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"TWO VERSUS FOUR-WHEELER?": CONFUSING TRAFFIC REGULATIONS AND TRICYCLE RIDERS IN KANO METROPOLIS

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Abstract

New forms of public transport manifests various violations of legal and institutional frameworks for traffic control in the face of rising population across large Nigerian cities. While there have been efforts at engaging this issue by studies focusing on Lagos, this study explores the condition in Kano, where tricycles have replaced motorcycles as the main mode of public transportation. Specifically, we examined the legal as well as state and non-state institutional frameworks for the operations of tricycle as a commercial mode of transportation, and how these connect with awareness of, and willingness to, obey extant traffic regulations. Drawing on data obtained through semi-structured interviews, direct observation and document analysis, our study argues that the behaviour of the main actors concerned by the tricycle business and its regulation is characterised by confusion: confusion of the tricycle riders regarding the rules they have to obey, but also confusion of the regulatory bodies that set these rules. We emphasise the importance of clarity of legislations and education of riders to the sanitation of the tricycle system in ways that help safeguard the interest and security of all road users.

Keywords: **Traffic Regulations, Tricycle Riders, Kano metropolis, Commercial Transportation**

Introduction

Prevalent forms of public transport manifests various violations of legal and institutional frameworks for traffic control in large cities. Studies (Agbiboa, 2017, 2018) have engaged with this issue in cities such as Lagos; existing studies on Kano, Nigeria's second largest city, have focused majorly on the drafting and existence of such regulations (Magudu, 2017), with little attention on road users' adherence to the regulations, especially among tricycle riders. Our study sets out to address four main research questions. One, what specific regulations exist to guide the activities of tricycle riders in Kano metropolis? Second, what is the relationship between the regulatory bodies and tricycle unions operating in Kano? Third, what is the level of awareness of traffic regulations among tricycle riders in Kano metropolis? Finally, to what extent do tricycle riders obey extant traffic regulations in Kano metropolis? To answer these questions, we collected data through semi-structured interviews, observation and document analysis. Interviews were conducted with officials of Kano Roads and Traffic Agency (KAROTA), Federal Road Traffic Corps (FRSC), Tricycle Operators Association of Kano State (TOAKAN) and individual tricycle riders. The source of data we adopted enabled us triangulate views of critical state and non-state actors involved in the tricycle system in Kano. Data were also obtained from published federal and state traffic regulations, sourced from KAROTA and FRSC as well as direct observations on the roads during the fieldwork.

Our study argues that the behaviour of the main actors concerned by the tricycle business and its regulation is characterised by confusion: confusion of the tricycle riders regarding the rules they have to obey, but also confusion of the regulatory bodies that set these rules. This confusion accounts for the lack of adherence to traffic regulations by tricycle operators.

Understanding Stakeholders of Tricycle System in Kano

The advent and fast rising deployment of tricycles have been linked to several factors (Madugu, 2017; Olubomehin, 2012). Madugu (2017:68), for instance, identified the economic crisis resulting from

the Structural Adjustment Policies (SAPs) of the Ibrahim Babangida regime in 1986 as making it 'difficult for transporters to replace their ageing vehicles with new ones'. This, in addition to rising population and widening economic activities in Kano metropolis, necessitated new modes of transportation such as commercial motorcycle and tricycle. However, rising security challenges necessitated the ban on motorcycles and the emergence of tricycle as the main mode of transportation in 2013 (Madugu, 2017). The number of tricycle owners have increased from about 26000 to 55000 between 2014 and 2018.[1] The Kano State Government took some steps to match public policies with the emergent mode through the enactment of the Kano Roads and Traffic Agency Law of 2012 as a state-wide law. The Law established KAROTA as a government agency for its enforcement. KAROTA officers are generally visible on roads across the metropolis to regulate the activities of road users, including tricycles.[2] KAROTA operates as a major agency of government, working with other state and non-state stakeholders on the governance system of tricycles in the metropolis. FRSC, for instance, as a federal government agency, has responsibilities to regulate the activities and conduct of all road users. However, there appears to be disagreement on jurisdiction between the agencies on which routes, or roads, their activities should cover.[3] Tricycle owners in the state are organised into trade associations such as TOAKAN with members more than 45000.[4] TOAKAN engages with other stakeholders such as Vehicle Inspection Officers (VIO), KATORA and FRSC; its members meet on weekly basis at any of the over 40 units in each of the local government and converge at local government level on monthly basis.[5]

[1] Interview with KAROTA and TOAKAN officials, July 4, 2018, Kano, compared with data provided by Madugu (2017).
[2] Researchers' observation during the fieldwork and visit to the KAROTA headquarters in Kano metropolis, 4th July, 2018.
[3] Interviews with the officials of both agencies revealed conflicting interests over clear cut areas of jurisdiction between FRSC and KAROTA. There is confusion on what roads should be managed by the FRSC and/or the KAROTA, though the law is clear.
[4] Interview with the TOAKAN State Chairman, at TOAKAN Office, No1. IBB Way, Kano, 4 July, 2018.
[5] *ibid*

Regulating the Unrecognised: KAROTA and FRSC's approach to Tricycle Riding

Transport plays a major role in the movement of goods and persons. In Nigeria, the management of the transport sector falls under the concurrent legislative list, implicating responsibilities for the central, state and local authorities.[6] Across the central and Kano State governments, no specific regulations exist to guide tricycle operations, which could have been a result of what an official of KAROTA calls 'non-recognition of tricycle as a mode of transportation by federal government transport regulations'. What operates generally are laws crafted by the federal government[7] and the KAROTA Law in the case of Kano.[8] In a federal system where states largely look up to central authorities for guidance in terms of policies, this could account for the inability of Kano State to come up with specific rules and regulations to guide tricycle operations.[9] The non-recognition of tricycles in federal government transport legislations appears to create confusion between FRSC and KAROTA, respective managers of federal and state government transport regulations. KAROTA officials are firmly of the opinion that the activities of the FRSC should be limited to federal roads[10], while KAROTA takes care of state roads. Our observation indicates the contrary as FRSC officials are seen on several roads, just like KAROTA officials.[11] Therein lies a strand of the confusion guiding tricycle and traffic operations.

Teaching before Sanctioning: Educational Programmes of Regulatory Bodies and Tricycle Unions

Vehicular movement is generally driven by people with different levels of education, and knowledge of traffic regulations, which help a long way in determining the level of awareness of existing traffic

[6] The Constitution of the Federal Republic of Nigeria, 2011, as amended.
[7] As enshrined in the FRSC National Roads Traffic Regulations Act, 2012.
[8] Kano Roads and Traffic Agency Law (KAROTA) as gazetted in Kano state Government document, K. S. Law No. 12 of 2012
[9] Interviews with the Managing Director and Legal Adviser, conducted at KAROTA Office Club Road, Kano, 4 July, 2018.
[10] *ibid*
[11] Observation conducted by the research team along some roads and traffic joints in Kano metropolis, 4 July 2018.

rules. Hence, traffic knowledge is cardinal to compliance to traffic regulations. Our findings indicate little or no formal education among tricycle riders in Kano.[12] Stakeholders including FRSC, KAROTA and TOAKAN organise series of trainings as well as education and enlightenment programmes on daily, weekly and monthly basis. This further underscores the realisation on the part of state and non-state actors of the need for continuous education in the face of the continuous expansion in the number of tricycle and tricycle riders. Specifically, TOAKAN generally work to educate members on issues relating to tricycle operations and conduct on public roads. However, the tricycle riders interviewed admitted being ignorant of some basic traffic regulations, until when apprehended by enforcement agents.[13] Officials of FRSC noted that the importance of education is incorporated in their interface with tricycle riders, as evident in the conduct of routine early morning daily safety talks with the riders at various garages and joints, on traffic signs and road markings, periodic radio and TV programmes and compulsory 30-minute training to arrested traffic offenders. Other means of enlightenment used by the FRSC include the use of print media, advocacy visits to traditional, religious and educational institutions, town hall meetings, workshops/seminars, road shows and motor park rallies.[14] Similar programmes are organised by KAROTA for road users, including tricycle riders.[15]

According to our informants, the average educational level of TOAKAN members is secondary education, with very few having first degree.[16] On knowledge of the traffic regulations, the association has a weekly unit and monthly LG level meetings. As revealed, one of the

[12] Interviews with Head of Operations, FRSC Kano Sector Command; KAROTA Managing Director and Legal Adviser, conducted at FRSC Office behind former Bank of the North, and KAROTA Office, Club Road, Kano, 4 July, 2018.
[13] Interviews with four tricycle riders, including those apprehended by the KAROTA officials, conducted while on the ride and at KAROTA Office, Club Road, 4 July, 2018.

[14] Interview with Head of Operations, FRSC Kano Sector Command, at FRSC Office behind former Bank of the North, 4 July, 2018 and Daily, Weekly and Monthly Report for Public Education obtained from the FRSC state office, Kano.
[15] Interviews with Managing Director and Legal Adviser, KAROTA Office Club Roads, Kano, 4 July, 2018.
[16] Interview with the TOAKAN State Chairman, at TOAKAN Office, No1. IBB Way, Kano, 4 July, 2018.

main agenda of the meetings is education and enlightenment on traffic regulations and safety; "the monthly meetings are conducted with some FRSC and KAROTA officials to receive briefings and discuss on other issues related to traffic regulations".[17]

Tricycles and Traffic Regulations: The *Confusion of the Two or Four-Wheeler*?

Like it happens with other road users, tricycle riders often fall victim of traffic rules across the metropolis. However, cases of tricycle riders are more pronounced largely because of their size as the largest mode of public transportation in the metropolis. An official of KAROTA listed the main traffic offences often committed by tricycle riders as 'disobeying traffic control and light, turning on wrong lane, overload and non-installation of iron rod at one side of the passenger's row on the tricycle'. In all cases, however, officials of FRSC and KAROTA put the number of apprehended tricycle riders on daily basis to be between 20 and 25 each.[18] As an official of KAROTA notes, the offences committed by tricycle riders could be explained by their 'confusion of wanting to operate in the worlds of the former two-wheeler motorcycle riders and four-wheeler cars/buses'. This predisposes them to attempting to smuggle themselves in little spaces just like the former motorcycles would do on the roads and taking spaces on roads just like four-wheeler cars and buses. This underscores another sphere of confusion, this time in the orientation of the tricycle riders.

In cases of default, offenders are subjected to fines or made to appear before the mobile court as in the case of KAROTA and made to pay fine and undergo compulsory 30-minute enlightenment in the case of FRSC.[19] To underscore the role played by trade associations in promoting adherence to regulations among tricycle riders, officials of

17 Ibid

[18] Interviews with Head of Operations, FRSC Kano Sector Command; Managing Director and Legal Adviser, at FRSC Office behind former Bank of the North, and KAROTA Office, Kano, 4 July, 2018.

[19] Interviews with Head of Operations, FRSC Kano Sector Command and Legal Adviser, Kano, at FRSC Office behind former Bank of the North, and KAROTA Office, Kano, 4 July, 2018.

KAROTA and FRSC attest to fewer cases of default among riders affiliated to TOAKAN or any of the other associations.[20] This draws largely on the vastly decentralised form of awareness creation and enlightenment deployed by TOAKAN for members. The continuous engagement through enlightenment are channelled towards addressing issues of lack of appropriate training for riders at the point of induction into the system.

Conclusions

By and large, economic, political and security reasons have combined to make tricycle the dominant form of public transportation in Kano metropolis. This is quite evident in the sheer volume of commuters who carry out their various activities using the tricycles for transportation on daily basis. However, the tricycle system still operates in a system of confusion across institutional and legal aspects. To wit, national legislations on transportation have yet to incorporate tricycle as a mode of transportation as it exists with trains and vehicles. This makes it difficult for subnational entities such as Kano state to adapt legislations that address the specifics of the socio-cultural, religious and educational aspects of the people. The same confusion looms large in the orientation of tricycle riders whose limited levels of literacy combines with their backgrounds as commercial motorcycle, (*okada* or *achaba*) riders. The tendency of the motorcycle riders to break traffic regulations appears to have transmuted from a two-wheel to a three-wheel level, as symbolised by the tricycles. Institutionally, jurisdictional conflicts are evident in the ways and manners with which FRSC and KAROTA perceive and carry out their responsibilities as enforcers of traffic regulations at different levels of government. This applies to tricycle riders as much as it does to other road users. Interestingly, the activities of various state and non-state actors in respect of tricycles appear to align with the awareness-creation and continuous engagement needs of the tricycle riders. This, if sustained,

[20] Interviews with Chairman, TOAKAN, FRSC Kano Sector Command; Managing Director and Legal Adviser, KAROTA Office, at TOAKAN Office, No.1 IBB Way, FRSC Office behind former Bank of the North, and KAROTA Office, Kano, 4 July, 2018.

will manifest in alleviating the challenges highlighted in the 'confusion' of the tricycle rider, and enhance willingness to adhere to regulations in ways that help safeguard the interest and security of other road users.

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