

Statutory Instrument 118 of 2023.

[CAP. 13:11

Road Traffic Act (Speed Limiting and Monitoring Devices)
Regulations, 2023

ARRANGEMENT OF SECTIONS

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IT is hereby notified that the Minister of Transport and Infrastructural Development has, in terms of section 81 of the Road Traffic Act [*Chapter 13:11*], made the following regulations:—

Title and date of commencement

1. (1) These regulations may be cited as the Road Traffic (Speed Limiting and Tracking Devices) Regulations, 2023.
- (2) These regulations shall come into operation on the date of publication.

Interpretation

2. In these regulations—
 - “speed monitoring device” means a device and its accessories fitted on a public service vehicle capable of monitoring the speed of such vehicle and recording or storing the data thereof;
 - “speed limiting device” means a device and its accessories fitted on a public service vehicle capable of being set to control, limit the speed of such vehicle not to exceed 100km/h;

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“operator” means anyone engaged in the business of transportation for hire and reward as provided for in the Road Motor Transportation Act [*Chapter 13:15*];

“certificate of fitness” means a certificate of fitness issued in terms of section 31 of the Road Motor Transportation Act [*Chapter 13:15*];

“inspection officer” means a person who is appointed or deemed to have been appointed as an inspecting officer in terms of section 30 of the Road Motor Transportation Act [*Chapter 13:15*];

“Commissioner” means the Commissioner of Road Transport referred to in section 3 of the Road Motor Transportation Act [*Chapter 13:15*].

Vehicles to be fitted with speed monitoring and speed limiting devices

3. (1) No person shall operate or drive on any road a passenger public service vehicle registered in Zimbabwe or a heavy vehicle with a net mass of four thousand six hundred kilograms (4 600kg) or more registered in Zimbabwe, unless both of the following devices are fitted to the vehicle—

- (a) a speed monitoring device; and
- (b) a speed limiting device limiting such category of vehicles to a speed not exceeding 100km/h:

Provided that the devices referred to in paragraphs (a) and (b) have been certified by the vehicle inspecting officer and approved by the Standards Association of Zimbabwe.

(2) No inspecting officer shall issue a certificate of fitness for any passenger public service vehicle registered in Zimbabwe or a heavy vehicle with a net mass of four thousand six hundred kilograms (4 600kg) or more registered in Zimbabwe, unless both devices referred to in paragraphs (a) and (b) of section 3(1) of these regulations are fitted to the vehicle for which the certificate of fitness should be issued.

(3) The Commissioner shall not issue an operator’s licence, route authority or any other form of licence or permit to any operator,

owner or driver of public service vehicle registered in Zimbabwe or a heavy vehicle with a net mass of four thousand six hundred kilograms (4 600kg) or more registered in Zimbabwe unless both devices referred to in paragraphs (a) and (b) of subsection (1) of section 3 of these regulations are fitted to the vehicle with effect from the date of 1st August, 2023.

(4) Notwithstanding subsections (2) and (3), those public service vehicles registered in Zimbabwe or heavy vehicles with a net mass of four thousand six hundred kilograms (4 600kg) or more registered in Zimbabwe which had not been operating without both devices fitted to them prior to 1st August, 2023, shall comply by 1st January, 2024.

Duty to maintain, comply with fitment of and efficiency of the devices

4. (1) The owner, operator or driver of a motor vehicle referred to in section 3(1) shall ensure that the speed monitoring and speed limiting devices are properly fitted and are operating efficiently at all times whenever the motor vehicle is operating or being driven on the road.

(2) The owner, operator or driver of a motor vehicle referred to in section 3(1) shall keep in a safe place for a period of not less than six months, all data and records from the speed monitoring and speed limiting devices to his or her vehicle and are subject to inspection by the inspection officer.

Offences and penalties

5. Any person who contravenes or fails to comply with sections 3 and 4 commits an offence and shall be liable, on conviction, to a fine not exceeding level 5, or to a period of imprisonment not exceeding six months or both to such fine and imprisonment.

Repeals and amendments

6. Subsections (2) and (3) of section 64 of the Road Traffic (Construction, Equipment and Use) Regulations, 2015, published in Statutory Instrument 129 of 2015, are hereby repealed.

Exemptions by Minister

7. (1) The Minister in consultation with the relevant authorities, may exempt any vehicle or class of vehicles from any provision of

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these regulations, and may impose conditions upon such exemption to ensure the safety of the public or the preservation of roads.

(2) An exemption in terms of subsection (1) shall—

- (a) be in writing, if it is given in respect of a particular vehicle; or
- (b) by notice in the *Gazette*, if it is given in respect of a class of vehicles.

(3) Any person who drives on a road a vehicle in respect of which a written exemption has been given in terms of this section shall carry such authority on the vehicle and produce it on demand by a police officer or an inspecting officer.

Savings

8. Any exemption which was granted or issued in terms of the Road Traffic Act [*Chapter 13:11*] or any other enactment, with regards certain classes of passenger public service vehicle registered in Zimbabwe or a heavy vehicle with a net mass of four thousand six hundred kilograms (4 600kg) or more registered in Zimbabwe and which was in force immediately before the date of commencement of these regulations shall continue in force as if it had been granted or issued in terms of the equivalent provision of these regulations.