

**THE REGISTERED TRUSTEES OF INTERNATIONAL HUMAN RIGHTS & ANTI-CORRUPTION SOCIETY VS FRSC & 4 OTHERS, SUIT NO. FHC/ABJ/CS/805/15.**

The Plaintiff (the Registered Trustees of International Human Rights and Anti-Corruption Society) has filed an action against FRSC seeking among others the following declarations:

- a. That there is nothing in Section 10(3) (m) of the FRSC Establishment Act, 2007 or any other law made by the National Assembly empowering FRSC to forcefully impose the use of speed Limiter Device on vehicle owners for the purpose of controlling speed on Nigeria Roads
- b. That FRSC ought to have approached the National Assembly for enabling law before the introduction, imposition and implementation of speed limiter device in Nigeria.
- c. A declaration that the invitation of the members of the public by FRSC to install the device at the total cost of N36,000.00, is unconstitutional, illegal, ultra vires and therefore, null and void.
- d. A declaration that, the introduction and imposition of speed limiting device to, and on respectively, over 25 Million vehicle owners in Nigeria with a view of realizing over N900 Billion, is prompted by corruption and therefore, an abuse of human rights.
- e. An order prohibiting FRSC taking any further action towards the actualization of its plan on speed limiting device.
- f. An order declaring null and void any action that may be taken jointly or severally by FRSC to prejudice the suit.

The court in giving its judgment stated summarily thus:

- i. With reference to Sections 5 and 10 of the FRSC (Establishment) Act, 2007 and regulation 162 of the NRTR, 2012, FRSC is empowered to make regulations of which Sections 5 (k) and 10 (3) (m) is trite. It is thus, in this regard that the issue of speed is controlled.
- ii. The NRTR is a product of Section 5 of the Act.

iii. The imposition and enforcement of the Speed Limiter Device is within the purview of the Act and therefore lawful.

g The court however cautioned that it would be unlawful for FRSC to determine or impose the price of Speed Limiting Device on innocent Nigerians.

h. The case was dismissed in favour of the FRSC.

