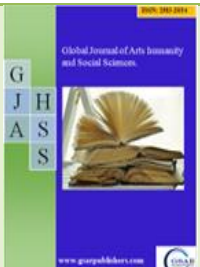


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THE INEEFICACY OF THE LAW GOVERNING ROAD TRAFFIC PENALTY AND PUNISHMENT TO ENSURE ROAD TRAFFIC SAFETY IN TANZANIA

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Abstract

This paper aims at tackling the challenges facing the inefficacy of the road traffic penalty and punishment imposed by the law to ensure road traffic safety in Tanzania. The road traffic laws are imposed to ensure road traffic safety. The road traffic penalty and punishment are imposed to make sure road traffic laws are effective implemented to deliver the purpose of ensuring road traffic safety. However, the penalty and punishment imposed by the law in Tanzania face some challenges that hinder the efficacy of the current penalty and punishment to ensure road traffic safety in Tanzania. The challenges are the insufficient fines imposed by the Road Traffic Act chapter 163 Revised Edition 2023, the corruption practice among road traffic officers, the poor roadworthiness to some vehicles especially public transportation that goes with the famous name daladala, poor infrastructure and poor maintenance of the current roads built in Tanzania. These challenges should be solved.

Keywords; road, traffic, road traffic, penalty, punishment, people, safety and road traffic safety

1.1.Introduction

The road traffic safety is the policy that has grabbed the attention of the world to ensure that road accidents are reduced to prevent injuries to the people, death to the people or damage to the properties.ⁱ Tanzania country is not backward since it has imposed road traffic laws and road traffic policy of 2009 to reduce accidents that result to the miseries in society.ⁱⁱ Road traffic penalty and punishment are imposed by the law to ensure the effective implementation of the road traffic laws and road traffic policy of 2009 to achieve the end of road traffic safety in the country.ⁱⁱⁱ

However, the road traffic penalty and punishment has been in limbo since various reports and allegation from society show that, there are increase of accidents^{iv} and repetition of some road traffic offenses by road traffic offender because of soft penalty and punishment imposed by the law, the situation that exacerbate the commission of road traffic offences without fearing anything knowing the penalty and punishment are soft, this situation endangers peoples' safety in Tanzania.^v This paper among other things, intends to discuss the nature of road traffic penalty and punishment in Tanzania, challenges facing the current road traffic penalty and punishment to deliver the intended purpose and the

possible solutions to amend the current road traffic penalty and punishment to ensure peoples' safety in Tanzania.

1.2.THE NATURE OF ROAD TRAFFIC PENALTY AND PUNISHMENT IN TANZANIA

The road traffic penalty and punishment in Tanzania is governed mainly by the *Road Traffic Act*.^{vi} This law among other things establishes various offences and punishment concerning road traffic businesses in Tanzania to ensure road traffic safety.^{vii} This article shows specifically the established offences and punishment thereto that are imposed to ensure road traffic safety for the peoples' safety and established offences and the punishment imposed thereto that are connected to the major reasons for road accidents in Tanzania that endanger peoples' safety. The following are different offences and punishments imposed by the law to ensure road traffic safety in Tanzania;

1.2.1. The Offences of Causing Bodily Injury or Death to a Person

These two offences connect themselves direct to the peoples' safety to ensure protection of the right to life imposed by the *Constitution of United Republic of Tanzania*^{viii} under Article 14.^{ix} Section 49 of the *Road Traffic Act* establishes the offence of



causing bodily Injury or death to a person via recklessly, under the influence of alcohol, dangerous driving, or over speed limit by using motor vehicles or trailer.^xSection 75(2) (a) of the Act imposes penalty and punishment to the offences established under section 49 whereby the road traffic offender will be punished to the imprisonment of the term of not less than three years and the court may add punishment or penalty of not exceeding one hundred thousand Tanzania shillings.^{xi} However, the same provision provides the punishment of imprisonment of not less than six months but not exceeding three years or to a fine of not less than two thousands Tanzania shillings but not exceeding twenty thousand Tanzania shillings if a convicted person has caused bodily injury with less severe injury to the victim of road accident as provided by the penal code.^{xii}

Furthermore, section 50 of the Act imposes the offences of causing bodily injury to a person or death to person carelessness by using motor vehicle or trailer.^{xiii}Section 75(2) (b) of the Act imposes the penalty or punishment to the offences established under section 50 of the Act, the convicted person will be liable to a penalty of not less than fifteen thousand Tanzania shillings but not exceeding fifty thousand Tanzania shillings or to a imprisonment of a term of not less than two years but not exceeding five years.^{xiv}However, the exception is provided to the offence of causing bodily injury to a convicted person when he causes such injury less severely as provided by penal code, punishment or penalty imposed is not less than ten thousand Tanzania shillings but not exceeding thirty thousand Tanzania shillings or to a imprisonment of a term of not less than two years but not exceeding five years.^{xv}

1.2.2. The Offences of Driving While under the Influence of Drinks or Drugs

These offences are among of the reasons that cause accidents in Tanzania.^{xvi}Section 53 of the *Road Traffic Act*^{xvii} establishes this offence. The provision provides to the effect that, when a person drives or attempts to drives or is in charge of a motor vehicle or trailer to a road while such person is under the influence of drinks or drugs to the extent that he cannot control the said motor vehicle or trailer, then he has committed the offence.^{xviii} Section 75(2) (b) establishes the punishment imposed by section 53 of the Act, the provision provides that a convicted person will be liable to a penalty of not less than fifteen thousand Tanzania shillings but not exceeding fifty thousand Tanzania shillings or to a imprisonment of a term of not less than two years but not exceeding five years.^{xix}

1.2.3. The Offences of Reckless or Dangerous Driving

These offences are other reasons that cause accidents in Tanzania.^{xxi}Section 51 of the *Road Traffic Act* establishes these offences.^{xxii} The provision provides that, when a person drives a motor vehicle or trailer reckless, or to a speed that may be considered to cause danger to a public or to any person on a road, then such person has committed an offence. Section 75(2) (b) establishes the punishment imposed by section 51 of the Act, the provision provides that a convicted person will be liable to a penalty of not less than fifteen thousand Tanzania shillings but not exceeding fifty thousand Tanzania shillings or to a imprisonment

of a term of not less than two years but not exceeding five years.^{xxixxiv}

1.2.4. The Offence of Speeding

This is established by section 62 of the Act.^{xxv}This is also one among of the reason that causes accidents in Tanzania.^{xxvi}Section 62 provides that, when a person drives or procures other person to drives, or abets another person to drive, or aid another person to drive, or influence another person to drive to a speed prohibited by the law by using motor vehicle or a trailer then such person has committed the offence.^{xxvii} Section 75(2) (d) establishes the punishment imposed by section 62 of the Act; the provision provides that a convicted person will be liable to a penalty of not less than ten thousand Tanzania shillings but not exceeding twenty thousand Tanzania shillings.^{xxviii}

1.2.5. The Offence of Careless or Inconsiderate Use of Motor Vehicle

Overtaking is one among of the reasons that causes accidents in Tanzania. This offence has established among other things the rules of overtaking on the road while considering others for road safety and any person who violates the established rules commits an offence.^{xxx} Section 75(2) (d) establishes the punishment imposed by section 62 of the Act; the provision provides that a convicted person will be liable to a penalty of not less than ten thousand Tanzania shillings but not exceeding twenty thousand Tanzania shillings.^{xxxix}

1.2.6. The Offence Relating to the Roadworthiness of Motor Vehicles or Trailers

Roadworthiness of motor vehicle or trailer in Tanzania is a big problem that causes accidents in Tanzania. Section 45(1) provides for the duty to the road users to make sure that their motor vehicles or trailers are in good condition to be used on the road. Section 45(5) establishes the offence of failure to ensure the roadworthiness of vehicles or trailers and a convicted person will be liable to a fine of not less than fifty thousand Tanzania shillings but not exceeding three hundred thousand Tanzania shillings or to an imprisonment of a term not exceeding three years or both penalties.^{xxxiii}

1.3. KEY TERMS REGARDING ROAD TRAFFIC PENALTY AND PUNISHMENT TO ENSURE ROAD TRAFFIC SAFETY IN TANZANIA

1.3.1. The Concept of Road

This is the way that is made to facilitate the movement of people, animals and vehicles.^{xxxiv} It can be the highway, the national road, the road on the bridge and *et cetera*.^{xxxv} However, this way does not include the way in a household.^{xxxvi} Road facilitate the everyday life of people in different activities such as political activities, social activities and business activities.^{xxxvii} Furthermore, Roads are used to connect different places including but not limited to the town and cities, neighbouring countries, district roads, national roads, village roads and *et cetera*.^{xxxviii}

1.3.2. The Concept of Traffic

This is the movement of people and vehicles on a road for everyday life.^{xxxix} People like to use mostly private cars to move from one place to another but this depend the nature of the people in a certain country and their economic capacity.^{xl} The traffic it is part of human life for their various activities including but not limited to the political issues, social issues and economic issues, therefore, traffic contributes human development.^{xli}

1.3.3. The Concept of Road Traffic

Various literatures define the concept of road traffic, this is to say that there is no single definition relating to road traffic, and however some elements from these literatures are of the same elements. The first author has defined road traffic to mean the movement of people and vehicles that has got its own system to work. The system is comprised with several things such as the road traffic laws, infrastructures, motor vehicles and *et cetera* to ensure the smooth working of road traffic.^{xlii} Another author defines road traffic to mean the movement of people, animals and properties by vehicles and the law established to regulate such movement.^{xliii} Generally, this is the movement of people, animals, vehicles and goods that is facilitated by the established road traffic laws and good infrastructure together with the authority imposed by the law to manage that road traffic business.

1.3.4. The Concept of Penalty

This is the responsibility given to a person after he has violated the laws of the land,^{xliv} therefore a person is given a duty to observe certain law in a certain domain he is subject to, the said rule establishes such duty also establishes consequence to the failure of observing such duty, the consequence is called penalty. Penalty is the consequence imposed by law after failure to observe the duty imposed by the laws of the land.^{xlv} The penalty is of two types, the civil penalty which is imposed by the law to the violators of the civil law, the violators under civil law are charged to pay compensation and there is criminal penalty when the criminal law is violated and punishment imposed thereto is mostly a sentence of a certain term of imprisonment imposed by the criminal law.^{xlvi}

1.3.5. The Concept of Punishment

When a person commits a criminal offense and prosecuted and found guilty, the court proclaim a sentence, such sentence is called punishment.^{xlvii} Therefore, punishment is the hardship or infliction that is given to a person after he has violated the penal laws by a competent court.^{xlviii} The state stands on behalf of the citizens to bring forward their claim before a competent court to commit criminal offenders to be responsible for their wrongful action or omission so that they may be subjected to the hardship or infliction so that they may be learn and the justice to be seen to have been done before the society.^{xlix}

Inter alia, there are several purposes for punishment; punishment is basing to deter criminal offenders from committing the future crime by punishing individual himself so that he may learn not to commit a crime in the future and also society may learn not to commit crime through punishing a criminal offender.¹ The second purpose of punishment is to incapacitate criminal offenders by keep them away from society and place them to a confined area

such as prison, house arrest and *et cetera* purpose to maintain peace and order in the community.^{li}

Furthermore, the third purpose is retribution that aims to prevent vengeance from society to a criminal offender, through this the criminal offender is given punishment in relation to the crime committed so that society may be satisfied that justice has been done,^{lii} the fourth purpose is restitution that aims to compensate the victim of criminal act and the last but not least is rehabilitation that aims to transform criminal offender to be the better citizens so that they may be productive to the society upon their release.^{liii}

1.3.6. Road Traffic Safety

This is the movement of people, vehicles, animals and properties carried by some means of vehicles without any accidents that may result to the death of people, or injuries or damage to properties.^{liv} The road traffic safety can be ensured through observing the road traffic laws such as the use of seat belts, overtaking in a proper manner, the use of reasonable speed permitted by the law, the roadworthiness of vehicles to be maintained, non-use of alcohol while driving and the traffic officers to enforce traffic laws impartially and to have a trait of patriotism.^{lv}

1.3.7. The Concept of People, Safety and Peoples' Safety

People are natural persons who are collectively referred to a certain group.^{lvi} They are comprised with many people from two persons and above.^{lvii} Safety is the situation whereby an individual person or more than one person is/are far away from miseries, misfortune and *et cetera*.^{lviii} Generally, in relation to the road traffic domain, peoples' safety means a situation whereby everyone in a community is far away from injuries or death that as a result of the road accidents.

1.4. THE LEGAL FRAMEWORK GOVERNING ROAD TRAFFIC PENALTY AND PUNISHMENT IN TANZANIA

1.4.1. The Constitution of United Republic of Tanzania

This is the mother law of the land whereby other laws derive their validity.^{lix} This sets standard to be observed by the legislature when enacting principle and subsidiary legislations.^{lx} Article 64(5) of the *Constitution of United Republic of Tanzania*^{lxi} solidify the supremacy of Tanzania Constitution by provide that, any other law that will be in a conflict with the constitution, then such law will be declared null and void but the constitution will prevail.^{lxii} Generally this is where road traffic laws are born.

Article 14 of the constitution provides for the right to life to everyone and protection of such right.^{lxiii} This right is connected to the road traffic realm since road traffic accidents endangers peoples' safety by causing misfortune such as bodily injury to a person or death to a person.^{lxiv} Article 17 of the constitution provides for the free movement of people within a boundary of Tanzania or outside Tanzania boundary.^{lxv} This right is also associated to the road traffic domain since road traffic domain is

direct concerned with the movement of people and vehicles on the road.

1.4.2. The Road Traffic Act

This Act provides for the control and regulation of road traffic in Tanzania.^{lxvi} It provides for the Registrar of Motor Vehicles under section 3 who keeps records of all vehicles registered and other traffic officers under section 4 that manage road traffic affairs in Tanzania.^{lxvii} The Act also provides for the official search of motor vehicles to be accessible to the all members of the public to the Registrar Office under section 5. The official search is done to the working hours and upon payment of the required fee to conduct an official search.^{lxviii}

Inter alia, part IV of the Act provides for various offences and punishment concerning road traffic affairs in Tanzania. To mention the few, section 50 of the Act provides for the offence of causing bodily injury via recklessly, over speeding, dangerous driving, a person to be under the influence of drinks or alcohol or carelessness by using motor vehicle or trailer.^{lxix} Section 62 provides the offence of over speeding, section 61(3) provide the offence of overtaking without following road traffic laws and section 53 provides for the offence of a person to drive while he is under the influence of drinks or drugs to the extent that he cannot control a motor vehicle or a trailer.^{lxx} Section 75 of the Act provides for punishment to the various offenses established by the Act and specifically under part IV of the Act.^{lxxi}

1.4.3. The Road Act

This Act provides for the road financing, development, maintenance, management and other related matters.^{lxxii} This Act applies to mainland Tanzania.^{lxxiii} This Act provides for the road management under part II of the Act whereby the management is vested to the ministry responsible for road.^{lxxiv} The ministry has got many functions such as to formulate road policy, to cause to be prepared and coordinate the implementation of roads investment and development programmes, to prepare guidelines, standards and specifications for road works and monitoring the performance of the road network, to promote and foster capacity building in road sector, to promote involvement of the private sector in development, maintenance and management of roads, to oversee and monitor road safety and environmental issues, to perform any other function as the Minister may determine and to audit or to cause auditing of the road authority in terms of financing, safety, technical and management in road works.^{lxxv}

Inter alia, section 9 provides for the TANROAD BOARD and it is comprised with a Chairman, who shall be appointed by the President from amongst persons outside the public service, not more than eight members appointed by the Minister from sectors, institutions or associations as follows: one member representing the road transport industry who shall be nominated by the transport association, one member representing local government authorities who shall be nominated by the Minister responsible for local government, one member representing Treasury who shall be nominated by the Minister responsible for finance, one member representing the Confederation of Tanzania Industries who shall be

nominated by the Confederation, one member representing the Road Fund who shall be nominated by the Roads Fund Board and one member representing the Office of the Attorney General.^{lxxvi} Furthermore, the board to include one member is representing the tourist industry who shall be nominated by the Tanzania Tourism Board, one member representing the Land Transport Regulatory Authority who shall be nominated by the Director General, and one member representing the directorate of roads from the Ministry who shall be nominated by the Permanent Secretary.^{lxxvii}

Moreover, the board has got several functions including but not limited to advising the Minister on the performance of TANROADS, approve work programmes, monitor TANROADS performance, advise on the road safety and mechanism to reduce negative environmental impact in the road network control, ensure establishment and proper maintenance of road data bank, maintain cooperation with other road authorities, ensure that TANROADS carries out research and development as necessary in support of its aims and functions, advise on the development and maintenance of a strategic framework, set priorities and annual performance targets for TANROADS, consider TANROADS annual reports and accounts and evaluate TANROADS performance.^{lxxviii}

1.4.4. The National Road Safety Policy, 2006

This policy was established for several purposes including but not limited to fostering the sustainable road safety in Tanzania in line with international accepted standards, it seeks to guide and unite all stakeholders and put emphasis on cooperation and sharing of knowledge, experience, expertise and resources, Continually reduce the occurrence and severity of road crashes and consequently the level of fatalities and injuries in an efficient and professional manner and to reduce road deaths.^{lxxix}

1.5. THE INSTITUTION FRAMEWORK

1.5.1. Land Transport Regulatory Authority (LATRA)

This is established by section 3(2) of the *Land Transport Regulatory Authority Act*,^{lxxx} to be the authority that regulates rail and road transport in Tanzania mainland. The Act repealed the Surface and Marine Transport Authority (SUMATRA).^{lxxxi} The institution was formed to ensure a competitive, quality and safe transport service in Tanzania and the authority oversees land transportation through its functions provided under section 5(1) of the Act^{lxxxii} which include but not limited to issue, renew and cancel permits or licences, establish standards for regulated goods and regulated services, establish standards for the terms and conditions of supply of the regulated goods and services, to coordinate land transport safety activities, to register crew and certify drivers of regulated, to certify worthiness of rolling stock and road worthiness of public service vehicles and goods vehicles, availability of safe, quality and standards of services and efficiency of production and distribution of services.^{lxxxiii}

1.5.2. Tanzania National Roads Agency (TANROADS)

The institution is established under via the Ministry of works, transport and communications established under section 3(1) of the *Executive Agencies Act*^{lxxxiv} through the Government Gazette notice number 293 of 2000. It is responsible for the maintenance and

development of the trunk and regional road network in Tanzania mainland.^{lxxxv} TANROAD function also is to planning and designing for quality roads constructions and maintenance of roads in Mainland Tanzania. The agency has authority to enforce differences offences and penalties for destroying of bridges, causing damage to public roads, obstruction on roads and nuisance in roads.^{lxxxvi}

1.5.3. Tanzania Rural and Urban Roads Agency (TARURA)

The agency was announced official via the Government Notice,^{lxxxvii} but it was established section 3 of the *Executive Agencies Act*.^{lxxxviii} and came into operation in 2017.^{lxxxix} This is responsible to the management of urban and rural roads in Tanzania.^{xc} It operates under ministry of President's Office Regional Administration and Local Government, responsible for management of rural and urban roads across the country aiming on improving and maintaining infrastructure social and economic activities and enhances the effectiveness in management, maintenance and development of rural and urban road as among government efforts to decentralize road management and improvement of infrastructure. The agency facilitated road maintenance and development, planning budget for construction and habitation of rural and urban road and ensure that resources allocated as intended.^{xc1}

1.5.4. The Police Force

The institution is established under section 3 of the *Police Force and Auxiliary Service Act*.^{xcii} Section 4 of the Road Traffic Act provides for the road traffic officers that manage road traffic affairs in Tanzania.^{xciii} Section 4 of the *Police Force and Auxiliary Service Act*^{xciv} provides for the ranks of police force to include from the higher rank to the lower rank specification, the Inspector-General, Commissioner, Deputy Commissioner, Senior Assistant Commissioner, Assistant Commissioner, Senior Superintendent, Superintendent, Assistant Superintendent, Inspectors-Inspector, Assistant Inspector, Non-Commissioned, Officers-Sergeant Major, Staff Sergeant, Sergeant, Corporal, Constables-Constable, Recruit, and Police Cadet.^{xcv} Generally, this institution via the road traffic section manages all affairs regarding road traffic matters and the institution enforces road traffic laws to ensure road traffic safety in Tanzania.

1.5.5. The Judiciary

This institution is established by the *Constitution of United Republic of Tanzania*.^{xcvi} Article 107A of the constitution provides that, the judiciary is the final organ in dispensation of justice in the United Republic of Tanzania.^{xcvii} The *Road Traffic Act* imposes various offenses and punishment that are determined by a competent court in the United Republic.^{xcviii} Generally, road traffic penalty and punishment are determined before the competent court except for strictly liability imposed by the road traffic officers.^{xcix}

1.6. CHALLENGES FACING INEFFICACY OF THE ROAD TRAFFIC PENALTY AND PUNISHMENT TO ENSURE ROAD SAFETY IN TANZANIA

1.6.1. The Insufficient Fines Imposed by the Road Traffic Act to the Various Road Traffic Offences

The road traffic fines that are imposed by the Road Traffic Act are soft to the extent that the road traffic offenders repeat the same mistakes while expecting little fines imposed by the law.^c Sometimes, many of the road traffic offenders in Tanzania admit easily the offence they have committed since they are aware of the soft punishment imposed by the law. In the case of Seif Salim Abdallah v. Republic^{ci}, at this case the criminal offender admitted the act that he has committed while expecting little punishment. He was fined fifty thousand shillings as the penalty for the reckless driving he has caused by the trial court. At the appeal, the court underlined the same penalty.

On the same token, in the case of Elizabeth Evarist Moshi (as administrator of the estate of the late Pius Theodory Bajunaki) v. Julius Samweli Mollel and Angela Rasiel Kweka¹, the trial court fined the criminal offender fifty thousand shillings to the offence of causing death to person carelessness by using motor vehicle.^{cii} This is to demonstrate how penalty and punishment imposed by the road Traffic Act is soft and not just to the society and to deter the road traffic offenders to commit future crime.^{ciii} Dr. Francisco Damas in his article opines that, the road traffic penalty and punishment are not sufficient to deter road traffic offenders to commit road traffic offenses and this does not ensure road traffic safety in Tanzania.^{civ}

1.6.2. The Implementation Problem by the Road Traffic Officers

There is a problem of corruption that is circulating in road traffic affairs that contributes to the poor implementation of road traffic penalty and punishment in Tanzania.^{cv} The road traffic officers are bribed by the road users to escape punishment and sometime road traffic officers need corruption from road users. This does not ensure the effective implementation of road traffic penalty and punishment in Tanzania. Furthermore, the law imposes the duty to the owners of vehicles to maintain the roadworthiness of their vehicles but there is a poor implementation to inspect roadworthiness to the vehicles due to corruption problem.^{cvi}

1.6.3. The legal Illiteracy to Different People about Road Traffic Laws

In Tanzania, some people learn driving on the street against the law, whereby they are learning via unrecognized individuals. As a result they drive without knowing road traffic laws and without a licence. This makes unprofessional individuals on the road.^{cvi} The road Traffic Act prohibits the driving without licence under section 24 and provides the manner of any person to learn driving but still

¹ In the High Court of the United Republic of Tanzania, Dar Es Salaam Sub Registry, Civil Case NO. 4329 OF 2024, (reported at tanzlii), pg. 15

some people violating the rules imposed by the Act. This also is another reason for road traffic accidents in Tanzania.^{cvi}

1.6.4. The poor Infrastructure

This is another reason that causes road traffic accidents in Tanzania a part from the road traffic penalty and punishment imposed by the law. Some roads in Tanzania are narrow and poor and there is poor maintenance to the roads that are already established in Tanzania. Mr. Samuel Kavishe through the Daily Newspaper in 2021 he alleged that there was a pothole that was small on the road and he used to pass through that pothole through his car, but there was a time he was almost got an accident because pothole increased.^{cix} This shows that roads are not maintained regularly the situation that cause accidents in Tanzania.

1.7.CONCLUSSION AND RECOMMENDATION

1.7.1. The Parliament to amend Road Traffic Act and change the Current Fines to Deter Road Traffic Offenders

The Act to amend the current fines since many of them are soft and they have failed to deliver the intended purpose of ensuring road traffic safety in Tanzania. Through the deterrence theory to the road traffic affairs, the theory provided that, the soft punishment to the road traffic offences does not ensure the effective deterrence to the road traffic offences and in albeit it make road traffic offenders lazy not to repeat the same mistakes.^{cx} Hence, the amendment of the road traffic fines that are soft and the introduction of new fines that will not be soft, it will ensure road traffic safety in Tanzania.

1.7.2. The Road Traffic Act to be Amended and to Provide Motivation to the Road Users and Police Officers to Deter Corruption Practice

The Act does not provide motivation to the road users such as pedestrian and drivers together with the road traffic officers to deter the corruption practice. The law should imposes the motivation of money to a person who will report a person either a driver who will want to give corruption to escape punishment or a police officer who will want corruption to make a road traffic offender to escape punishment. The money awarded should be derived from the person committed the corruption offense and the pardon to be awarded to the driver of motor vehicle who will report a police officer who wanted to receive corruption after the commission of road traffic offense. This will make fear among them and hence it will reduce road traffic accidents in Tanzania.

1.7.3. The Government to Allocate Resources to continue advancing Infrastructure

The government of Tanzania should allocate enough resources in advancing road infrastructure and to allocate resources for regular maintenance of the established roads in Tanzania. This will ensure the quality roads that will reduce accident in Tanzania and it will also contribute to the social-economic development in Tanzania.

1.7.4. Conclusion

The road traffic is a major means that contributes much to the development in a country since people and goods depend on road to move from one place and another by using different means of transportation. This movement of people and goods sometimes

face with the accidents that may either be caused by the human errors or the accident may be caused by the natural factors that are beyond human capacity. The road traffic laws should be sufficient to provide for the rules to be observed by the road users in order to ensure the road traffic safety. The road traffic rules imposed by the law should include sufficient penalty and punishment to ensure effective implementation of these rules for road safety in Tanzania.

ⁱ NDOZERO, Mossi (2024), *The Legal and Practical Relevancy of Human Rights in Tanzania Road Traffic Laws*, *East Africa Journal of Law and Ethics*, Vol 7, number 1, pg. 161-169

ⁱⁱ FRANCISCO, Damas & DEVOTHA, Kabambo (2024), *Analysis of the Legal and Institutional Framework on Road Traffic Laws in Combating of Road Accidents in Tanzania*, *Global Journal of Arts Humanity and Social Sciences* ISSN: 2583-2034, Volume-4 Issue-12

ⁱⁱⁱ National Road Safety Policy, 2009

^{iv} Tanzania Police Force (2024), *Crime and Traffic Incidents Statistics Report*, Police Headquarter, Dodoma. Page 35

^v Ibid

^{vi} CAP 168, [R.E. 2023]

^{vii} Ibid

^{viii} CAP 2, 1977 as amended time to time

^{ix} Loc cit, see Ndozero Article

^x See section 49(1) and section 49(2) of the Road Traffic Act, CAP 168, [R.E 2023]

^{xi} CAP 168, [R.E 2023]

^{xii} Ibid

^{xiii} CAP 168, [R.E 2023]

^{xiv} Ibid

^{xv} Ibid

^{xvi} Ibid, see Tanzania Police Force Report above

^{xvii} CAP 168, [R.E 2023]

^{xviii} Ibid

^{xix} Ibid

^{xx} Ibid

^{xxi} Loc cit, see Tanzania Police Force Report above

^{xxii} CAP 168, [R.E 2023]

^{xxiii} Ibid

^{xxiv} Ibid

^{xxv} Ibid

^{xxvi} Tanzania Police Force (2024), *Crime and Traffic Incidents Statistics Report*, Police Headquarter, Dodoma. Page 35

^{xxvii} CAP 168, [R.E 2023]

^{xxviii} Ibid

^{xxix} Ibid

^{xxx} See section 61 of CAP 168, [R.E 2023]

^{xxxi} CAP 168, [R.E 2023]

^{xxxii} Ibid

^{xxxiii} Ibid

^{xxxiv} RAGAB, Osama (2016), *Types of Roads &Roads Components*, retrieved from https://www.researchgate.net/publication/294522255_Types_of_Roads_Road_Components, accessed on 10th August 2025

^{xxxv} LAY, M.G (2009), *Handbook of Road Technology*, Gordon and Breach Science Publishers, pg. 3

^{xxxvi} Chapter 168 [R.E. 2023]

^{xxxvii} Loc cit, see RAGAB, Osama Article above

^{xxxviii} Loc cit, see LAY, M.G Article above

^{xxxix}

https://uomustansiriyah.edu.iq/media/lectures/5/5_2021_09_21/10_01_07_PM.pdf accessed on 10th August 2025

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https://www.researchgate.net/publication/355460049_Evaluation_of_the_basic_characteristics_of_the_traffic_flow_by_mathematical_analysis accessed on 10th August 2025

^{xli} RAGAB, Osama (2016), *Types of Roads & Roads Components*, retrieved from

https://www.researchgate.net/publication/294522255_Types_of_Roads_Road_Components, accessed on 10th August 2025

^{xlii} FRANCISCO, Damas & DEVOTHA, Kabambo (2024), *Analysis of the Legal and Institutional Framework on Road Traffic Laws in Combating of Road Accidents in Tanzania*, Global Journal of Arts Humanity and Social Sciences ISSN: 2583-2034, Volume-4 Issue-12

^{xliii} <https://www.dictionary.com/browse/traffic> accessed on 7th August 2025

^{xliv} <https://www.legalbriefai.com/legal-terms/penalty> accessed on 10th August 2025

^{xlv} Ibid

^{xlvi} Ibid

^{xlvii} VAN GINNEKEN, Esther (2016), *The pain and purpose of punishment: A subjective perspective*, Howard League for Penal Reform, pg.3

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