

is a real risk or possibility of obstructing such road or endangering persons using it shall be guilty of obstructing or endangering the free movement of traffic and liable to pay to ZINARA, for the benefit of the Road Fund, a fine not exceeding level 5.

(2) Any person found loitering at a tolling point for the purposes of trading of any form, hawking, hitch-hiking, prostitution or any solicitation shall be guilty of an offence and liable to pay to ZINARA, for the benefit of the Road Fund, a fine not exceeding level 3.

(3) In the event of a breakdown or otherwise, any vehicle that remains on the tolling point booth or blocks use of any tolling booth for a period exceeding 30 minutes shall be subject to a penalty of the applicable toll fee for such a vehicle for every 15 minutes it remains blocking the tolling point or part thereof.

(4) ZINARA or the Vehicle Inspectorate Department acting on behalf of ZINARA shall be authorised to tow away any vehicle obstructing the free movement of traffic at a tolling point to the nearest Vehicle Inspectorate Depot and recover the cost of such towing from the vehicle.

(5) ZINARA or the Vehicle Inspectorate Department acting on behalf of ZINARA shall be authorised to tow away any vehicle parked at any tolling point for a period exceeding 48 hours to the nearest Vehicle Inspectorate Depot and recover the cost of such towing from the vehicle owner.”.

IT is hereby notified that the Minister of Transport and Infrastructural Development has, in terms of section 6 of the Toll Roads Act [*Chapter 13:13*], made the following regulations:—

1. These regulations may be cited as the Toll Roads (National Road Network) (Amendment) Regulations, 2021 (No. 13).

2. The Toll Roads (National Road Network) Regulations, 2009, published in Statutory Instrument 39 of 2009 (hereinafter referred to as the “principal regulations”), are amended by the insertion of the following definition in section 2—

““by-pass” means a road falling within a radius of one kilometre that avoids a road tolling point;”.

3. The principal regulations are amended by the insertion of the following after section 3—

*“Prohibition of tolling point by-pass*

3A. (1) No private road falling within a radius of one kilometre shall be used as a by-pass to a tolling point whether for a fee or not.

(2) Unless otherwise authorised by the Minister, no person shall collect toll fees or any amount on any road within a radius of one kilometre from a tolling point.

(3) Any person who utilises or allows the use of his or her private road as a by-pass shall be guilty of any offence and liable to pay to ZINARA, for the benefit of the Road Fund, a fine not exceeding level 5.

(4) ZINARA or the Department of Roads acting on behalf of ZINARA shall be authorised to close or barricade any by-pass roads.

*Obstructing the free movement of traffic at tolling points*

3B. (1) Any person who leaves or places on or over any road, at a tolling point, anything with the intention or realising that there

is a real risk or possibility of obstructing such road or endangering persons using it shall be guilty of obstructing or endangering the free movement of traffic and liable to pay to ZINARA, for the benefit of the Road Fund, a fine not exceeding level 5.

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