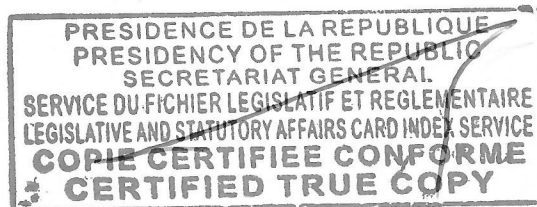


REPUBLIC OF CAMEROON  
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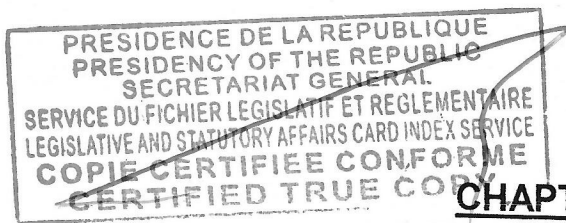
PEACE – WORK – FATHERLAND  
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LAW N<sup>o</sup> 202 2 / 00 71 OF 27 AVR 2022

RELATING TO THE PROTECTION OF THE NATIONAL ROADS  
ASSET



*The Parliament deliberated and adopted,  
the President of the Republic hereby  
enacts the law set out below:*



## **CHAPTER I** **GENERAL PROVISIONS**

**SECTION 1:** This law relates to the protection of the national roads asset of the Republic of Cameroon.

**SECTION 2:** For the purposes of this law and its implementing instruments, the following definitions shall apply:

**Road accident:** collision on the road network, between a moving motor vehicle and any other object or person, which causes human injury and/or material damage;

**Shoulder:** an area provided on a roadside, between the roadway and the ditch or embankment;

**Rest area:** an area provided along a road or motorway, where all types of vehicle may park;

**Motorway:** road specially designed and built for motor traffic, which does not serve properties bordering on it, and which:

- is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other either by a dividing strip not intended for traffic or, exceptionally, by other means;
- does not cross a road, a railway or tramway, or pedestrian walk;
- is specially sign-posted as a motorway.

**Emergency lane:** lane provided along each verge of a roadway or motorway to enable vehicles to park in case of breakdown, and emergency vehicles to move fast even in traffic congestion;

**Marginal strip:** visibility enhancing strip of land between the roadway and the edges of the right-of-way;

**Roadway:** the part of a road normally used by vehicular traffic;



**Concessionaire:** legal person to whom a road and road facilities concession has been granted;

**Driver:** any person who drives a motor vehicle or any other vehicle;

**Unloading:** operation consisting in offloading or rebalancing a vehicle in order to comply with the maximum authorized gross vehicle mass or axle load;

**Safety device:** equipment, used alone or in association, to ensure the safety of persons and goods;

**Articulated vehicle:** a combination comprising a motor vehicle and a trailer other than a semi-trailer coupled to such motor vehicle;

**Combination vehicle:** coupled motor vehicles moving on the road as a single unit;

**Axle:** rod or shaft fixed under a vehicle to support the vehicle weight, and whose ends fit into the centre of the wheels;

**Single axle:** set of 2 (two) single or paired wheels that are symmetric to the longitudinal median plane of the vehicle;

**Tandem axle:** twinning of 2 (two) single axles that are less than 2 (two) meters apart;

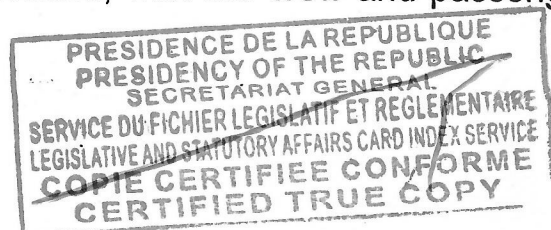
**Tridem axle:** axle group consisting of 3 (three) consecutive axles evenly spaced over a distance of less than 2 (two) meters;

**Vehicle size:** regulated vehicle dimensions or shape determining the roads a vehicle may travel on;

**Indivisible object:** an object that, for road transport purposes, cannot be divided into several shipments without incurring costs or significant risks of damage, and that, owing to its size or mass, can be transported only by a vehicle whose size or mass does not comply with the statutory limits;

**Vehicle weighing:** technical operation consisting in checking conformity to maximum authorized gross vehicle mass and axle load, as well as approved vehicle sizes;

**Laden mass:** actual mass of vehicle as loaded, with the crew and passengers or goods onboard;



**Permissible maximum mass:** maximum mass of the laden vehicle declared permissible by the competent authority of the State in which the vehicle is registered;

**Maximum permissible gross laden weight (MPLW):** weight of a single motor vehicle (carrier or tractor) or of a towed vehicle coupled to such vehicle, determined by the competent administrative services during acceptance of such vehicle and within the limit of the maximum permissible mass indicated by the manufacturer;

**Counting station:** device or equipment used to locate traffic counting places;

**Prototype:** original model possessing all the technical qualities and all the features required for the functioning of an industrial product;

**Radar:** system using electromagnetic waves to detect the position and speed of a vehicle in motion. It may be fixed or mobile;

**Trailer:** any vehicle without an engine intended to be coupled to a motor vehicle. The term includes semi-trailers;

**Road:** terrestrial right-of-way open to public traffic;

**Earth road:** unpaved public road with a surface course of loose, slightly coherent or incoherent materials, maintained and developed for traffic;

**Drainage system:** system which, when put in place in a natural or operating cavity, is intended to enable the outward flow of physiological or retained fluid;

**Road train:** combination vehicle comprising a motor vehicle coupled to a trailer or semi-trailer, with the front resting on a front axle;

**Sidewalk:** any longitudinal strip of the road materially separated from the roadway by an elevation, provided and reserved for pedestrian traffic.

**SECTION 3:** (1) The national roads asset shall comprise all national, regional and municipal road infrastructure constructed and/or maintained by the State, Regional and Local Authorities or by any natural or legal person granted a concession.

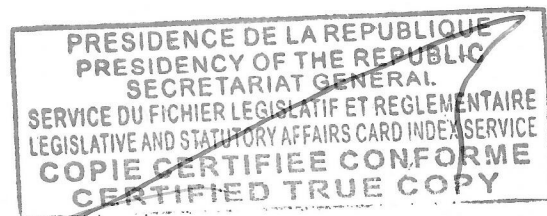


(2) The procedures for granting concessions for the maintenance of the infrastructure referred to in (1) above shall be laid down by a separate instrument.

**SECTION 4:** (1) The national roads asset referred to in Section 3 above shall comprise the road right-of-way and road facilities.

(2) The road right-of-way as defined by the laws governing State property shall include:

- the road way;
- ditches and drainage systems;
- side walks and shoulders;
- rest areas;
- marginal strips;
- embankments;
- hard shoulders.



(3) Road facilities shall include:

- civil engineering and drainage structures;
- safety and horizontal and vertical signage devices;
- communication, electrification and water supply facilities;
- weighing stations;
- toll stations;
- rain gates;
- occasional barriers;
- counting stations.

**SECTION 5:** Subject to the powers transferred to Regional and Local Authorities regarding public highway management, the construction, on a private or public basis, of any structure leading to the road right-of-way, shall require prior authorization of the Ministry in charge of State property, following the technical opinion of the Minister in charge of roads.

## **CHAPTER II**

### **NATIONAL ROADS ASSET PROTECTION MECHANISM**

**SECTION 6:** (1) The use of highways open to traffic shall be reserved for drivers of vehicles that conform to technical standards and shall comply with the instruments in force.

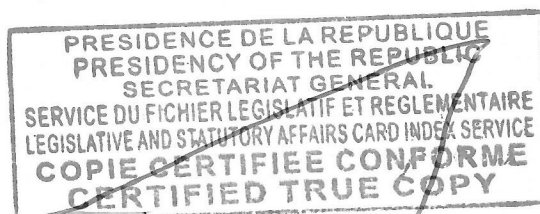
(2) The national roads asset protection mechanism shall comprise:

- vehicle technical specifications;
- vehicle traffic administrative rules;
- paved road protection mechanisms;
- earth road protection mechanisms.

## **I - VEHICLE TECHNICAL SPECIFICATIONS**

**SECTION 7:** (1) Vehicle technical specifications shall concern the following:

- maximum permissible gross laden mass;
- unladen weight;
- payload;
- axle load;
- distance between the axles;
- vehicle size.



(2) The maximum axle load must not exceed the following limits:

- single-axle vehicles ..... 13 tonnes;
- two-axle or tandem axle vehicles.....21 tonnes;
- three-axle or tridem axle vehicle.....27 tonnes;
- trailer truck comprising a tractor, a semi-trailer, one or more trailers ..... 50 tonnes.

(3) The permissible gross weight may not exceed 50 (fifty) tonnes.

(4) Where a permissible gross weight is fixed for a vehicle, the laden weight of such vehicle must not exceed the permissible limit. The load must be distributed such that the load per axle or group of axles does not exceed the loads defined in paragraph (2) above.

(5) The dimensions of motor vehicles or combination vehicles authorized to circulate, all loads included, shall be as follows:

- maximum lengths, all extensions included:
  - single vehicle: .....12 metres;
  - articulated vehicle: .....15.50 metres;

- road train: ..... 18 metres;
- maximum width: 2.50 metres, regardless of vehicle. The maximum width includes all extensions, except for rear view mirrors, clearance and direction indicator lamps;
- maximum height: 4 metres.

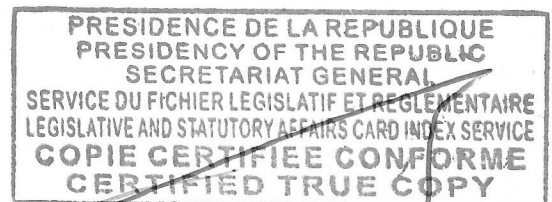
(6) The circulation of an exceptional vehicle, an exceptional convoy or an oversize vehicle shall be subject to the prior authorization of the Minister in charge of transport.

(7) The conditions for implementing the technical specifications referred to in the paragraphs above shall be laid down by regulation.

## **II- ADMINISTRATIVE RULES FOR THE CIRCULATION OF VEHICLES**

**SECTION 8:** The administrative rules relating to the circulation of vehicles shall concern the following:

- approval of new prototypes;
- periodic technical inspection of vehicles;
- exceptional transport



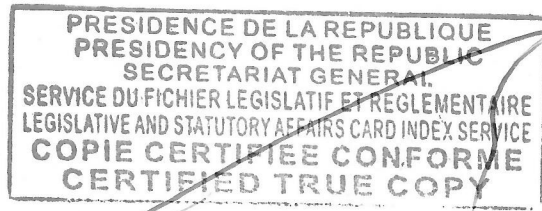
### **i- APPROVAL OF NEW PROTOTYPES**

**SECTION 9:** (1) Vehicle registration and putting on the road shall be subject to prior approval or, where applicable, attestation of conformity to a type already approved.

(2) Approval, on an individual basis, shall be required for conversions of existing vehicle types and/or for equipment modifications.

(3) The conditions for approval of vehicles shall be laid down by an instrument of the Minister in charge of transport.

**SECTION 10:** Any vehicle put on the road in violation of the provisions of Section 9 above shall be put off the road forthwith, until the approval formalities applicable to such vehicle have been fulfilled.



## ii- PERIODIC TECHNICAL INSPECTION OF VEHICLES

**SECTION 11:** (1) All vehicles must undergo a periodic technical inspection or check-up following which, a technical inspection certificate is issued certifying that the vehicle is roadworthy.

(2) The technical inspection shall concern items whose defects are likely to damage the road and motorway infrastructure or affect the safety of persons, property and/or the environment.

(3) Technical inspection shall not exempt the vehicle owner from the obligation to carry out satisfactory maintenance in accordance with the technical and regulatory requirements for putting the vehicle on the road.

(4) Criminal investigation officers and sworn officers of ministries in charge transport, road safety and roads may, where necessary, conduct occasional technical inspections in the exercise of their powers.

**SECTION 12:** (1) The detection of a defect in one of the items inspected shall result in the vehicle concerned being put off the road until repair of such item(s).

(2) Putting back a defective vehicle on the road shall be subject to the issuance of a roadworthiness certificate following a new inspection.

**SECTION 13:** (1) The roadworthiness certificate shall be kept on board the vehicle while it is travelling on the public highway.

(2) The periodicity, procedure, technical inspection costs, vehicle items to be inspected as well as the form and type of the technical inspection documents shall be laid down by an instrument of the Minister in charge of transport.

## iii- EXCEPTIONAL TRANSPORT

**SECTION 14:** (1) Exceptional transport shall refer to vehicular circulation or cargo transport not in compliance with the limits defined in Section 7 of this Law.

(2) Exceptional transport shall be subject to prior authorization by the Ministry in charge of transport.



(3) An instrument of the Minister in charge of transport shall lay down the conditions for issuing exceptional transport permits, as well as the conditions under which exceptional transport must be carried out, in particular:

- special rules for exceptional convoy traffic and categories of use;
- periods and itineraries of ban of such traffic;
- special signaling devices for exceptional convoys;
- conditions for escorting convoys;
- conditions for signalling and equipping escort vehicles.

**SECTION 15:** (1) Exceptional transport shall be subject to load control, as well as to fine payment in case of overloading.

(2) However, as appropriate, the fine payment referred to in paragraph (1) above, may be a lump sum payment, with the exceptional authorization of the Ministry in charge of roads.

### **III- PROTECTION OF PAVED ROADS**

**SECTION 16:** (1) Paved roads shall be protected through the road weighing mechanism.

(2) Vehicle weighing is a technical mechanism designed to check compliance with the standards concerning the permissible gross vehicle mass and axle load for any vehicle with a gross vehicle mass of more than 3.5 tonnes.

(3) Vehicle weighing operations shall be carried out at fixed or mobile weighing stations.

(4) The conditions for operating weighing stations shall be laid down by an instrument of the Minister in charge of roads.

**SECTION 17:** (1) Vehicle weighing shall be carried out in accordance with the following standards:

- fifty (50) tonnes maximum gross vehicle mass for a trailer-truck comprising a tractor, semi-trailer, trailer(s);
- thirteen (13) tonnes maximum load for each of the vehicle's single axles;
- twenty-one (21) tonnes maximum load for each of the vehicle's tandem axles;



- twenty-seven (27) tonnes maximum load for each of the vehicle's tridem axles.

(2) Weighing shall be carried out at fixed or mobile weighing stations using approved weighing equipment, which shall indicate the gross vehicle mass and/or axle loads.

**SECTION 18:** The equipment used for weighing operations shall be checked and scaled quarterly by the Ministry in charge of legal metrology. A certificate shall be issued for such verification.

**SECTION 19:** (1) Weighing operations shall be conducted by sworn officers of the Ministries in charge of roads, transport or, where appropriate, by a concessionnaire.

(2) Weighing stations shall be managed by mixed teams comprising personnel from the Ministries in charge of roads, transport, finance and defence or the police.

(3) Any driver of an overloaded vehicle shall be liable to a fine in accordance with this Law.

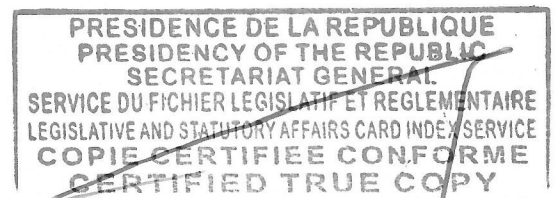
(4) Fine payment shall be accompanied by a warning letter addressed to the transporter by the Minister in charge of transport.

**SECTION 20:** The Ministry in charge of roads shall be responsible for the operation and maintenance of weighing stations and vehicle weighing equipment.

#### **IV- PROTECTION OF EARTH ROADS**

**SECTION 21:** Earth roads shall be protected by:

- rain barriers;
- occasional barriers;
- special rules.



##### **i- RAIN BARRIERS**

**SECTION 22:** (1) Rain barriers shall be exclusively set up on national, regional and municipal earth road network, the construction and/or maintenance of which



shall be carried out by the State, regional and local authorities or a concessionnaire.

(2) Rain barriers shall restrict vehicular circulation on earth roads in the wet season:

- vehicles with a gross vehicle mass of at least three and a half tonnes (3.5T) and/or;
- vehicles with an approved seating capacity of at least twelve (12).

(3) An order of the minister in charge of roads shall lay down the characteristics of a standard rain gate.

(4) A joint order of the minister in charge of roads and the minister in charge of transport shall lay down the location, as well as the conditions for setting up and managing rain gates.

**SECTION 23:** The site for setting up a rain gate shall be chosen taking into account the safety imperatives of operating personnel, users and local residents, as well as environmental protection obligations.

**SECTION 24:** (1) Rain gates shall operate during the rainy season.

(2) Outside the rainy season, they may be put into operation when climatic hazards so require.

(3) The period of operation of the rain gates shall be fixed by decision of the territorially competent Senior Divisional Officer.

**SECTION 25:** Rain gates shall be closed at the start of the rain and shall be reopened to traffic only at least 4 (four) hours after the rain ceases.

**SECTION 26:** The vehicles referred to in Section 22(2) above must, for the duration of the closure of the gate, completely clear the roadway, to give way to other users.

## **II - OCCASIONAL BARRIERS**

**SECTION 27:** (1) The Ministry in charge of roads, the relevant regional and local authority or the territorially competent Senior Divisional Officer may order the setting up of occasional gates, where circumstances so require.

(2) The authorities referred to in paragraph 1 above shall lay down the traffic conditions on the roads during the period of operation of occasional gates.

### **III –SPECIAL RULES**

**SECTION 28:** (1) Depending on the category of a road falling within their jurisdiction, the Ministry in charge of roads, the local administrative authority or the head of the regional and local authority may, each in his own sphere, limit traffic on some roads with total and/or axle loads lower than those provided for in Section 7 of this law, taking into account the characteristics of such roads and the authorized loads on the bridges.

(2) However, the following shall not be bound by the measure referred to in paragraph (1) above:

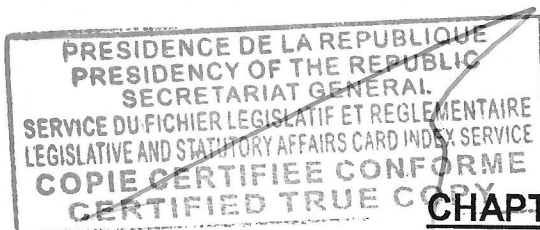
- ambulances;
- vehicles of the defence and security forces;
- fire service vehicles;
- vehicles used by electric power companies or concessionaires for the construction, control and maintenance of power lines along the road in question;
- vehicles belonging to the Ministries or regional and local authorities responsible for the construction or maintenance of the roads concerned.

**SECTION 29:** The maximum loads referred to in Section 17 above shall be subject to compliant signage, visible at approaches to and on the civil engineering structures of the said route.

**SECTION 30:** (1) A speed control radar may be installed on road sides to enforce the legal maximum speed.

(2) Fines for non-compliance with the legal speed limit, detected by radar, shall be laid down by a separate instrument.





### CHAPTER III

## ROADS ASSET PROTECTION FINANCING

**SECTION 31:** (1) A mechanism referred to as the “Road Fund” is hereby established to finance the protection of the roads asset. Its purpose shall be to:

- mobilize and collect the requisite resources to finance road and motorway project study, compensation, investment and maintenance programmes;
- finance programmes to protect the national roads asset, prevent accident and ensure safety, maintenance, rehabilitation and development of roads and motorways not under concession;
- pay for services and works eligible for this financing mechanism.

(2) The Road Fund shall comprise the following 3 (three) windows:

- “*Maintenance*”;
- “*Studies and Investment*”; and
- “*Compensation*”.

(3) Other windows may be opened, as required, by decree of the Prime Minister.

**SECTION 32:** (1) The resources of the Road Fund shall consist of the following:

- road user fees;
- share of the proceeds of the fines defined by this law;
- donations and grants;
- funds of various origins directly related to road use;
- share of the special tax on petroleum products;
- proceeds from the transit tax;
- budget allocations from ministries;
- road toll or, in case of toll concession, the concession fee;
- income from funds deposited in banks or transactions deemed profitable for the Fund.

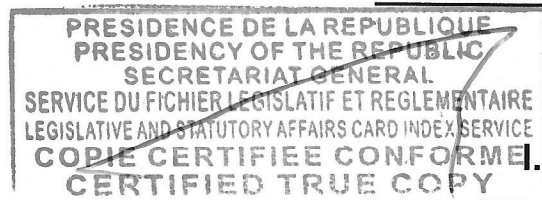
(2) The ministry in charge of finance shall ensure that the resources are accounted for at the time of collection, for the sole purpose of centralizing financial information on State revenue.

(3) The resources allocated by each ministry or by each financial partner of Cameroon must first be transferred to one of the aforementioned windows.

**SECTION 33:** (1) The resources of the Road Fund shall be intended exclusively for its functioning, the financing of the operations referred to in Section 31 above, as well as for technical, financial and accounting audits.

(2) The organization and functioning of the Road Fund, as well as conditions for the mobilization, collection, centralization and management of the resources provided for in Section 32(1) above shall be laid down by decree of the President of the Republic.

#### **CHAPTER IV** **PUNISHMENT FOR ROADS ASSET DAMAGE**



#### **I - PENAL SANCTIONS**

#### **I - GENERAL PROVISIONS**

**SECTION 34:** Where the roads asset has been damaged and the perpetrator has not been identified, the presumed perpetrator shall be the person whose name appears on the vehicle registration certificate.

**SECTION 35:** Without prejudice to the provisions of the Penal Code, the following shall be considered as violations of this law and the implementing instruments thereof:

- putting on the road a vehicle not approved or not deemed compliant with an already approved prototype;
- putting on the road a vehicle classified as off-the-road following a technical inspection or which has not undergone technical inspection;
- exceeding the authorized gross vehicle mass, exceeding the axle load and non-compliance with vehicle size;
- refusal to submit the vehicle to be weighed;
- false weight entry on the motor vehicle label or registration certificate;
- wilful destruction of road facility;
- spillage or dumping, as the case may be, of any product and/or item deemed hazardous to the highway and/or traffic;
- intentional or unintentional destruction and/or degradation of the road and/or road facility;
- unauthorized occupation of the road right-of-way;

- unauthorized crossing of a rain gate or occasional gate;
- unauthorized private construction of a structure on the road right-of-way;
- authorized private construction on the road right-of-way of a structure that is non-compliant with technical standards.

**SECTION 36:** (1) Motor vehicle owners shall be liable for the fines, damages and costs charged their employees for an offence committed in performing the duties for which they are employed.

(2) However, without prejudice to the criminal liability incurred by the driver, the court may decide that payment of the imposed fines be borne wholly or partially by the vehicle owner or the driver.

**SECTION 37:** (1) In the event of a repeat offence, the penalties provided for by this law shall be doubled.

(2) Repeat offence shall mean when, in the 12 (twelve) months preceding the offence, the perpetrator had been convicted or offered a compromise.

(3) In determining a repeat offence, fine payment shall have the same effect as first judgment.

**SECTION 38:** Notwithstanding Section 51 of the Penal Code, where several offences are committed by the same person, the pecuniary penalties provided for each offence shall be cumulative.

## **ii -MAIN PENALTIES**

### **PARAGRAPH I**

#### **OFFENCES CONCERNING PUTTING A VEHICLE ON THE ROAD**

**SECTION 39:** (1) Whoever:

- puts on the road an exceptional and unauthorized vehicle, or a vehicle that is non-compliant with an already approved prototype;
- refuses to permit his vehicle to undergo approval;
- refuses to permit his vehicle that has undergone a change of technical characteristics, to undergo a new approval;
- makes misrepresentations during approval of the technical characteristics of a vehicle, in particular the maximum gross vehicle

mass for which the vehicle is built or the permissible maximum laden mass of the vehicle combination that is obtainable from such motor vehicle,  
shall be punished with a fine of CFAF 250 000 (two hundred and fifty thousand).

(2) The fine referred to in paragraph 1 above shall be paid once for the entire road section at the station where the offence is established.

(3) The vehicle concerned may be ordered off the road.

**SECTION 40:** (1) Whoever puts on the road a vehicle that has been ordered off the road by technical inspection or which has not undergone technical inspection, shall be punished with a fine of CFAF 50 000 (fifty thousand) per vehicle.

(2) An order may be issued for the vehicle concerned to be taken off the road.

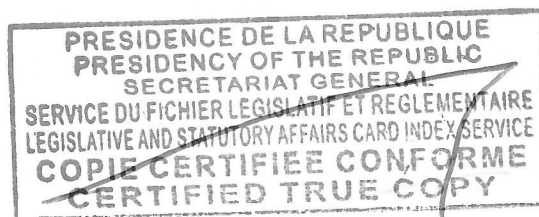
**SECTION 41:** Whoever puts on the road a vehicle that does not comply with the dimensions provided for in Section 7 of this law shall be punished with a fine of from CFAF100 000 (one hundred thousand) to CFAF250 000 (two hundred and fifty thousand).

**SECTION 42:** Failure to comply with the traffic restriction measures referred to in Section 28 of this law shall be punished with a fine of CFAF250 000 (two hundred and fifty thousand).

**SECTION 43:** Whoever puts on the road an oversized vehicle based on the dimensions of the load being transported shall be punished with a fine of CFAF100 000 (one hundred thousand).

**SECTION 44:** For the cases provided for in Sections 41 to 43 above, immobilization may be ordered against the vehicle concerned until the non-compliant aspects are corrected, at the expense of the vehicle owner.

**SECTION 45:** Whoever engages in unauthorized exceptional transport or fails to comply with the special conditions laid down under an exceptional transport authorization shall be punished with a fine of CFAF2 000 000 (two million).





Paragraph II  
OVERLOADING

**SECTION 46:** Whoever puts on the road a vehicle that exceeds the total authorized laden mass and/or axle load shall be liable to the following penalties:

- overload of less than five tonnes: fine of CFAF25 000 (twenty-five thousand) per excess tonne;
- overload of five to 10 tonnes: fine of CFAF50 000 (fifty thousand) per excess tonne;
- overload over 10 tonnes: fine of CFAF75 000 (seventy-five thousand) per excess tonne.

**SECTION 47:** (1) The fines referred to in Section 46 above shall be imposed at the weighing station and paid at the revenue office of the said station.

(2) However, in the event where weighing is carried out by mobile axle scales, the fines shall be paid at the nearest accounting post.

(3) The vehicle shall remain detained within the premises of the weighing station until payment of the full amount of the fine.

(4) After 48 hours of immobilization, the vehicle shall be impounded by the municipal council with jurisdiction.

(5) The excess shall be unloaded by and at the expense of the owner of the overloaded vehicle.

(6) Prosecution shall be terminated/discontinued where the fine is paid.

(7) Besides the fine, the ministry in charge of transport shall issue a warning letter to the transporter concerned.

**SECTION 48:** Whoever refuses to weigh shall be punished with a fine of CFAF500 000 (five hundred thousand), without prejudice to other related penalties provided for by the regulations in force.



Paragraph III  
OFFENCES RELATING TO RAIN GATES AND TEMPORARY CHECKPOINTS

**SECTION 49:** (1) The unauthorized crossing of a rain gate shall be punished with a fine of CFAF250 000 (two hundred and fifty thousand).

(2) The fine referred to in paragraph 1 above shall be imposed on the spot (at the rain gate) and paid at the accounting post closest to the rain gate.

(3) The vehicle shall remain immobilized at the place where the offence is committed until the fine is paid up.

(4) After 48 hours of immobilization, the vehicle shall be impounded at the municipality where the offence is committed.

**SECTION 50:** The unauthorized crossing of an occasional barrier shall be punished with a fine of CFAF250 000 (two hundred and fifty thousand).

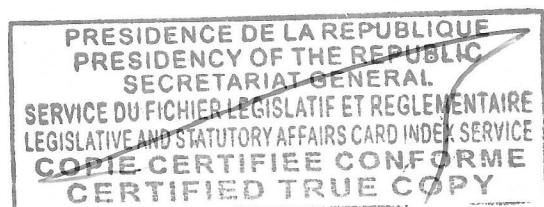
Paragraph IV  
DESTRUCTION AND UNAUTHORIZED OCCUPANCY  
OF THE ROAD AND/OR ROAD FACILITIES

**SECTION 51:** (1) Whoever damages or destroys, even unintentionally, a road and/or road facilities while carrying out works on a public highway or by driving vehicles not fitted with tyres shall be punished with a fine of CFAF300 000 (three hundred thousand) to CFAF500 000 (five hundred thousand).

(2) The cost of repairing the road damage or destruction shall be borne by the person that caused such damage or destruction either directly or through the party bearing civil liability or the insurer.

**SECTION 52:** (1) Whoever dumps or deposits, as the case may be, any product and/or item deemed hazardous to the roadway and/or traffic shall be punished with a fine of CFAF 300 000 (three hundred thousand).

(2) The cost of repairing the damage caused to the road and/or its facilities shall be borne by the person that caused such damage either directly or through the party bearing civil liability or the insurer.





**SECTION 53:** (1) Whoever:

- occupies the roadway without authorization;
- carries out private work on the roadway without authorization and/or in violation of technical standards,

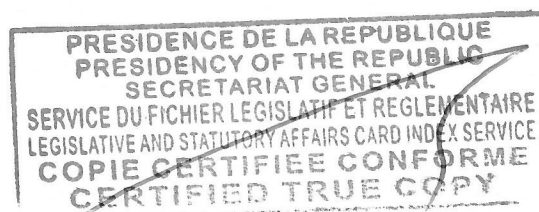
shall be punished with a fine of CFAF 250 000 (two hundred and fifty thousand).

(2) The vehicle or obstacle unlawfully occupying the roadway shall be removed at the expense of the occupier.

**iii - ACCESSORY PENALTIES**

**SECTION 54:** The supplementary penalties provided for by this law are in particular:

- immobilization;
- impoundment;
- unloading;
- suspension of transport license.



**Paragraph I**  
**IMMOBILIZATION**

**SECTION 55:** (1) Immobilization shall refer to the obligation on the driver of a vehicle, in the event of an offence provided for by this law, to keep the said vehicle on the spot or near the place where the offence is committed in compliance with parking rules.

(2) During immobilization, the vehicle shall remain under the responsibility of its driver or owner.

**SECTION 56:** Immobilization shall be ordered by criminal investigation officers or sworn officers of the concessionaire and the ministries in charge of roads and transport.

**SECTION 57:** The vehicle immobilization report shall describe the circumstances and conditions under which the measure was taken, and a copy thereof shall be sent to the ministry in charge of transport, where the offence is likely to lead to the suspension of the transport licence.

**SECTION 58:** Immobilization may be lifted only by the criminal investigation officer or the sworn officer who ordered it or by his/her superior. A copy of the release report shall be sent to the authorities and notified to the owner or driver of the vehicle concerned.

**SECTION 59:** After 4 hours of immobilization, the criminal investigation officer or the sworn officer shall convert the immobilization into municipal impoundment. An impoundment report shall be sent to the competent authorities and notified to the owner or driver of the vehicle concerned.

Paragraph II  
**IMPOUNDMENT**

**SECTION 60:** (1) Impoundment refers to the transfer of a vehicle to a place designated by the authority responsible for impoundment, where it shall be kept until the circumstances having led to it have ceased to exist. Impoundment fees shall be borne by the vehicle owner.

(2) Impoundment may not exceed 90 days. Beyond such period, the vehicle is put up for sale by public auction, in accordance with the regulations in force.

**SECTION 61:** The costs of transferring a vehicle from the place of immobilization to an impound shall be borne by the owner of the vehicle.

**SECTION 62:** The order to lift the impoundment shall be issued by the criminal investigation or sworn officer who took the measure and, where necessary, by his/her superior.

Paragraph III  
**UNLOADING**

**SECTION 63:** Unloading shall take place in a designated area of the weighing station.

**SECTION 64:** (1) Unloading of excess load shall be carried out at the expense and under the responsibility of the transporter.

(2) Goods in transit shall be unloaded in the presence of Customs officers and personnel of the Defence and Security Forces, on duty at the weighing station.



(3) The conditions for unloading excess load shall be laid down by an instrument of the minister in charge of roads.

Paragraph IV

SUSPENSION OF TRANSPORT LICENSE

**SECTION 65:** (1) In the event of overload, the chief of the weighing station shall send a copy of the offence report to the ministry in charge of roads, which shall in turn forward the same to the ministry in charge of transport.

(2) In case of repeat offence, the ministry in charge of transport shall suspend the transport license of the defaulter for a period of no more than six months.

ESTABLISHING OFFENCES AND CONDUCT OF THE PROCEDURE

ii - ESTABLISHING OFFENCES

Paragraph I

OFFICERS IN CHARGE OF ESTABLISHING OFFENCES

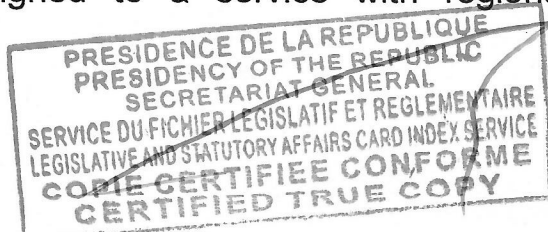
**SECTION 66:** (1) Without prejudice to the prerogatives of the Procureur General and general jurisdiction criminal investigation officers, sworn officers of the ministries in charge of roads and transport or the concessionaire, shall be responsible for investigating and establishing offences pertaining to damage to the roads asset.

(2) The officers referred to in paragraph 1 above shall take an oath before the Court of First Instance with territorial jurisdiction, at the request of the relevant ministry.

(3) The oath shall not be taken anew in the event of change of residence.

**SECTION 67:** Without prejudice to the territorial jurisdiction rules applicable to criminal investigation officers, the officers referred to in Section 66 above, shall exercise their powers throughout:

- the national territory, where they are assigned to a service with national jurisdiction;
- the region, where they are assigned to a service with regional jurisdiction;



- the administrative unit concerned by the mission, depending on whether they are assigned to a divisional or sub-divisional service.

**SECTION 68:** The sworn officers referred to in Section 66 above, shall exercise their duties in accordance with the Criminal Procedure Code.

**SECTION 69:** (1) Until evidence to the contrary, the report drafted and signed by the sworn officer shall serve as evidence of the material findings reported.

(2) In the event of destruction or occupation of the road and/or road facilities, the report shall mention the damage noted.

**SECTION 70:** (1) The Ministries in charge of roads or transport shall bear civil liability for actions of the sworn officers referred to in Section 66 above, committed in the course or in the line of duty.

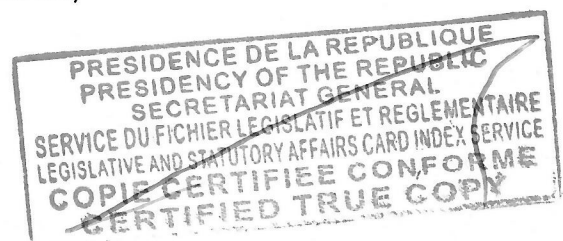
(2) They may, where applicable, exercise the right of reimbursement against the said officers.

## **PARAGRAPH II** **AUTOMATED RECORDING OF OFFENCES**

**SECTION 71:** Exceeding the permissible gross vehicle mass and/or axle load shall be determined and established by the use of weighing devices. Such devices, approved in accordance with the regulations in force, shall be installed in weighing stations.

**SECTION 72:** Weighing devices shall in particular record the following information:

- identification of the vehicle owner and driver;
- registration number of the vehicle concerned;
- vehicle departure and destination points;
- offender identification;
- product transported;
- weighing venue, date and time;
- overload level;
- fine amount;
- fine payment details.



**SECTION 73:** Where an offence is established in the course of weighing, a report of such offence shall be drawn up.

**SECTION 74:** Notwithstanding provisions of the Criminal Procedure Code, the report referred to in Section 73 above shall not require hearing the offender, or the signature thereof.

## **(II) CONDUCT OF THE PROCEDURE**

### **PARAGRAPH I** **GENERAL RULES**

**SECTION 75:** (1) Save in the cases provided for in Section 57 of this law, reports of offences on the protection of the national roads asset shall be submitted to the Ministry in charge of roads.

(2) A copy of such report shall be sent to the offender.

### **PARAGRAPH II** **SETTLEMENT**

**SECTION 76:** (1) Save in the cases provided for in Sections 43 and 45 of this law, damage to the national roads asset may be settled by way of compromise.

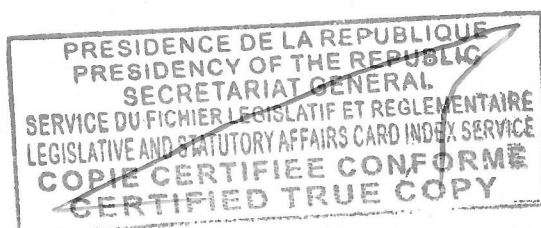
(2) Compromise shall discontinue public proceedings, subject to its effective enforcement within the allowed time frame.

(3) The compromise report shall be registered at the expense of the offender.

**SECTION 77:** In the cases referred to in Sections 41 and 51 above, the amount of the compromise shall, under no circumstances, be less than the minimum fine provided for, to which may be added, the amounts due as compensation for damage caused to the road and/or road facilities.

**SECTION 78:** The Ministry in charge of roads shall be authorized to compromise as follows:

- where the amount exceeds two million (2 000 000) francs, the compromise shall fall within the competence of the Minister;
- where the amount is less than or equal to two million (2 000 000) francs, it shall fall within the competence of officials of regional services.



**SECTION 79:**(1) The compromise report shall be signed by the relevant official of the Ministry in charge of roads and the offender.

(2) It shall specify in particular the agreed conditions and deadline for its enforcement. Such deadline shall, under no circumstances, exceed six (6) months from the date of commission of the offence.

**SECTION 80:** Any compromise concluded in violation of the provisions of Section 78 above, even if already enforced, shall be null and void. In any case, the Minister in charge of roads shall notify the offender of such nullity.

**SECTION 81:** Where a compromise concerns a fine and repair of damage to the road and/or road facility, the offender, who is the person bearing civil liability, and the insurer may intervene in the proceeding.

**SECTION 82:** All actions implementing the compromise and its enforcement shall suspend the statutes of limitations.

### **PARAGRAPH III** **PROSECUTION AND JUDGMENT**

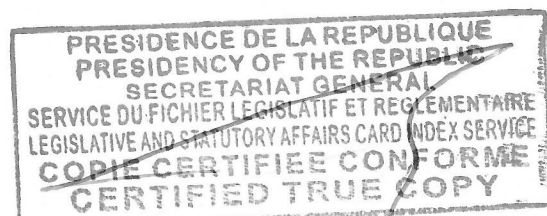
**SECTION 83:** The Ministry in charge of roads shall transmit the offence report to the State Counsel with territorial jurisdiction in the following cases:

- non-compromise;
- non-enforcement of a concluded settlement;
- expiry of the six (6) - month period from the date when the offence was committed.

**SECTION 84:** The Ministry in charge of roads may:

- file briefs and conclusions and make all observations deemed relevant in order to safeguard its interests;
- exercise all remedies provided by law.

**SECTION 85:** The Ministry in charge of roads may choose to seek compensation for damage to the road and road facilities before the competent civilian courts.





**CHAPTER V:**  
**MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS**

**SECTION 86:** (1) The provisions of this law shall apply to all vehicles in international traffic, subject to an agreement concluded between the Government of Cameroon and a State third party.

where:

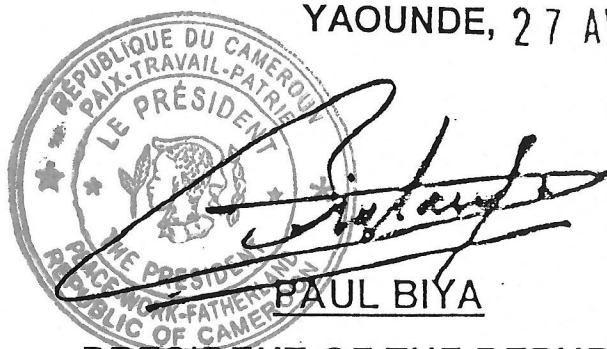
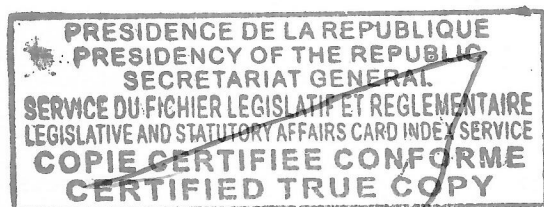
(2) A vehicle shall be considered in international traffic in Cameroon,

- it belongs to a natural or legal person whose residence is outside of Cameroon;
- it is not registered in Cameroon;
- it is in transit in Cameroon.

**SECTION 87:** The Road Fund, a public establishment operating at the date of promulgation of this law, shall continue to operate in accordance with the provisions of this law, until the funding mechanism provided for in Section 31 above is effectively put in place.

**SECTION 88:** All previous provisions repugnant hereto, in particular Law No. 96/7 of 8 April 1996 relating to the protection of the national roads asset and subsequent amendments thereto, are hereby repealed.

**SECTION 89:** This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-



YAOUNDE, 27 AVR 2022

**PAUL BIYA**

**PRESIDENT OF THE REPUBLIC**