1.1 REPUBLIC OF ZIMBABWE

1.1.1 Legal

1.1.1.1 **International Law**

- Section 327(2) of the Constitution “International conventions, treatise and agreements” provides that an International treaty which has been concluded or executed by the President or under the authority of the President does not bind Zimbabwe until it has been approved by Parliament and does not form part the law of Zimbabwe unless it has been incorporated into the law through an Act of Parliament.

- Section 327(3) of the Constitution also provides that an agreement which is not an international treaty does not bind Zimbabwe until it has been approved by Parliament.

- Parliament may, by resolution, declare that any particular international treaty or class of international treaties does not require approval under subsection (2) provided that no withdrawal or appropriation of funds shall be required from the Consolidated Revenue Fund or any modifications of the law of Zimbabwe shall be required, Section 372(5).

- Line ministry initiates the negotiations for an international agreement, with the approval of the Minister;

- After agreement has been reached on the content, it is submitted to the Minister together with an explanatory memorandum, for submission to the Attorney-general to check for constitutionality;

- The Agreement is then submitted to Cabinet Committee on Legislation (CCL) for approval;

- The Minister of Justice, Legal and Parliamentary Affairs as the head of the CCL submits the Agreement to Cabinet for approval;

- The line Ministry then submits the Agreement to Parliament after Cabinet approves, for ratification, signing or accession;

- Parliament then recommends to the President for signing, ratification or accession;

- The last step is to deposit the agreement at the UN and any regional entity where it has to be deposited.

1.1.1.2 **Domestic Law**

a) **Primary legislation**¹ (acts of Parliament)

- A minister in charge of a bill first puts his proposal to the Cabinet, which examines it, ensuring that it is in line with government policy and does not violate any provision of the Constitution of Zimbabwe.

- If the proposals are accepted, the minister is directed to prepare a layman’s draft of the Bill.

- The Legal Drafting Department in the Attorney-General's office then prepares a Draft Bill which is printed for presentation and consideration by the Cabinet Committee on Legislation chaired by the Minister of Justice, Legal and Parliamentary Affairs.

- After its approval by Cabinet, the Bill is published in the Government Gazette at least two weeks before its introduction in Parliament.

¹ Induction Workshop for New Researchers and Committee Clerks, Zimbabwe
Stages of a Bill in Parliament

- After gazetting, the bill is referred to a Portfolio Committee of Parliament which looks into the functions of the Ministry responsible for administering the Bill.
- The Portfolio Committee conducts public hearings with members of the public especially interest groups, to enable them to make an input.

First Reading: Prior to the First Reading, the minister gives notice in either of the two Houses of his intention to present a bill. On the appointed day the minister presents the Bill by reading the long title. No debate takes place at this stage which is the formal introduction of the Bill before the House.

- The Bill is referred to the Parliamentary Legal Committee in terms of the Constitution and Standing Orders to determine whether, if enacted, the Bill would be in contravention of the Declaration of Rights or any other provision of the Constitution.

Second Reading: At the second reading stage, the Minister explains the principles of the bill. The Parliamentary Portfolio Committee presents its report containing its findings and recommendations. The debate on the Bill then ensues.

- The Bill is then read a second time. If any amendments are proposed to the bill, the House may refer the Bill back to the Committee to prepare the necessary amendments for the Committee Stage in the Committee of the Whole House.

Committee Stage: The whole House forms a committee for the purpose of considering the Bill in detail clause by clause. The guiding principle is that the committee should make such amendments in the Bill as may seem likely to render it more acceptable. The Committee, however, should make sure that it does not amend the Bill in a manner that is in conflict with the principles of the Bill.

Report Stage: This is a purely formal stage where the Chairman of the Committee of the whole House reports the recommendations made to the bill and these are either accepted or rejected, thus ensuring that the Bill represents the opinion of the majority of the House.

Third Reading: At the Third Reading Stage, debate may take place, as at the Second Reading, on the principles of the Bill. However, no new issues which were not raised during the Second Reading may be raised. The Third Reading is the final stage and the Bill can now be said to have been passed by the house in which it was introduced. It is then transmitted to the lower or upper house whichever is the case (the House into which it was not introduced).

Presidential Assent: When a Bill has been duly passed in terms of the provisions of the Constitution or the requirements of the Standing Orders and signed by the Clerk of Parliament, it must be presented to the Head of State for assent within twenty-one days in terms of the Constitution. The President grants his assent by authenticating a copy of the Act with his signature and attaches the public seal. If the President withholds his assent, he must return the Bill to Parliament.

Enrolment of an Act: After Presidential assent the Clerk of Parliament must cause the authenticated copy of the Act to be enrolled on record in the office of the Registrar of the High Court and such copy will be conclusive evidence of the provisions of such Act. The Act will come into operation on date published in the Government Gazette on agreement.

b) Subsidiary laws (regulations)

- The line ministry, with the approval of the Minister, prepares draft regulations.
The regulations are published for comment.

Some principal acts provides for regulations made under it, to be tabled in Parliament.

Under the Constitution, the Parliamentary Legal Committee (PLC) is required to examine every statutory instrument published in the Gazette with a view to determining if it is consistent with the Constitution.

If the Senate resolves to accept the PLC’s opinion, the clerk of Parliament reports to the president, who must repeal the provision forthwith.

Any such resolution must be made within 21 sitting days after the Senate resolves to accept an adverse opinion of the PLC.

If the PLC present a favourable report, the regulations are published and come into effect.

1.1.2 Institutional

Ministry of Transport and Infrastructural Development: Is responsible for transport policy regarding all modes and oversight over public entities. For Road Transport, the operational functions are performed by the following departments:

- Central Vehicle Registry (CVR): vehicle registration and production of driving licence cards
- Vehicle Inspection Department (VID): vehicle fitness inspections, learner and driver testing, overload control, law enforcement and maintenance of weighbridges
- Road Motor Transportation (RMT): operator licences, route authorities, bilateral permits, COMESA carrier licence and foreign operator licences
- Department of Roads (DOR): plan, design, construct, maintain, rehabilitate and manage or cause to be constructed, maintained, rehabilitated or management of any road in Zimbabwe.

Zimbabwe National Roads Administration (ZINARA): is responsible -

- In consultation with the Minister and the responsible Minister of Finance, to fix road user charges and to collect such charges or any other revenue of the Road Fund comprising:
  - Toll Fees,
  - Vehicle Licence Fees,
  - Abnormal Load Fees,
  - Road Transit Fees, and
  - Fuel Levy.
- To assist the Minister in setting maintenance, design, construction and technical standard and to monitor adherence to such standards by Road Authorities;
- To allocate and disburse to road authorities funds from the Road Fund in accordance with rules prescribed by the Road Administration;
- To audit the use of funds from the Road Fund by the Authorities and to ensure that disbursed funds are utilised for the purpose for which they are intended and in accordance with rules prescribed by the Road Administration;
- To monitor implementation of road maintenance works by Road Authorities; and
To assist Road Authorities in making annual or multi-year road maintenance rolling plans.

**Traffic Safety Council of Zimbabwe (TSCZ):** was established by the Traffic Safety Council Act (Chapter 13:17), became operational in August 2000 and is responsible for the promotion of road safety and for setting standards for driving schools and driving testing.

**Standards Association of Zimbabwe (SAZ):** is responsible for the drafting and publication of technical standards.

**Zimbabwe Revenue Authority (ZIMRA):** is responsible for the collection of taxes, customs and excise duties.

### 1.1.3 Vehicle Load Management

There are 23 vehicle inspection depots spread throughout Zimbabwe and most of these are equipped with a static weighbridge for the purpose of overload control. These depots are also responsible for technical fitness inspections of vehicles and the testing of drivers for licensing purposes. Most of these depots are within municipality boundaries and not on the main regional roads with high heavy vehicle traffic. Suspected overloaded vehicles have to be diverted to inspection depots for weighing which is neither effective nor efficient as such vehicles have to be escorted to the depot to ensure that the load is not corrected or part of the load offloaded before the vehicle reaches the depot. Overloaded vehicles should not be allowed to continue inflicting further damage to the road on the way to the depot, but the load must be corrected or off loaded before the vehicle continues its journey.

Only the weighbridges at the following locations are next to the road:

- Kadoma
- Birchenough Bridge (2 scales have been installed, one on each side of the bridge)
- Lion’s Den

The following border posts are equipped with weighbridges in order to prevent overloaded vehicles from entering the country:

- Nyamapanda
- Mutare
- Beitbridge
- Plumtree
- Victoria Falls
- Chirundu

Further weighbridges have been proposed at the following locations:

- Forbes border post
- Bindura
- Chitungwiza
- Kazungula
It is recommended that Zimbabwe review the number and location of its weighbridges in accordance with the RWBLP methodology.

### 1.1.3.1 Policy Reforms

Although VID and not the Zimbabwe Republican Police perform overload enforcement, overload offences in Zimbabwe have not been decriminalised. The Road Traffic (Construction, Equipment and Use of Motor Vehicles) Regulations of 2015, determines in regulation 9(1) that a vehicle may not be used on the road unless its axle configuration complies with the First Schedule to the Regulations. The First schedule also determines loads in relation to the configurations. Regulation 87 determines that a person, who transgresses regulation 9(1), is guilty of an offence and liable, on conviction, to a fine not exceeding level five, or to a period of imprisonment not exceeding six months or both to such fine and imprisonment. It is not clear how various reports perused came to the conclusion that the overload offence in Zimbabwe has been decriminalised. Loads on vehicles are regulated in terms of the Road Traffic (Axle Load) Regulations, 1993, issued by Statutory Instrument No. 106 of 1993. In Terms of regulation 7 of these Regulations, the overload fee is paid to a vehicle inspector or other person designated by the Secretary.

A level five penalty, in terms of Statutory Instrument 112 of 2002 Criminal Procedure and Evidence (Standard Scale of Fines) Notice, 2002, attracts a fine not exceeding Zimbabwe$ 20 000. In accordance with the Traffic Fines List of Zimbabwe, 2015, the overload fines are as follows:

- 1-50kg: $10
- 51-200kg: $15
- 201-400kg: $20
- + 400kg: court

As the above fines are being represented in Zimbabwe dollars, they are outdated and according to officials, the most anybody will currently have to pay is US$5 000.00. These overload fees are not calculated in accordance with the VLM MOU.

### 1.1.3.2 Harmonisation

The overload fee in Zimbabwe is charged at the rate of US$0.50 per every kilogram overloaded.

- **Legal load limits**: the limits are in line with the Tripartite load limits but there are mistakes in the schedule to the Regulations that need to be rectified. In addition, the Regulations regulate axle configurations and are not clear the load limits are being regulated.

- **Legal definitions in relation to vehicles and vehicle load management**: Not harmonised.

- **Demerit points and overload fees**: There is no penalty points system in operation in Zimbabwe but Section 83A of the Road Traffic Act makes provision for Regulations to be published to specify a demerit points system. A non-compliant transporter is made to pay an overload fee in terms of Road Traffic (Axle-loading) Regulations 1993, SI 106 of 1993 administratively. However, the regulations did not also decriminalise the axle-loading offences but officers do enforce fees administratively.

- **Electronic payment**: There is no electronic payment system in Zimbabwe whereby fines can be paid remotely using a debit/credit card on the internet, an electronic fund transfer (EFT) or cell phone payments such as mpesa, instead of paying cash at the road side or by point of sale (POS) at a VID depot or RMT office.
1.1.3.3 Regional VLM Requirements

The establishment of the Vehicle Load Management Working group at the Tripartite level is a function of the Tripartite, as well as the regional network of weighing stations, the regional performance audits, the regional weighbridge operations and procedures manual and the exchange of information. As these are functions of the Tripartite which need to be initiated by the Tripartite, Zimbabwe’s function in this regard is to ensure its participation in the regional programme.

1.1.3.4 Weighbridge Certification, Verification and Maintenance

The Trade Measures Act Chapter 14:23, provides for calibration, certification, verification and maintenance of any measuring equipment. VID is issued with certificates for each weighbridge valid for 12 months. There is however no cross reference to any standard in accordance with which the equipment need to be calibrated.

1.1.3.5 Performance based system

There is no performance-based Road Transport Management System in Zimbabwe.

1.1.3.6 Liability for overload offences

In terms of section 72 of the Road traffic Act, the operator or the registered owner of the vehicle with which the offence has been committed, is liable to pay the overload fine.

1.1.3.7 Reciprocal Recognition

The Road Traffic (Construction, Equipment and Use of Motor Vehicles) Regulations of 2010 do not provide for reciprocal recognition.

1.1.3.8 Tolerance

A 5% tolerance is allowed for axles, up to the 56-tonne limit.

1.1.3.9 Training

There is a training centre in Belvedere, Harare which trains officers on vehicle load management, vehicle inspection and driver testing.

1.1.3.10 Transitional provisions of the VLM MOU

The VLM MOU has not yet been signed, but Zimbabwe can embark on the process of harmonising its domestic legislation in accordance with the VLM MOU.

1.1.3.11 Implementation Framework

Zimbabwe will have to develop an implementation framework for the VLM MOU in accordance with that of the Tripartite.

1.1.4 Baseline requirements for Vehicle Standards

1.1.4.1 Equipment on Vehicles

Road Traffic (Construction, Equipment and Use) Regulations, 2015, incorporate some standards, such as the “Safety Belt (Central African Standard 223-1982) or refers to approval by the Standards Association of Zimbabwe. However, the standards agreed on by the Tripartite have not been incorporated into the
Zimbabwe legislation. The Regulations will have to be reviewed and the relevant Tripartite-agreed standards must be incorporated and enforced.

1.1.4.2 Vehicle Dimensions and Regulations

Maximum Length:
- Articulated vehicle: 18.5m
- Bus-train: 20m
- Combination of vehicles: 22m
- Any vehicle or combination of vehicles not mentioned above: 12.5m.

Maximum width of vehicles:
- 2.65m

Maximum Height of vehicles:
- General: 4.6m
- Omnibuses: 3.2m (unless the vehicle has a tilting certificate from the manufacturer or an authority recognised by the Standards Association of Zimbabwe (SAZ))
- Trailer-bus: 3.7m

1.1.4.3 Loads on vehicles

Steering axle:
- 8 tonne

Single axle:
- 10 tonne

Tandem axle:
- 18 tonne

Tridem axle:
- 24 tonne

Combination of motor vehicles:
- 56 tonne
1.1.4.4 Transport of Dangerous Goods

The SAZ published a draft code of practice in relation to the transport of liquid fuels with regard to the operation requirements of tankers. This draft code of practice incorporates the standards that have been agreed on by the Tripartite. It unfortunately will only apply to liquid fuels once it is finalised.

1.1.4.5 Testing of Vehicles for Roadworthiness

VID performs vehicle inspections at 23 depots throughout Zimbabwe. A number of testing stations are equipped with automated test equipment imported from Japan and Germany and the inspectors of vehicles have initially been trained on the equipment in the respective countries. There are no private vehicle testing stations in Zimbabwe.

There is no formal registration and grading process for vehicle inspectors but following apprenticeship of 3 years to become journeymen motor mechanics, officers are trained by VID for a period of 12 months before appointment as vehicle inspectors. The training covers the legislation and vehicle technology in accordance with the following standards:


The testing procedures are aligned with SADC and Japan as most of the vehicles in Zimbabwe are from Japan.

Vehicle fitness testing is required under the following circumstances:

- Public service passenger vehicles to be tested every 6 months
- Goods vehicles with GVM above 3 500kg to be tested annually
- Certain imported used vehicles are tested before being registered for the first time
- Home built vehicles must be tested before being registered for the first time
- Scrapped or deregistered vehicles must be tested before being registered again

No compulsory testing is required at a change in ownership of a vehicle.

When a vehicle is found to be roadworthy a manually completed certificate of fitness (COF) is issued in respect of the vehicle. The disc is cut from the sheet and displayed on the windshield of the vehicle – see Figure 1.

In the case of a light vehicle being inspected for purpose of registration, the certificate of fitness is presented together with the application for registration of the vehicle. However, since the particulars of the certificate are not captured on a computerised system, verification of compliance in respect of a valid COF for goods and passenger vehicles is only performed visually by law enforcement officers of the Zimbabwe Republican Police and VID at weigh stations by inspection of the COF disc.
1.1.4.6 Evaluation of Vehicle Test Station

There is no standard or separate inspection unit for the evaluation of testing stations in Zimbabwe as the SADC standards relating to vehicle testing stations and vehicle inspections have not yet been domesticated.

1.1.5 Baseline Requirements for Driver Standards

1.1.5.1 Driving Licence Categories

Zimbabwe implemented only the following 5 broadly defined driving licence categories:

- 1 – Omnibus
- 2 – Heavy Vehicle (Goods)
- 3 – Motor Cycle
- 4 – Light Motor Vehicle (Goods/Passenger)
- 5 - Other motor vehicles (Construction, Tractors, etc)

These categories are matched to the Definitions included in the Baseline Requirements in the table below (equivalent Baseline Code stated in brackets):

<table>
<thead>
<tr>
<th>Licence Category</th>
<th>Definition</th>
<th>Pictograph</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (D1)</td>
<td>Motor vehicles used for the carriage of persons and having more than 8 seats but not more than 16 seats in addition to the driver’s seat; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.</td>
<td><img src="image" alt="Pictograph" /></td>
</tr>
<tr>
<td>Licence Category</td>
<td>Definition</td>
<td>Pictograph</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>1 (D1E)</td>
<td>Motor vehicles in category D1 above combined with a trailer having a maximum authorised mass exceeding 750kg.</td>
<td><img src="image1" alt="pictograph" /></td>
</tr>
<tr>
<td>1 (D)</td>
<td>Motor vehicles used for the carriage of persons and having more than 16 seats in addition to the driver’s seat; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.</td>
<td><img src="image2" alt="pictograph" /></td>
</tr>
<tr>
<td>1 (DE)</td>
<td>Combination of motor vehicles consisting of the tractor vehicle in category D above and its trailer has a maximum authorised mass exceeding 750kg.</td>
<td><img src="image3" alt="pictograph" /></td>
</tr>
<tr>
<td>2 (C1)</td>
<td>Motor vehicles whose maximum authorised mass is over 3 500kg but not more than 16 000kg; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.</td>
<td><img src="image4" alt="pictograph" /></td>
</tr>
<tr>
<td>2 (C1E)</td>
<td>Combination of motor vehicles consisting of the tractor vehicle in category C1 above combined with a trailer having a maximum authorized mass exceeding 750kg.</td>
<td><img src="image5" alt="pictograph" /></td>
</tr>
<tr>
<td>2 (C)</td>
<td>Motor vehicles whose maximum authorised mass is over 16 000kg; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.</td>
<td><img src="image6" alt="pictograph" /></td>
</tr>
<tr>
<td>2 (CE)</td>
<td>Combination of motor vehicles consisting of the tractor vehicle in category C above and its trailer(s) a maximum authorised mass exceeding 750kg.</td>
<td><img src="image7" alt="pictograph" /></td>
</tr>
<tr>
<td>3 (A1)</td>
<td>Light motorcycle without a sidecar with a cubic capacity not exceeding 125cm$^3$ or propelled by electrical power, or vehicle having pedals and engine or electrical motor.</td>
<td><img src="image8" alt="pictograph" /></td>
</tr>
<tr>
<td>3 (A)</td>
<td>Motorcycle without a sidecar, with a cubic capacity exceeding 125cm$^3$</td>
<td><img src="image9" alt="pictograph" /></td>
</tr>
<tr>
<td>3 (B1)</td>
<td>Motor powered tricycles and quadricycles.</td>
<td><img src="image10" alt="pictograph" /></td>
</tr>
<tr>
<td>4 (B)</td>
<td>Motor vehicles with a maximum authorised mass not exceeding 3 500kg and having not more than 8 seats in addition to the driver's seat; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.</td>
<td><img src="image11" alt="pictograph" /></td>
</tr>
<tr>
<td>4 (BE)</td>
<td>Combination of motor vehicles consisting of the tractor vehicle in category B above and its trailer(s) a maximum authorised mass exceeding 750kg.</td>
<td><img src="image12" alt="pictograph" /></td>
</tr>
<tr>
<td>5 (restriction)</td>
<td>Other motor vehicles, Construction, Tractors, etc</td>
<td><img src="image13" alt="pictograph" /></td>
</tr>
</tbody>
</table>

It is noted that the vehicle categories implemented in Zimbabwe have been defined only in very broad terms, which is not only in accordance with best practice to allow a driver only to drive a vehicle of similar
size and capacity to the one in which he/she was tested, but are not compliant with the Baseline Requirements.

Furthermore, the category 5 together with the tractor permit provided for in the Road Traffic Act should be a vehicle restriction limiting the licence holder to tractors and/or industrial/agricultural equipment only in accordance with the Baseline Requirements rather than a separate authorisation to drive a tractor or construction vehicle. In this manner the size of the tractor in respect of which the applicant was tested can be matched to the categories B, C1 and C, instead of passing the driving test for example on a small tractor and then be allowed to drive very large tractor.

1.1.5.2 Driving Licence Card

The driving licence card complies with neither the SADC nor the baseline required vehicle categories and format.

![Figure 2: Driving Licence Card issued by CVR](image)

In addition, the following is noted to be non-compliant with the Baseline Requirements:

- Number notation of entries on the front of the licence must be added.
- Pictograms for driver and vehicle restrictions should be used.
- Driver should obtain another learner’s licence to confirm his/her knowledge of the Highway Code and undergo a vision test before being allowed to apply for a driving licence of another vehicle category, instead of being allowed to use the current driving licence as a learner’s licence as stated on the back of the card.
- Driving licence should not be issued for an indefinite period.

1.1.5.3 PrDP

Tripartite members may issue a second document in respect of the PrDP authorisation instead of endorsing same on the driving licence, provided that it is clearly stated that the PrDP is not a driving licence and must be accompanied by a valid driving licence. However, the endorsement of the professional driving permit on the back of the card does not comply with the SADC Agreement.

An example of a PrDP issued in Zimbabwe is shown in Figure 3 below.

![Figure 3: PrDP issued by CVR](image)
Furthermore, the following is noted to be non-compliant with the Baseline Requirements:

- No Dangerous Goods category of PrDP.

1.1.5.4 Training and Testing of Drivers and Professional Drivers

Driving schools and driving instructors are formally registered and the Traffic Safety Council of Zimbabwe (TSCZ) is mandated by the Act to inspect and register driving schools and driving instructors. In addition to the Highway Code, TSCZ published the Student Driver’s Handbook which sets out the training curriculum and 15 work plan modules for the student with an assessment section for the instructor at the end of each work plan module. Driving schools and instructors are expected to train their students in accordance with these publications and the provisions of the Road Traffic Legislation.

It is currently not a requirement in Zimbabwe for a person who wishes to obtain a learner licence or a driving licence to be trained by a driving school, but TSCZ is giving consideration to the introduction of such requirement.

Learner and driver testing is performed by VID at all 23 depots in Zimbabwe. The learner test is comprised of a multiple choice questionnaire and the applicant is expected to complete 20 questions in 8 minutes. Oral tests are performed in the case of illiterate applicants. An applicant for a learner licence must be at least 16 years of age. A learner’s licence is issued to applicants who have passed the theory test. It takes the form of a pre-printed document that is manually completed by the officer who conducted the testing and is valid for a period of 12 months. A photograph of the holder is displayed on the learner’s licence – see Figure 4.

![Learner’s Licence issued by VID](image-url)
The manually completed learner's licence is not a secure document and prone to alteration and falsification. This problem is exacerbated by the fact that the details of learner licences issued are not recorded on a computerised register. Furthermore, the classes of motor vehicles listed on the document are not in compliance with the Baseline Requirements.

The practical driving test commences with a yard test during which the applicant has to prove that he/she is capable to perform the 4 basic functions, namely reversing, parallel parking, three point turn and hill start (from a stationary position on an incline whilst employing the handbrake), before proceeding to drive in live traffic. A manually completed certificate of competency valid for 30 days is issued to applicants who have passed the practical test, which allows the holder to drive while awaiting the production of the driving licence card at a central manufacturing facility – see Figure 5.

The validity period of the certificate of competency is currently administratively extended beyond 30 days as the production process of the metal driving licence card cannot achieve the production rate required by the increased volumes of driving licences authorised for issuing in Zimbabwe today. CVR is giving consideration to replace the metal card by a durable plastic card in order to meet the desired production demand for driving licences.

![Figure 5: Certificate of Competency issued by VID](image)

The minimum ages of applicants for driving licences are as follow:

- Light vehicles – 16 years of age
- Goods vehicles with GVM of less than 10 tonnes – 18 years
- Goods PSV – must have been driving for at least 5 years
  - All goods vehicles above 10 tonne irrespective of for hire and reward.
- Passenger PSV – 25 years of age, at least 5 years of continual driving and must hold a certificate in defensive driving from TSCZ
  - Passenger vehicles with seating for 8 persons or less for hire and reward only
  - All passenger vehicles with seating for more than 8 persons irrespective of hire and reward

An applicant for a driving licence to drive a PSV vehicle must submit an affidavit confirming a 5 year driving experience. The maximum age for a PSV driver (goods and passengers) is 70 years.

The driving licence is currently valid for an indefinite period, but consideration is given to introduce a 5 year validity, which is regarded as a best practice to perform a regular eye test in confirmation of the minimum visual acuity of the driver.

A medical certificate has to be submitted by all PrDP applicants. A physical road test is performed in all cases for both Goods and Passenger PrDPs.

No Dangerous Goods PrDP certification is performed by VID. A private sector entity, Environmental Management Agency (EMA), performs training and issues a certificate to the driver which the driver has to carry in the vehicle when transporting dangerous goods. The EMA also polices compliance with the requirements. However, no details regarding this training/competency certification are recorded on the driver register.

The application and issuing of a PrDP is recorded on the driver register for the details to be endorsed on the back of the driving licence card as "PSV Compliant" or "Retest" together with the date as the PSV is renewable every 5 years irrespective of the fact that the driving licence validity is indefinite. A new driving licence card is issued with every renewal of the PSV endorsement.

### 1.1.6 Baseline Requirements for Compliance and Law Enforcement

#### 1.1.6.1 Road Transport Management System (RTMS)

There is no Road Transport Management System in Zimbabwe (self-regulatory or performance based system).

#### 1.1.6.2 Enforcement Procedures for Foreign Operators and Drivers

Zimbabwe does not distinguish in its enforcement processes between foreign operators/drivers and local operators and drivers. Road traffic offences had not been decriminalised. However, according to officials, overload offenders have to pay their fines before they are allowed to proceed onto the road. This process could not be substantiated by perusing the legislation.

Road traffic enforcement is performed by the Zimbabwe Republic Police. In addition, inspectors of VID perform enforcement in respect of vehicle fitness and overload offences. Municipalities perform bylaw enforcement only, which is limited to parking and ranking facilities for passenger service vehicles.
1.1.7 Exchange of Information

1.1.7.1 System

Zimbabwe uses several stand-alone systems to support the functions that the various entities are required to perform. The systems are as follow:

Vehicle Registration System

The vehicle registration system is used by CVR to perform the following functions:

- Vehicle registration
- Assign registration numbers and plates
- Change in ownership

Vehicle Licensing System

The vehicle licensing system is an Oracle based system developed by business partners on a PPP basis and used by ZINARA to perform the following functions:

- Vehicle licensing
- Duplicate licence disc

Driving Licence Card Production System

The Card Production System is used by CVR to perform the following functions:

- Record certificate of competency issued by VID
- Production of the driving licence card
- Record PSV (PrDP) endorsements and production of new card
- Production of duplicate card

RMT System

The RMT System is an MS Access developed data repository used by RMT to capture approved applications for printing of the following licences and permits:

- Operator’s licence
- Route authority
- Bilateral permits
- COMESA carrier licence
- Foreign operator licence
1.1.7.2 Registration of vehicles

Similar to the practice followed by most of the SADC members, a single vehicle registration certificate (registration book) is issued in Zimbabwe which records both the owner and vehicle details. Vehicle registration is performed on the Vehicle Registration System by CVR at any of its 35 offices.

Before an imported vehicle can be registered in Zimbabwe,

- Customs clearance has to be issued by Zimbabwe Revenue Authority (ZIMRA), and
- Police clearance has to be issued by the Zimbabwe Republic Police, which is a manually completed document.

In addition the owner submits identification, proof of address and confirmation of third party insurance to CVR. An application form is only used for the first registration or in the case of a built-up vehicle. Upon payment of the registration fees, the registration book in Figure 6 is manually completed.

A registration number is assigned, linked to the VIN of the vehicle for the life of the vehicle and the number plates together with a 3rd number plate is issued to the owner. Personalised plates are available upon payment of an additional fee. Since the number plates are provided by CVR, there are no number plate manufacturers in Zimbabwe.

An application for a duplicate registration book should the original have been lost, is also made to CVR. In the case of a lost or damaged number plate, the owner applies for new set of number plates as no replacement plates are available and a new registration number is assigned to the vehicle. Since the registration number is recorded on the registration book, a new registration book is also manually prepared by CVR.

Change of ownership is performed using the registration book as application since the name of the buyer is recorded in the registration book and both the seller and the buyer signs the registration book before submitting same to CVR.

Upon recording the change in ownership on the Vehicle Registration System:

- a new registration number is also assigned to the vehicle,
- new number plates are issued, and
- a new registration book is manually prepared by CVR in the name of the buyer.
Figure 6: Vehicle Registration Book issued by CVR
1.1.7.3 Licensing of Vehicles

The licensing of vehicles is performed by ZINARA on the Vehicle Licensing System. The annual vehicle licence fees are based on the tare (nett mass) of the vehicle and the licence expires on an annual basis. Penalties are charged in the event of late renewal (after the licence already expired). Example of such disc is shown in Figure 7 below.

![Vehicle licence disc issued by ZINARA](image)

Figure 7: Vehicle licence disc issued by ZINARA

Due to the fact that registration and licensing are performed on 2 separate systems and the ZINARA a person other than the owner allow to apply for the renewal of a vehicle licence on behalf of the owner, all instances of a change in ownership are not recorded on the Vehicle Registration System. The buyer would simply receive the registration book from the seller of the vehicle and continue to renew the licence of the vehicle annually without applying for the registration of the change in ownership of the vehicle and without obtaining a new registration number, together with new number plates.

Consequently there is a lack of synchronisation between the database of the Vehicle Registration System and that of the Vehicle Licensing System. On 19 May 2016 there were approximately 700 000 vehicles on the vehicle register and only 497 256 vehicles on the database of the vehicle licensing system.

1.1.7.4 Registration of Operators

RMT is responsible for the registration of operators at its Harare office and a small satellite office in Bulawayo. The process encompasses the following steps:

- Application and issuing of Operator Licence (common to both domestic and cross border transportation)
  - Application form
  - Bank statement
  - Tax clearance
  - Garage inspection report of maintenance arrangements, confirmed by VID
  - Schedule of drivers, to be confirmed by CVR

Upon payment of the fee and issuing of the Operator Licence, the vehicles are taken to VID for fitness inspection and issuing of COFs in accordance with the nature of the operations – passenger or goods – see Figure 1 for combined Operator's Licence and Vehicle Certificate of Fitness Disc.
In the case of a domestic goods operator, the Operator Licence is sufficient and the operator may proceed provided that the vehicles display the COF discs.

In the case of a cross-border goods operator, the operator has to apply for the relevant permit Bilateral, COMESA or SADC and submit the following:

- Operator Licence
- Vehicle registration book of all vehicles involved
- COF of all vehicles involved

Upon payment of the fee the appropriate permits are issued extra territorial – without the involvement of the foreign countries involved.

In the case of a domestic passenger service, the operator has to apply for route authority:

- Operator Licence
- Vehicle registration book of all vehicles involved
- COF of all vehicles involved
- Passenger and vehicle insurance
- Route, fare and time table schedule
- Letter of support from local municipality for intra town/city service

Upon payment of the fee the appropriate permits are issued.

Figure 8: Route Authority issued by RMT
In the case of a cross-border passenger service, the operator has to apply for the appropriate taxi or bus permit:

- Operator Licence
- Vehicle registration book of all vehicles involved
- COF of all vehicles involved
- Passenger and vehicle insurance
- Route, fare and timetable schedule

Upon payment of the fee the details of the application is forwarded to the country to which the service is intended for information or condonation as the case may be in accordance with the bilateral agreement before the appropriate permits are issued.

The goods permits are not route based but the passenger permits are.

RMT is responsible for the registration and issuing of operator licences to foreign operators from countries with whom Zimbabwe have not entered into any agreement. The duration of such Foreign Operator Licences vary from 14 days to 84 days with increased fees payable in accordance with the duration of the validity of the licence.

The current operator registration process in Zimbabwe includes elements of the proposed provisions of the MCBRTA such as the registration of an operator before the issuing of any permits, the inspection of the maintenance facilities and verification of the list of drivers, but is not compliant and will require a number of changes when the MCBRTA is signed and implemented in Zimbabwe.

1.1.7.5 Offence and Accident Register

No computerised system is currently used for law enforcement in Zimbabwe. Both officers of the Zimbabwe Republic Police and the VID inspectors issue handwritten notices to drivers, the copies of which are submitted to the office for record keeping.

Accidents are reported to the Zimbabwe Republic Police who attend to the scene of a serious accident and complete a Traffic Accident Book in respect of such accident. The completed Traffic Accident Books are recorded in a Traffic Accident Book Register at each police station from which statistical information of the number of accidents and fatalities is compiled.

When minor accidents are reported by the public to a police station, a RT64 form is completed to enable the vehicle owner to claim from the insurance, but these are not recorded in the Register.

1.1.7.6 Summary

The status quo in respect of the computerised systems and registers currently operational can be summarised as follows:

<table>
<thead>
<tr>
<th>No</th>
<th>Register</th>
<th>Computerised System</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Vehicles</td>
<td>Vehicle Registration System in use for registration only, but registration book is manually completed – not compliant with baseline requirements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vehicle Licensing System in use for licensing only and prints the licence disc, but for a link that has recently been introduced, no integration with Vehicle Registration System.</td>
</tr>
<tr>
<td>2</td>
<td>Vehicle fitness</td>
<td>Issuing of vehicle certificate of fitness and disc is manual process and not recorded on any system – not compliant with baseline requirements.</td>
</tr>
<tr>
<td>No</td>
<td>Register</td>
<td>Computerised System</td>
</tr>
<tr>
<td>----</td>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3</td>
<td>Drivers and professional drivers</td>
<td>Learner licence and competency certificate is manually issued. Card Production System is used for central production of metal driving licence cards. Not compliant with baseline requirements.</td>
</tr>
<tr>
<td>4</td>
<td>Driving Codes</td>
<td>Not compliant with the baseline requirements.</td>
</tr>
<tr>
<td>5</td>
<td>Driver Training</td>
<td>Formal driver training by driving school not required, but training curriculum prepared for driving schools.</td>
</tr>
<tr>
<td>6</td>
<td>Operators</td>
<td>RMT System is used to capture approved applications for printing of the licence or permit for domestic and cross border permits – not compliant with baseline requirements.</td>
</tr>
<tr>
<td>7</td>
<td>Overloading</td>
<td>None of the weighbridges are computerised and are not compliant with baseline requirements.</td>
</tr>
<tr>
<td>8</td>
<td>Law Enforcement</td>
<td>No computerised system is used for administration of offences. Statistics prepared by Zimbabwe Republic Police from manual entries in register. Not compliant with baseline requirements.</td>
</tr>
<tr>
<td>9</td>
<td>Online Processing from all Offices</td>
<td>No online access to vehicle, driver or operator registers from remote offices. Weighbridges not computerised. Law enforcement manual process.</td>
</tr>
<tr>
<td>10</td>
<td>Online System Integration</td>
<td>Although a link has been introduced between the vehicle registration, vehicle licensing and insurance systems, the required level of systems integration has not been introduced.</td>
</tr>
</tbody>
</table>
1.1.8 Cross-Border Transportation

1.1.8.1 Corridor Management

The major trade corridors traversing Zimbabwe are the following (see Figure 9):

- North South Corridor
- Beira Corridor

![Figure 9: Major trade corridors traversing Zimbabwe](attachment:image)

1.1.8.2 Cross-Border Permits & Customs Procedures

Since all foreign goods and passenger vehicles participating in cross border transportation are required to have permits in terms of SADC, COMESA, bilateral agreements or a foreign operator licence, no operator registration or "temporary importation permits" in respect of such vehicles are required by Customs Services of the Zimbabwe Revenue Authority.

The information in respect of foreign vehicles, drivers and operators will be accessible on TRIPS to law enforcement officers, VID, CVR and RMT. It is therefore suggested that Customs Services may also access and verify particulars relating to foreign operators, vehicles and drivers (if the need arises) on TRIPS.

1.1.9 Regional Weighbridges

1.1.9.1 Location

The RWBLP identified a new regional weighbridge at the road side where currently there is only the weighbridge VID depot for vehicle inspections at:

- Harare on the North-South Corridor – see Figure 10, and
- Harare on the Beira Corridor – see Figure 11.
Figure 10: North South Corridor

Figure 11: Beira Corridor
1.1.9.2 Design

None of the weighbridges in Zimbabwe are computerised and the axle mass loads and gross mass is simply read from the scale display by the VID staff operating the weighbridge and recorded on the axle load certificate – see Figure 12.

**Figure 12: Axle Load Certificate**

Law enforcement is performed by VID officers and the fines imposed have to be paid before the vehicle is permitted to leave the weighbridge, failing which the vehicle is impounded.

None of the current weighbridges are compliant with the standards stated in the RWBLP. It is also recommended that the location and number of weighbridges be reviewed in accordance with the principles in the RWBLP (see paragraph 1.1.3) and it is recommended that the design of the weighbridges that continue to be operated, be reviewed accordingly.
1.1.10 Third Party Motor Vehicle Insurance Schemes

1.1.10.1 Domestic

Third party insurance is required in Zimbabwe and the selling of insurance together with the settlement of claims are performed on a no fault basis by several private insurance companies affiliated with the Insurance Council of Zimbabwe (ICZ).

![Third Party Insurance Disc](image)

**Figure 13: Third Party Insurance Disc**

1.1.10.2 Cross-Border

Zimbabwe incorporated the COMESA yellow card system into its legislation.
# Annexure A: List of Participants

## 1 Republic of Zimbabwe

This report relates to the visit performed by the IT Expert from 19 to 20 May 2016. Interviews were held with the officials as indicated in the following table.

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</tr>
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