an Act of Parliament specifying the speed limit on a specific type of road (e.g., highways, expressways, rural highways, or urban streets). They are enforceable by law and are applicable even if the speed limit sign is not posted.

In relation to posted speed limits, this applies in respect of a sign posted along the road and enforceable by law. Posted speed limits sometimes arise from the statutory speed limit set by an Act of Parliament; sometimes they are established by local governments or transport regulatory authority as an adjustment to the statutory speed limit. In Uganda it is a hybrid of both statutory speed limits imposed under an Act of Parliament<sup>2</sup> and posted speed limits where the traffic police or Uganda National Roads Authority may post speed limits depending on the situation on the road, for instance, during road construction and maintenance, or in case of accidents. Another example of a posted speed limit is the 40 km/hour recommended limit in Uganda's national wildlife parks to keep visitors and animals safe.<sup>3</sup>

## Background and Rationale

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Speeding is among the leading causes of road crashes in Uganda, exacting a terrible toll on crash victims and their families. Every year, speeding accounted for hundreds of road crashes. Currently, it is not clear under the Ugandan laws on who is responsible to regulate and enforce speed limits. There are numerous legal frameworks that aim to address the regulation of speed limits including the Traffic and Road Safety Act as amended, the Road Act, 2019, Kampala Capital City Authority Act, 2011<sup>4</sup> and the Local Government Act.

Speed is one of the five key road safety risk factors that Ugandan civil society organizations are advocating to have included in the current regulation review<sup>5</sup>. At the national and sub-national levels, road safety advocates and policy champions are pressing for international standards and best practices to be replicated in Uganda laws and regulations. These standards, which include a 30 km/hour speed limit where people work, live and play, would act as a basis for speed limit reduction nationwide.

This analysis was commissioned to ascertain whether local government authorities can enact a bylaw or ordinance to prescribe speed limits in respect of different categories of roads, urban areas or vehicles and to analyze the relevant laws in Uganda to ascertain who is responsible to regulate and enact and prescribe the speed limits.

By mapping these lines of authority and the policy pathways to enact national and sub-national speed limits, policy makers and advocates will have a clear understanding of the steps required to reduce speed-related death and injuries in Uganda. One of the policy pathways policymakers should commit to is updating the 2004 speed regulations so that national and local speed limits are aligned with international best practices and standards.

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<sup>2</sup>The Roads Act, 2019 and the Traffic and Road Safety (Speed Limit) Regulations, 2004

<sup>3</sup><https://www.independent.co.ug/uwa-clarifies-motor-accidents-national-parks/>

<sup>4</sup>Section 7 (k) of the Kampala Capital City Authority Act empowers the Authority to manage traffic within Kampala City area which includes prescribing speed limit.

<sup>5</sup>Centre for Policy Analysis, 2020: Political Mapping of Road Safety in Uganda, Report conducted by Centre for Policy Analysis on behalf of the Global Health Advocacy Incubator (GHAII).

## Objectives of the Consultancy

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The specific objectives of the consultancy are:

- to review all the current related legal frameworks [laws, Regulations, policies or guidelines] in Uganda that aims to address speed limit reduction
- to ascertain the powers of the Local Governments in relation to regulation and prescription of speed limits
- to develop recommendations on the regulation and prescription of speed limit by relevant authorities

## Methodology

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The following methodology has been adopted for this consultancy:

### Document Review

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Document Review in order to appreciate the contextual understanding of the prescription of speed limit as a road safety measure in Uganda, and previous researches and publications on the subject, an in-depth review of literature was conducted and that included:

- 1995 Constitution
- Traffic and Road Safety Act, Cap 361 as amended
- The Roads Act, 2019
- The Local Government Act, Cap 243
- Kampala Capital City Authority Act, 201
- The Traffic and Road Safety (Speed Limits) Regulations, 2004

### Desk Review of the Literature and Reports

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- Desk review of existing reports and literature on regulation and prescription of speed limits in Uganda
- Desk Comparative study of national laws relating to regulation and prescription of speed limits in Uganda.
- Comparative analysis of policies among East African Countries

These documents were critically analyzed to ascertain their validity and authenticity. As a result, valuable information was generated to understand previous and current policy proposals on the prescription of speed limit as a road safety measure, review mechanisms, amendments in legislation, and other data relevant to the study objectives.

# Analysis of Legal and Policy Frameworks on Regulation and Prescription of Speed Limit<sup>6</sup>

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This section discusses different laws that have been enacted in relation to regulating speed limits. Excessive speed in driving of vehicles and motorcycles has been a social and governmental issue for many years, primarily from the perspective of road safety. The analysis includes the laws of Uganda and national policies.

## **Traffic and Road Safety Laws in Uganda**

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In Uganda, a number of laws with penalties have been enacted, and enforced as a way of ensuring drivers comply with road traffic rules. The following laws relate to regulation of speed limit in Uganda.

### **1995 Constitution of the Republic of Uganda**

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The 1995 constitution does not expressly provide for the regulation of the speed limit. The Constitution embraced the principle of decentralization and under article 189, meaning that the national government can delegate decision-making authority to road authorities and local governments.

### **Traffic and Road Safety Act, Cap 361**

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The Traffic and Road Safety Act, originally adopted in 1998, generally provides for the control and management of traffic and road safety in Uganda. In relation to speed limit, section 120 of the Act used to provide for penalties for those who drive over the prescribed speed limit.

However, section 79 (3) of the Roads Act, 2019 repealed, among others sections, 120 and 131 (k) of the Traffic and Road Safety Act. Thus, currently the Traffic and Road Safety Act as amended does not provide for the regulation of speed limits. However, section 79 (4) of the Roads Act, 2019 saved the statutory instruments made under the Traffic and Road Safety Act, including the Traffic and Road Safety (Speed Limits) Regulations, 2004, until expressly revoked. These regulations will cease to exist once new Regulations are issued under the Roads Act, 2019. However, the regulations have not been issued.

### **The Traffic and Road Safety (Speed Limits) Regulations, 2004**

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In order to operationalize sections 120 and 131 (k) of the Traffic and Road Safety Act, the Minister responsible for transport enacted the Traffic and Road Safety (Speed Limits) Regulations, 2004 which were saved under section 79 (4) of the Roads Act, 2019.

These regulations specify the maximum speed limits in urban areas, trading centers or other urban areas for vehicles, including motorcycles and tricycles, in the First and Second Schedule of the Regulations. Specifically, regulation 3 provides that any person who exceeds a speed limit specified in the first and second schedule of these regulations commits an offence and is liable, on conviction, to a fine no less than five currency points and not exceeding ten currency points, imprisonment not exceeding one year, or both.

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<sup>6</sup>Summary of the laws reviewed is shown in Annex A to this study

For clarity the Schedules to regulations provide as follows:

Maximum Speed Limit in Urban Areas, Trading Centres and other Built-up Areas.		
Vehicle Type	Speed Limite (km/hr)	
Motorcars constructed to carry passengers, and motor-cycles	50	
Public Service vehicles and private omnibuses with seating accommodation for more than seven passengers exclusive of the driver	50	
Motorcars and dual-purpose vehicles that are drawing trailers	50	
Light goods vehicles	50	
Medium goods vehicles	50	
Heavy goods vehicles	50	
Tractors	40	
Tractors when drawing trailers	30	
Engineering plant	30	
Maximum Speed Limits in Rural Areas		
Vehicle Type	Speed Limit (km/hr) Paved Roads	Speed Limit (km/hr) Gravel Roads
Motorcars constructed to carry passengers, and motor-cycles	100	80
Public Service vehicles and private omnibuses with seating accommodation for more than seven passengers exclusive of the driver	80	60
Motorcars and dual-purpose vehicles that are drawing trailers	80	60
Light goods vehicles	80	60
Medium goods vehicles	80	60
Heavy goods vehicles	60	60
Tractors	40	40
Tractors when drawing trailers	30	30
Engineering plant	30	30

These Regulations need to be reviewed to provide for further categorization in respect of areas that are highly built up with high population like schools, churches, markets among others for purposes of lowering the speed limit to at least 30 kilometres per hour.



The Roads Act was enacted in 2019 and commenced on the 25th September, 2019. The Act was enacted to reform the law relating to the development, management and maintenance of public roads; to provide for the appointment of road authorities for the development, maintenance, control and management of different classes of public roads; to provide for toll roads and the imposition of road tolls on certain public roads; to provide for the classification of public roads; to provide for the declaration, control and protection of road reserves on public roads; to provide for access to public roads; to provide for axle load control on public roads; to provide for the creation of an environment section for the road sector; to provide for road safety; to provide for offences and penalties; and to make provision for related matters.

Section 33 (2) of the Roads Act empowers the Uganda National Roads Authority to control the maximum gross vehicle weights, axle loads and dimensions of permitted vehicles and impose speed limits and overloading fees in accordance with regulations made under the Act. Further, section 52 of the Act also provides that the Minister may, by regulations, prescribe the speed limits in respect of all public roads or sections of public roads.

Whereas it would appear that there seems to be an apparent conflict between section 33 (2) and 52 of the Act on the powers of the road authority and the Minister to prescribe the speed limit, when the two sections are read together and there is, in fact, no conflict. The import of section 52 is that the Minister may, through regulations, prescribe the speed limit in respect of all public roads or prescribe the speed limit of the sections of public roads and delegate to the road authority to prescribe speed limit for other roads in accordance with the Regulations issued by the Minister.

Ultimately, power to regulate and prescribe the speed limit is with the Minister responsible for roads under the Roads Act. The Minister can either choose to prescribe the speed limits for all the roads in Uganda or delegate this power to the road authority if they deem it fit under S.52 and 33(2) of the Act through Regulations.

The Minister has not yet exercised this power under section 52 of the Roads Act, 2019 to make regulations prescribing the speed limit; the regulations issued under the Traffic and Road Safety Act are still in force. The existing regulations of 2004 made under the Traffic and Road Safety Act are an interim measure to regulate the speed limit law pending the enactment of new Regulations under the Roads Act, 2019.

### **The Local Government Act, Cap 243**

The Local Government Act was enacted to operationalise the decentralisation policy. Under section 3 (1) of the Local Government Act, the system of local government is based on the district as a unit under which there shall be lower local governments and administrative units.

Section 30 of the Local Government Act provides for the functions, powers and services of a council to include those functions, powers and services with exception to those listed in Part 1 of the second Schedule to the Local Government Act. Prescription of the speed limit is not one of the functions listed in the second Schedule. The local governments powers are only limited to road services in respect of construction, rehabilitation and maintenance of roads not under the responsibility of Government. Thus Local Governments have no power to prescribe the speed limit.

However, under section 30 (1) (c) and (7) of the Local Government Act, local governments are empowered to protect the Constitution and other laws of Uganda. Accordingly, the local governments are not empowered to prescribe the speed limit within their jurisdiction under the Local Government Act, but are empowered to enforce the prescribed speed

limits under the Roads Act, 2019 within their area of jurisdiction.

Further, section 3 of the Roads Act, 2019 describes local government as a “roads authority” in the case of a road maintained by a district local government or urban local government. It also stipulates that the roads authority shall ensure road safety during development and maintenance of public roads as well as manage the use of public roads with the aim of providing safe and adequate infrastructure for road transportation. This includes prescribing speed limit in accordance with the regulations made under the Roads Act, 2019. As earlier discussed, the Minister Responsible for roads may, by regulations, delegate the power to prescribe speed limit to the road authority, which includes local governments.

Section 38, 39 and 40 of the Local Government Act empowers the council (district or lower local government council) to enact ordinances or byelaws as a legislative power. The legislative power bestowed on local governments must be exercised in accordance with the existing laws and the regulations made under the specific Act of Parliament.

Accordingly, a local government cannot enact an ordinance or bylaw that alters or contravenes an Act of Parliament — in this case, the Roads Act, 2019 or regulations made pursuant to the Roads Act, 2019 on the prescription of speed limit.

### **Kampala Capital City Authority Act, 2011**

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The Kampala Capital City Authority Act was enacted to operationalize article 5 of the Constitution. The Act establishes the Authority as the governing body of the Capital City and as such, some of its functions include regulation transport within the Capital City.

The Act further states under Schedule 3, Part A, function No. 18, that Kampala Capital City Authority will be responsible for promoting schemes of housing, health, education and road safety sensitization and section 3 of the Roads Act, 2019 describes Kampala Capital City Authority (KCCA) as a “roads authority” and stipulates that the roads authority shall ensure road safety during development and maintenance of public roads as well as manage the use of public roads with the aim of providing safe and adequate infrastructure for road transportation including prescribing speed limit in accordance with the regulations made under the Roads Act. As earlier discussed, the minister responsible for roads may, by regulations, delegate the power to prescribe speed limit to the road authority, which includes Kampala Capital City Authority.

It should be noted that section 8 and 33 of the Kampala Capital City Authority Act, empowers the Authority and Division authorities to enact Ordinances or by-laws as a legislative power. The legislative power bestowed on Authority and Division authorities must be exercised in accordance with the existing laws and the Regulations made under the specific Act of Parliament and is thus limited to the KCCA Act. Accordingly, the Authority or Division authorities cannot enact an ordinance or by-law that alters or contravenes an Act of Parliament in this case the Roads Act, 2019 or Regulations made pursuant to the Roads Act, 2019 on the prescription of speed limit.

Section 38, 39 and 40 of the Local Government Act empowers the council (district or lower local government council) to enact ordinances or byelaws as a legislative power. The legislative power bestowed on local governments must be exercised in accordance with the existing laws and the regulations made under the specific Act of Parliament.

Accordingly, a local government cannot enact an ordinance or bylaw that alters or contravenes an Act of Parliament — in this case, the Roads Act, 2019 or regulations made pursuant to the Roads Act, 2019 on the prescription of speed limit.

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<sup>7</sup>Section 7 (1) (g), (h), (i) & (j) of the Kampala Capital City Authority Act, 2011

# Review of the Existing Reports and Literature on Regulation and Prescription of Speed Limits With EAC and Commonwealth Countries

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This chapter presents the speed limit situation in the East African Community and Commonwealth countries through a review of the existing reports, programs and literature on the Regulations and prescription of speed limits.

## World Health Organization Report on Managing Speed

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Safe speed limits protect the lives of women, children and youth and contribute to a stronger and more vibrant society for all Ugandans. According to the World Health Organization Report on Managing Speed<sup>8</sup>, road transport systems have contributed enormously to the development of most countries in the world.

The report found that excessive or inappropriate speed is a key risk factor for road traffic collisions, deaths and injuries in all countries. Further, the report attributed speed to the severity of all road traffic crashes. The study revealed that the higher the speed of a vehicle, the greater the stopping distance required, and hence the increased risk of a road traffic crash. For instance, when travelling at 80 km/h on a dry road, it takes around 22 meters to react to an event (the distance travelled during a reaction time of approximately 1 second) and a total of 57 meters to come to a standstill. At 50 km/hr, it takes around 14 meters to react to an event, and a total of 27 meters to come to a standstill. The latter speed would allow a vehicle to stop in time, successfully avoiding a crash.

The finding of this study has been confirmed by other studies. For instance, Yao, Carsten, Hibberd<sup>9</sup> Yao et al<sup>10</sup>.

It should be noted that, this study conducted by WHO, Yao et al and Fildes and Lee focused on developed countries. The said studies thus fell short of data from least developed countries.

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<sup>8</sup>[WHO Report on Managing Speed](#), page 3.

<sup>9,10</sup>Yao Yao, Oliver Carsten, Daryl Hibberd, A close examination of speed limit credibility and compliance on UK roads (<http://creativecommons.org/licenses/by-nc-nd/4.0/>).

## **The Global Health Status Report, 2018**

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The Global Status Report on Road Safety 2018, launched by WHO in December 2018, indicates that whereas 169 countries – containing 97 percent of the world’s population – have set national speed limit laws, only 46 of the counties have laws that meet the practice criteria. Most are high-income countries. On this basis, the report called for the need to review the existing legislation in different countries on speed laws and specifically concentrating on three best practice criteria namely;

1. Presence of a national speed limit law
2. Prescribing urban speed limits not exceeding 50km/hr. and residential areas 30km/hr
3. Local authorities having the powers to modify speed limits to adapt to different contexts.

The report shows that typically maximum speed limits across the world are set at national levels on the initiative of roads and transport authorities, and that it would be very difficult to amend the national legislation. The WHO recommends that efforts should be directed at making provisions in the law that empower and grant local authorities power to modify speed limits. WHO also suggests that these efforts should be adapted to different contexts.

## **Road Infrastructure Assessment- Vehicle Speeds and International Road Assessment Program (IRAP) Protocols**

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The International Roads Assessment Program (IRAP) – the body responsible for road assessment programs worldwide— policy recommends that low-income countries should adopt a Safe System Approach, which is being considered by several jurisdictions globally. The approach is based on the following or similar speed environments<sup>11</sup>:

- 30 km/h speed limit is being used in built-up areas where there is a mix of vulnerable road users and motor vehicle traffic.
- Restricting approach speed limits to less than 50 km/h to reduce the likelihood of fatal side-impact crashes at intersections (it is often preferable to build a roundabout instead of installing traffic lights).
- Restricting speed limits on two-way single carriageway roads below 70 km/h, or installing median barriers to reduce the likelihood of fatalities from head-on crashes.

## **The East African Trade and Transport Facilitation Project (EATTF)**

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The EATTF Project found that for most of the EAC countries except Rwanda<sup>12</sup>, the enforcement of speed laws was weak. For this reason, the EATTF pointed out the need to harmonize speed limits for the various classes of the roads in the EAC, the penalties and fines for non-compliance with the speed laws.

The EATTF Project recommended the need to come up with a harmonized legal and institutional framework for the road transport sector in the EAC in accordance with Article 89 of the 1999 EAC treaty. The study proposed that the EAC Region adopts the following speed limits:

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<sup>11</sup>International Road Assessment Programme (iRAP) 2010, Vehicle Speeds and iRAP Protocols – Policy Position

<sup>12</sup>In Rwanda the President by decree is empowered to prescribe the speed limit. Under the Presidential Order N° 25/01 of 25/02/2015 the speed limit for public and commercial vehicles shall not exceed the speed of sixty kilometer per hour (60 km/h) and all vehicles are required to be fitted with speed governors.



- Dual carriage roads – a. rural maximum speed limit of 110km/hr
- The urban maximum speed limit of 60km/hr
- Single carriageways – a. rural 100km/hr. the maximum speed limits the urban maximum speed of 50km/hr
- Gravel roads
  1. rural maximum speed limit of 60km/hr
  2. the urban maximum speed of 30km/hr
- Schools and residential areas - Maximum speed limit of 30km/hr

The study further recommended the need for the EAC to adopt systematic enforcement of speed limits like the use of ICT to overcome the inconsistencies in the enforcement of speed limits.

The Report however does not adequately address the issue of what appropriate authority or body to set the recommended speed limits in the different EAC countries.

### **The Kampala Capital City Road Safety Strategy 2021-2030**

This strategy was developed by Kampala Capital City Authority (KCCA) to achieve a Kampala road and street network that is safe and secure for the road users, and where all people are safe from crashes as they use the roads<sup>13</sup>.

The strategy calls for the implementation of globally recommended and acceptable speed limits on the city's road network and further enforce these limits through negotiating for city zoning and setting of speed limits per zones.

#### **Analysis of Reports**

Whereas the adoption of the approaches and recommendations outlined above are likely to provide long term road safety improvement, implementation of the same policies across Uganda may be challenging because of the following:

1. Most studies point out the need to modify road designs, improve the infrastructure for the speed limits set to be effective
2. The practicability of the proposal to harmonize speed limits in the EAC or regions is challenging, given most of the roads in the region are of different designs thus enforcement of the same might be hard
3. Most of the studies and reports do not focus on or provide for the administrative challenges that arise with speed regulation, such as identifying who is responsible for legislating speed limits
4. Some of the recommendations have very high implementation costs and require high advanced technology that does not exist in low-income countries thus the practicability of the same is impossible.

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<sup>13</sup>Kampala Capital City Strategy 2021-2030 (Available on [www.kcca.go.ug](http://www.kcca.go.ug))

## Conclusion, Findings and Recommendations

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Taking into consideration the extent of speeding in most countries based on the different studies, and the impacts of speeding, there is little doubt that effective speed regulation is needed.

However, there is more to be done than merely changing the speed limit as it alone has little effect. Speed limits must be accompanied by appropriate enforcement and information measures to ensure that there is effective speed regulation.

### Findings

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From the above analysis of the legal frameworks on the regulations and prescription of the speed limits in Uganda the following are the findings<sup>14</sup>.

1. The applicable law in respect of prescribing the prescribed speed limit is the Roads Act, 2019
2. The Minister of Works and Transport responsible for roads under the Roads Act, 2019 is mandated by Regulations to prescribe the speed limit
3. The Minister responsible for roads has not exercised his power under the Roads Act, 2019 to issue comprehensive speed limit regulations; to fully operationalize the Roads Act, 2019; or grant authority to local governments to legislate speed limits
4. Local governments have no direct mandate to prescribe speed limits, though they are considered a “road authority” that can be designated to legislate by the Minister of Works and Transport
5. That the Minister responsible for roads may under sections 33 (2) and 52 by Regulations delegate the power to prescribe speed limit to the road authorities in accordance with the regulations made under the Act. The road authority includes Uganda National Roads Authority, the local governments, Kampala Capital City Authority and if delegated, then the road authority may prescribe the speed limits applicable to roads within their jurisdictions
6. That the current legal regime on prescribed speed limits is based on the type of road (paved or gravel roads) and the status of the development within the area (urban or rural) and doesn't consider other factors like population, vulnerability, existence of schools, markets, and churches, among other factors

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<sup>14</sup>Summary of findings on the reviewed law is in Annex A

## Recommendations

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Pursuant to the above findings, we recommend the following to be done by the Ministry of Works and Transport to have effective speed regulation:

### Ministry of Works and Transport

1. The Minister of Works and Transport should urgently update comprehensive regulations prescribing the speed limit to fully operationalize the Roads Act, 2019
2. While Ugandans await the development of the speed limit regulations, the Ministry of Works and Transport should in the interim issue a directive to reduce speed limit in urban areas and schools zones to 30km/hr
3. Adoption of appropriate mandatory speed limits for the different categories of roads should be made with consideration to the economic activities along the said road, such as schools, markets, central business centers, and churches. We recommend that the 30 km/hr recommendation in the East African Trade and Transport Facilitation Project (EATTF) be adopted in Uganda, which also aligns with WHO global best practice
4. The Ministry of Works & Transport should involve road authorities, including designated local road authorities, in the enforcement of speed limits
5. The Directorate of Engineering and Works, should collaborate with the Directorate of Transport Regulation & Safety to provide technical support on the development of the speed limit regulations to the Minister responsible for roads in order to ensure the prescription of speed limits for all the public roads

Taken together, the above recommendations outline a clear pathway to reduce the number of tragedies on Uganda's roads.

## References

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2. The Constitution of the Republic of Uganda.
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11. Road Safety Performance Review Uganda ([www.unece.org](http://www.unece.org))
12. The Kampala Capital City Act, 2010
13. The Traffic and Road Safety Act 1998 Cap 361
14. The Roads Act, 2019
15. The Local Government Act, Cap 243
16. The Traffic and Road Safety (Speed Limit) Regulations, 2004.



## Annex - A

### Summary of laws reviewed and the findings

No.	Law	Provisions	Responsible Government Entity	Finding
1.	The Constitution of the Republic of Uganda	article 189 6th Schedule item 16 & 16A of the 1995 Constitution of Uganda	Ministry of Justice and Constitutional Affairs	The Constitution of Uganda does not have specific provisions on the regulation of speed. It only provides for functions of the central which involve the development of transport policy that includes the policy on speed limit under road safety measures.
2.	The Traffic and Road Safety Act, 1998 as amended by Act 6 of 2020	NONE	Ministry of Works and Transport	The Traffic and Road Safety Act as amended does not provide for the regulation of speed limit as the sections that were related to speed limit prescription were repealed by the Roads Act, 2019.
3.	The Traffic and Road Safety (Speed Limits) Regulations, 2004	Regulation 2	Ministry of Works and Transport	<p>Although these regulations were enacted under provisions of the traffic and road safety Act that were revoked by the Roads, Act, the same were saved by a provision in the same Act and therefore are still in force until they are repealed or revoked expressly.</p> <p>These regulations specify the maximum speed limits in urban areas, trading centers or other build up areas for vehicles including motorcycles and tri cycles in the These speed limit prescriptions are made by the Minister.</p>

No.	Law	Provisions	Responsible Government Entity	Finding
4.	The Roads Act, 2019	Section 52 Section 33(2)	Ministry of Works and Transport and the Roads Authority i.e. Uganda National Roads Authority, the local governments, Kampala Capital City Authority	This Act is the applicable law in relation to speed limit in the country. It grants the Minister in charge of Roads to prescribe speed limits but also empowers him to delegate these powers to the road authority.
5.	The Local Government Act, Cap 243	Section 33	Ministry of Local Government	Nothing in the local government Act expressly empowers the local government to prescribe speed limits. However, the provisions therein place a duty on the local government to protect the laws of Uganda. These laws include the Roads Act, 2019.
6.	Kampala Capital City Authority Act, 2011	Section 3, 33 3rd Schedule	Kampala Capital City Authority	The Act empowers KCCA and the divisions to enact bye laws which would imply that they have powers to prescribe speed limits however this power is limited by the fact that the said laws to be made by KCCA must not contravene the laws of Uganda, for this case the Roads Act, 2019

## Annex - B

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Mapping of Stakeholders for dissemination and sensitization workshop

### **Ministries, Departments and Agencies (MDA's)**

- Ministry of Works and Transport
- Directorate of Traffic (Uganda Police Force)
- Ministry of Local Government
- Uganda National Roads Authority
- Kampala Capital City Authority
- National Information Technology Authority (NITA-U)
- Gulu Local Government Leadership (LC 5, Mayor Gulu City, CAO Gulu District)
- Members of Parliament representing the respective areas of consultation

### **Private Sector, Civil Societies and Transport Operators**

- Uganda Local Government Association
- Civil Society Coalition on Transport
- Uganda Road Accident Reduction Network Organization (URRENO)
- Uganda Road Sector Support Initiative (URSSI)
- Center for Policy Analysis (CEPA)
- Hope for Victims of Traffic Accidents (HOVITA))
- Private Sector Foundation Uganda
- Taxi Operators;(UTOFU & others)
- Bus Operators; UBOA and UBDA;
- Digital Transport Operators
- Boda - Boda riders
- Media
- Members of the general public

## Acknowledgments

This report was drafted by Spatium Advocates on behalf of the Road Safety Advocacy Coalition Uganda (ROCASU), a coalition of civil society organizations working to advance safer roads in Uganda. It was supported by the Global Health Advocacy Incubator and the Global Road Safety Partnership through the Bloomberg Philanthropies Initiative for Global Road Safety.

The Road Safety Advocacy Coalition Uganda consists of the following organizations;



AFRICAN CENTRE FOR  
MEDIA EXCELLENCE



CENTRE FOR  
POLICY  
ANALYSIS

