



## Effect of Monetary Penalty and Traffic Law Enforcement Agents on Drivers' Behaviour in Ogun State, Nigeria

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**Abstract.** Fine or penalties are parts of measures in preventing accidents fatalities on Nigeria roads due to erratic driver behavior. This study thus examined the influence of monetary penalties on driver behavior in Lagos State. The study employed survey research design by purposively distributed four hundred (400) structure questionnaires to both private and commercial drivers. The results of the study showed that 76% of the respondents attested to the effectiveness of monetary penalty in changing driver behavior despite its 28% ( $R^2 = .276$ ) statistical contribution. However, it was concluded that changing of driver attitude is not as effective when the focus is concentrated on monetary penalty only. Therefore, it was recommended that, implementation of alternative penalty measures, including fines, community service, driver's license revocation or the utilization of combinations of two penalty options.

**Keywords:** Penalty option, Fines, Traffic Law, Law enforcement agents

### 1. Introduction

Every day, individuals traverse from one place to another, whether it is for work, business, or education, using road transportation. Road transportation holds immense importance, providing access to workplaces, economic resources, educational facilities, and healthcare services. However, this vital aspect of modern life also carries negative consequences, chiefly in the form of road accidents. Injuries resulting from road accidents rank among the leading causes of death worldwide, following closely behind chronic diseases like heart disease, stroke, lung infections, and respiratory issues.

Road traffic accidents have evolved into a global preoccupation, standing out as the foremost cause of mortality worldwide. Particularly in developing nations, where a significant portion of the population relies heavily on road transportation, the incidence of fatalities resulting from automobile crashes is notably

elevated. For instance, it has come to light that accidents in developing countries impose an economic burden, amounting to nearly one percent of their Annual Gross National Product, consuming limited financial resources that are already in high demand elsewhere. This financial strain is one these countries can scarcely endure.

Nigeria stands out as one of Africa's nations grappling with a distressing frequency of road traffic accidents, earning a prominent position in the continent's list of high-incidence regions. The gravity of road traffic accident-related fatalities in Nigeria is profoundly concerning, given the extensive human and material losses it inflicts. Such accidents can be characterized as instances where the intricate road-vehicle-driver system fails to execute one or more essential operations required for a safe journey, culminating in injury or loss. Consequently, urgent measures are imperative to curtail the risks associated with road traffic injuries and fatalities. The pursuit of road safety demands a deliberate and methodical approach, necessitating collaborative efforts across various sectors of society, encompassing both governmental and non-governmental entities. This collective acknowledgment of road safety's significance as a vital public asset paves the way for the development of comprehensive policies and programs aimed at its preservation and enhancement.

Traffic law enforcement plays a pivotal role within the framework of a secure road traffic system, with the primary objective of fostering compliance with traffic regulations among road users. Various punitive measures are available to address traffic offenders, encompassing the imposition of fines, temporary suspension of driving licenses, vehicle confiscation, allocation of penalty points, compulsory engagement in rehabilitation programs, issuance of prison sentences, or assignment of community service.

Penalties aimed at promoting road safety have served as a cornerstone of traffic safety legislation for

numerous years. Their fundamental purpose is to dissuade unsafe behaviors and cultivate a culture of responsible and safe driving. These penalties can take on diverse forms, including financial consequences, such as fines or fees, as well as physical repercussions, such as the revocation of driving privileges or incarceration. Importantly, the implementation of these penalties is entrusted solely to traffic law enforcement agents. However, it was observed that traffic law enforcement agents solely enforced monetary penalties on traffic violators.

Traffic law enforcement agents should not limit their focus solely to monetary penalties and punitive measures but should also actively engage in promoting traffic education and safety. This proactive approach plays a crucial role in averting traffic accidents, particularly those involving young individuals who may be less experienced and more vulnerable on the road. In alignment with the principles advocated by the Organization for Security and Co-operation in Europe, the foremost motivation in law enforcement should be driven by a commitment to service, rather than financial gain or profit. Traffic law agents must firmly decline any offers of gifts, favours, or gratuities, regardless of their scale, as accepting such tokens can create perceptions among the public that their judgment might be influenced when executing their duties. Furthermore, the acceptance of gifts can potentially serve as a gateway to more serious forms of criminal behavior.

Governments commonly employ a range of penalty options, including fines, demerit points, and license suspension, as effective deterrents against unsafe behaviors exhibited by drivers. These road safety penalties are primarily designed to achieve two overarching objectives: (i) discourage unsafe conduct and (ii) promote responsible and safe driving practices. These penalties can be levied for a multitude of reasons, encompassing infractions such as speeding, failure to wear a seatbelt, Driving Under the Influence (DUI), or operating a vehicle without a valid license or insurance. Furthermore, penalties can also be imposed for more severe transgressions, including hit-and-run incidents, reckless driving, or leaving the scene of an accident.

Fines represent financial penalties levied against drivers for infringements of traffic regulations. An examination of research studies concerning the impact of fines on driver behavior has demonstrated their effectiveness in diminishing the likelihood of engaging in hazardous behaviors, including speeding, disregarding traffic signals, and neglecting seatbelt usage (DiGiuseppi et al., 2009). Fines prove to be a

cost-efficient and expedient approach for discouraging driver violations due to their ease of imposition and monitoring.

Demerit points serve as a means to monitor driver conduct and enforce penalties for traffic transgressions. When a driver accumulates a specified number of demerit points, their license may face suspension or revocation. Recent research findings indicate that both license suspension and revocation have proven effective in reducing the propensity of drivers to engage in unsafe behaviors that can precipitate traffic accidents (Li et al., 2018). In sum, penalty options like fines, demerit points, and license suspension can serve as potent deterrents against unsafe behaviors that can lead to traffic accidents. It is of paramount importance for governments to ensure that these penalty mechanisms are widely recognized and consistently enforced to maximize their efficacy

(Chen, 2012) suggests a clear correlation between higher penalties and substantial reductions in unsafe driving behaviors, resulting in fewer traffic-related fatalities. Moreover, studies have consistently indicated that financial penalties prove more efficacious than alternative forms of punishment in curbing unsafe driving behaviors (Keskinen, 2010).

Penalty mechanisms are widely recognized as potent tools for reducing the likelihood of traffic violations and accidents, as they incentivize drivers to adhere to traffic regulations. Strategies involving penalty points and fines are often implemented concurrently, with the severity of penalty points and/or fines contingent upon the specific violation committed by drivers. Nevertheless, the question of whether each penalty method generates positive outcomes in sustaining driver compliance with traffic regulations and advancing overall traffic safety remains unanswered. To enhance the effectiveness of penalty options, it is imperative to enhance the enforcement of existing laws and regulations, while concurrently fostering greater public awareness regarding the perils associated with reckless driving.

The establishment of the Corps aimed to tackle the recurring issues of road traffic crashes and the overall management of road traffic and safety in Nigeria. The organization's mandates, as outlined in the FRSC Act (2007), encompass ensuring the safety of highways for motorists and other road users, promptly clearing obstructions on roadways, offering swift assistance to victims of road traffic crashes (RTC), recommending infrastructure and devices to eliminate or reduce accidents on highways, and advising relevant authorities on the implementation of such

infrastructure and devices. Additionally, the Corps is tasked with educating both motorists and the general public on safe road usage.

However, instances of corruption and misconduct among law enforcement officers have led to compromises in fulfilling these mandates. Some officers engage in bribery, accepting bribes from motorists and permitting them to operate on the highways with overloaded and unsafe vehicles, among other traffic violations. This situation has allowed habitual traffic offenders to persistently flout traffic rules and regulations without consequences (Gana and Emmanuel, 2014). Monetary penalties, including fines and tickets, serve as fundamental instruments for dissuading drivers from partaking in hazardous behaviors on the road. Nevertheless, the presence of bribery within traffic law enforcement agencies poses a significant challenge, potentially eroding the effectiveness of these penalties in accomplishing their designated goals. Consequently, this research endeavors to investigate the impact of monetary penalties on driver behaviour in Nigeria.

## 2. Literature Review

Road safety encompasses a comprehensive approach aimed at reducing the likelihood of individuals being involved in accidents. It strives to establish a secure environment for all road users. Governments implement a variety of road safety programs, including those focused on driver safety, pedestrian safety, child and teenager safety, initiatives addressing drunk driving, and efforts to manage vehicle speeds. These programs are designed to raise awareness about the causes of road accidents. However, they often fall short in effectively promoting awareness, modifying drivers' unsafe behaviors, and enforcing driving regulations rigorously. Road safety takes into account risk factors associated with the road and its surroundings, road users, vehicles, and the availability of emergency services (World Health Organization, 2007). Achieving road safety necessitates a reduction in the frequency of accidents through the implementation of safer vehicle and roadway designs, as well as programs aimed at modifying road user behavior. The risk of injuries sustained by individuals in traffic accidents is influenced by a multitude of factors, including vehicle characteristics, road designs, the effectiveness of law enforcement, driver traits, the type of collisions, and environmental conditions (Planning Commission, 2007).

The importance of enhancing road safety is evident in the diverse range of countermeasures and interventions currently in place to reduce traffic

violations, often involving law enforcement initiatives. Many of these interventions are grounded in deterrence theory, a central concept in criminal justice policy (Piquero et al., 2011). According to deterrence theory, the effectiveness of legal sanctions is most pronounced when individuals perceive a high likelihood of being caught while committing an unlawful act and anticipate that the ensuing punishment will be both severe and swift (Homel, 1988). This concept is referred to as general deterrence. In contrast, specific deterrence pertains to the process wherein an individual who has been apprehended and penalized for a criminal act refrain from further offending out of fear of facing additional sanctions (Homel, 1988).

Driving practices in Africa exhibit an extraordinary degree of complexity and diversity. Many African drivers often lack proper training and frequently disregard the region's traffic laws and regulations. Consequently, this behavior results in a notable absence of order on the road and a neglect of drivers' responsibilities towards ensuring their own safety. Navigating a vehicle safely in numerous African countries is challenging due to the generally poor condition of roadways and a lack of maintenance. Furthermore, a significant proportion of vehicles in Africa are inadequately maintained and lack essential safety features like seatbelts, airbags, or anti-lock brakes. This further amplifies the risk of severe injuries or fatalities in the event of an accident.

Three commonly observed driving behaviors in Africa include overtaking on the right side of the road, driving at excessive speeds, and frequent lane changes. Furthermore, drivers often neglect to use their turn signals when changing lanes or making turns, which contributes to the complexity of highway navigation (Mukhongo et al., 2019). Nighttime driving in Africa presents exceptional hazards due to the lack of adequate lighting, which impairs visibility of potential road hazards. Consequently, driving at night is considered one of the most perilous activities in Africa. Additionally, the prevalence of alcohol-impaired motorists elevates the risk of being involved in a collision (Wahab, 2019).

The predicament in Africa is exacerbated by the absence of an effective system for enforcing traffic laws, regulations, and penalties for unsafe driving practices. The prevalence of riskier and more reckless driving behaviors is a direct consequence of the disregard for the law, which in turn is a result of the lack of law enforcement (Mukhongo et al., 2019). Driving conduct within Nigeria mirrors the country's culture, infrastructure, economic conditions, and the

prevailing attitude of Nigerian drivers. Nigeria grapples with limited or poorly enforced traffic regulations, exacerbated by an inadequate and inadequately maintained road network. These factors collectively contribute to the chaotic and hazardous driving behavior observed on the nation's roads. According to a report from the World Health Organization (WHO), Nigeria holds one of the highest road traffic fatality rates worldwide (WHO, 2018).

Prevalent driving behaviors in Nigeria encompass aggressive driving, disregarding traffic signals, improper overtaking, and speeding, neglecting safety belt use, and engaging in mobile phone usage while driving (Ayeni and Al-Hassan, 2019). Aggressive driving, stemming from impatience and a disregard for traffic laws, stands out as a significant issue in the country. Furthermore, non-compliance with traffic signals and signs poses risks of accidents, traffic congestion, and delays.

The utilization of safety belts by drivers in Nigeria remains infrequent, primarily due to inadequate law enforcement and a lack of comprehension regarding the importance of seatbelt usage. Additionally, the widespread practice of using mobile phones while driving represents a major concern in Nigeria, with many drivers flouting the law, jeopardizing their safety, and endangering fellow road users.

A study by Adebisi, et al. (2014) suggests that drivers in Ogun State possess a reasonable level of education, but certain behaviors stem from their apprehension of road traffic agencies like the Federal Road Safety Corps (FRSC) and the Nigeria Police Force (NPF). Allegations of unwarranted harassment by police officers and some FRSC personnel on the road have contributed to discomfort and the propensity to resort to shortcuts. The research also indicates that the Ministry of Transportation (MoT) and traffic agencies have tended to prioritize enforcement over corrective measures. Moreover, some FRSC personnel resort to inhumane treatment of passengers to extort bribes from drivers.

To improve drivers' behavior, safety education programs are instrumental (World Health Organization, 2003). These initiatives leverage various media channels to disseminate information on road safety, with governments actively engaging in awareness campaigns and educational programs targeting road users (Odero, Khayesi, and Heda, 2003). Road safety education and awareness campaigns, particularly among children and rural populations, prove effective tools for enhancing road user behavior (Mahmud, Hoque, and Quzi, 2009).

Education instills a sense of responsibility and sound judgment in all road users, thereby contributing to improved driver behavior (Sikdar and Bhavsar, 2009). Non-governmental organizations also play a pivotal role in reducing road accidents and injuries through their road safety policies and programs.

The prevention of road accidents hinges on the utilization of safety measures such as helmets and seat belts, coupled with the stringent enforcement of safety regulations. These factors play a crucial role in promoting road safety and mitigating collisions between vehicles and other road users (World Health Organization, 2003).

A study examining Road Traffic Violations in Port Harcourt Metropolis, Nigeria, revealed that drivers in the city frequently engage in risky driving behaviors, thereby violating traffic rules and regulations as they navigate the roads. Commercial drivers, in particular, exhibit a high involvement in traffic violations, often driven by the urgency to pick up and drop off passengers, leading to indiscriminate parking on the roads. The study also uncovered inadequate knowledge among drivers in the metropolis concerning traffic signs and rules. Many drivers, especially those in the commercial sector, are proficient in vehicle operation but lack a comprehensive understanding of traffic signs.

Common types of traffic violations in the city encompass speeding, confrontational driving, driving against traffic flow, improper overtaking, tailgating emergency vehicles, unauthorized parking by private drivers, formation of multiple lanes, illegal parking, passenger loading violations, reckless driving, dangerous overtaking, absence of fire extinguishers, mobile phone usage while driving, failure to comply with traffic lights and signs, and overloading, among others (Peltzer, 2008).

Traditionally, traffic enforcement has been recognized as a pivotal approach to enhance traffic safety. Adequate police enforcement, aimed at fostering full respect for and adherence to traffic laws and regulations, has the potential to reduce accidents by as much as 50% (ETSC, 1999). The enforcement of traffic laws and regulations, which outline socially acceptable road user behavior, plays a vital role in creating a secure road environment. When diligently applied, it is widely regarded as one of the most effective means of enhancing road user behaviors (Zaal, 1994). Police enforcement has demonstrated its effectiveness in reducing both mean speeds and speed variances on various roadways (Vaa, 1997).

In Nigeria, the penalties applicable to drivers are contingent upon the specific traffic violation committed and the corresponding laws in the respective states. The most common penalty for drivers in Nigeria involves the imposition of fines. According to the Nigerian Road Safety Commission (2019), fines for various traffic violations typically range from NGN 2000 to NGN 5000. Additionally, depending on the severity of the violation, other penalties may be levied, including vehicle impoundment, suspension or revocation of the driver's license, and even imprisonment (Oluyole, 2015). In some states, the judiciary plays a role in determining penalties for traffic violations. For instance, in Lagos State, motorists who infringe traffic rules or disregard traffic regulations may be subject to court proceedings and could face fines of up to NGN 20,000 (Nigerian Road Safety Commission, 2019). Furthermore, the penalties for traffic violations may vary based on the type of vehicle involved, with heavy-duty vehicles like trucks and buses often incurring higher fines than light-duty vehicles (Oluyole, 2015). Moreover, drivers operating commercial vehicles may encounter more stringent penalties, given the expectation of their adherence to stricter regulations.

Olagunju (2009) emphasizes that the lack of efficient and effective traffic law enforcement has been a contributing factor to numerous accidents in the country, particularly among motorcycle operators. Kalilu (2008) underscores that; road safety extends beyond preventing accidents. It should be viewed in the context of all aspects related to road transportation, involving not only those on the road but also encompassing everything connected with road transport. The cumulative impact of these issues encompasses traffic congestion, pollution, stress, emotional disturbances, depression, time loss, accidents, damage to transport infrastructure, economic losses to individuals and the nation in terms of Gross Domestic Product (GDP), injuries, disabilities, and fatalities. All these factors influence life expectancy and the overall peace and security of the country. Kalilu identifies an enforcement challenge as a key problem and concludes that law enforcement agencies often suffer from inadequate equipment, including unserviceable vehicles and deficient communication and tracking devices.

### 3. Methodology

Abeokuta is located in South Western Nigeria on the west coast of Africa, within latitudes 6° 23'N and 6° 41'N and longitudes 2° 42'E and 4° 00'E. Ogun State is flanked to the North and East by Lagos State, in the

West by the Republic of Benin and to the South is Oyo State. The total land mass of the state is about 3,475.1 km<sup>2</sup>, which is just about 0.4% of the total land area of Nigeria. The population of the study consists of Traffic law enforcement agents (i.e FRSC, VIO, TRACE); commercial drivers and Commuters that boarded vehicles in Kuto, Asero and Ita-oshin Park in Abeokuta. For the data collection; questionnaire, interview and observation were employed. Purposive random sampling technique was used to administered questionnaire to the respondents. The sample size for this study was four hundred (400) and both descriptive and inferential statistics were employed.

### 4. Results and Discussion

Table 1 revealed that majority (90.4%) of the surveyed individuals possesses the ability to drive, while the remaining respondents lacked driving skills but displayed a grasp of traffic regulations. Interestingly, a significant portion (87.6%) of those who could drive acquired their skills through informal means, such as learning from family members or friends, or by gaining experience on the job (e.g., as bus conductors). In contrast, the remainder reported formal instruction from driving schools.

Furthermore, a substantial percentage (85.5%) of respondents indicated that they had been driving for a considerable duration, falling within the range of 21 to 50 years. This suggests that these respondents possess extensive experience in dealing with traffic law enforcement personnel on their routes. Intriguingly, despite their years of experience, a majority (66.1%) admitted to lacking a valid driver's license, yet they continued to drive without apprehension.

Additionally, a significant majority (98.0%) of the respondents disclosed instances of encounters with road traffic law enforcement agents on multiple occasions. However, the majority (94.8%) reported being released upon the condition of paying fines for their traffic violations.

The findings further unveiled that a substantial majority (84.9%) of the respondents claimed they were not issued receipts for the fines paid to road traffic law enforcement agents. This observation implies that these agents failed to discourage road traffic violations effectively. It becomes apparent that the majority (90.4%) of respondents maintained a clean record as road traffic violators, suggesting that road traffic law enforcement agents might prioritize personal gains over applying the principles of law to address traffic offenses.

Furthermore, Table 1 presented an astonishing revelation that all respondents (100%) affirmed that they had never heard of the FRSC (Federal Road Safety Corps) withdrawing licenses from any category

of road traffic violators in Nigeria. This observation strongly implies that, among the available penalty options for road traffic violators, only monetary fines are effectively enforced in Nigeria.

**Table 1:** Driver experience about FRSC

		Frequency	Percentage
Do you know how to drive?	Yes	307	80.6
	No	74	19.4
	Total	381	100
Do you have driver licence?	Yes	104	33.9
	No	203	66.1
	Total	307	100
How long have you been driving?	Less than 20yrs	22	5.8
	21 – 30 years	65	17
	31 – 40 years	197	51.7
	41 – 50 years	64	16.8
	Above 50 years	33	8.7
	Total	307	100
Who taught you how to drive?	Family member	81	26.4
	Friend	65	21.2
	Driving school	38	12.4
	Learning on the job	123	40.0
Have you been apprehended?	Yes	301	98.0
	No	6	2.00
	Total	307	100
How were you been released?	Fine	291	94.8
	Community Service	-	-
	Educate	11	3.6
	Delay	5	1.6
	Total	307	100
If fine, were you given receipt	Yes	44	15.1
	Yes	28	9.6

**Table 3:** Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.a	.276	.231	.21583

  

Is there any record that you have been apprehended before?	No	263	90.4
	Total	291	100
Have you heard that FRSC withdrew violators driver's licence?	Yes	-	-
	No	381	100
	Total	381	100

*Source: Author's Field Survey, 2023*

The findings in table 2 depict varying perspectives among the respondents regarding changes in drivers' attitudes towards laws and regulations following the introduction of the monetary penalty option. Specifically, 3.7% of respondents held a strong belief that a noticeable difference exists in driver behavior before and after the implementation of the monetary penalty option. An additional 15% of respondents agreed with this notion. On the other hand, 5.5% of respondents remained undecided on whether there was a difference in driver attitudes. A significant majority, comprising 51.4% of the respondents, expressed disagreement with the idea that there had been a shift in driver attitudes due to the monetary penalty option. The remaining respondents strongly disagreed with the notion. These findings collectively indicate that a substantial majority of respondents, accounting for 75.8%, believe that the adoption of the monetary penalty option has not proven effective in enhancing road safety on Nigerian roads.

**Table 2:** Effect of monetary penalty on drivers' attitude

		Frequency	Percentage
Is there difference in the attitude of driver towards laws and regulation before and after implementation of monetary penalty option?	Strongly Agreed	22	5.8
	Agreed	65	17
	Undecided	197	52.7
	Disagreed	64	16.8
	Strongly Disagreed	33	8.7
	Total	307	100

Table 3 presents a model summary of the regression equation, aiming to ascertain whether fines have a significant impact on drivers' behavior. The interpretations of the information contained in Model Summary Table 3, pertaining to the regression analysis, are as follows:

ANOVA<sup>b</sup>

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	315.874	4	78.969	717.9	.001 <sup>a</sup>
	Residual	41.367	377	.110		
	Total	357.241	381			

Table 4 provides a model summary of the regression equation, designed to assess the significant impact of fines on drivers' behavior. The interpretations of the data within Model Summary Table 4, concerning the regression analysis, are as follows:

**Table 4:** Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	. <sup>a</sup>	.884	.812	.73902

ANOVA<sup>b</sup>

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	315.874	4	78.969	717.9	.001 <sup>a</sup>
	Residual	41.367	377	.110		
	Total	357.241	381			

The "Simple R" column represents the correlation between the observed independent variables and the predicted dependent variable, as generated by the regression equation. In this particular study, the R-squared (R<sup>2</sup>) value stands at .884, which is equivalent to an impressive 88.4%. This indicates that approximately 88% of the variance in drivers' attitudes can be attributed to the road safety education provided by the FRSC. Notably, this value significantly exceeds the average, and its statistical significance at 0.000 confirms significance at the 0.05 significance level. Consequently, it is clear that road safety education by the FRSC plays a statistically significant role in driving changes in drivers' attitudes. Furthermore, the R-squared value of 0.884 (R<sup>2</sup> = 0.884) suggests that road safety education has a substantial and highly influential impact on drivers' attitudes in Nigeria.

### 5. Conclusion and Recommendations

The research findings indicate that relying solely on monetary penalties for road traffic offenders has limited efficacy in influencing drivers' attitudes. This ineffectiveness stems from the perception among motorists that law enforcement authorities prioritize motorist gains over the comprehensive application of traffic regulations. Consequently, the researcher advocates for the implementation of alternative

penalty measures, including fines, community service, driver's license revocation, educational initiatives for violators, or the utilization of combinations of two penalty options. These multifaceted approaches are proposed to enhance the effectiveness of traffic law enforcement and encourage a more responsible and law-abiding driving culture.

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