

Study

In-Absentia Traffic Violations: Legal Framework and Enforcement Mechanisms

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Executive Summary

In recent months, the number of traffic violations has risen to unprecedented levels, particularly those commonly known socially as in-absentia violations. This has triggered wide controversy and escalating objections from citizens who question the legality and accuracy of such violations. This escalation has occurred in parallel with a major increase in the number of vehicles. In **2024** alone, the vehicle fleet grew by approximately **77,807** vehicles compared to the previous year, with expectations that the current year will witness one of the largest increases yet, largely driven by the rapid expansion of electric vehicles.

The increase in violations may be attributed to several factors, including amendments made to the **2008** Traffic Law, the expansion in the use of traffic enforcement devices, and the introduction of new electronic tools that have been explicitly recognized under the provisions of the Traffic Law.

Taken together, the sharp rise in the number of violations, especially in-absentia violations, has intensified tension between the government and citizens. Many consider the violations currently issued against drivers to be unduly harsh and unjustified, especially in light of the rising incidence of errors, particularly in in-absentia violations. This has undermined citizens' trust in the Traffic Department and reinforced a sense that there is a lack of fairness in the mechanisms of monitoring and issuing violations.

These developments place the competent authorities under pressure to review the mechanisms for issuing violations so that they become more accurate and transparent, and to ensure that such governance measures are effectively applied in the case of in-absentia violations, given their sensitivity and the high risk of error associated with them. The adoption of clear and fair procedures would help prevent the escalation of public frustration while preserving the standing, reputation, and credibility of state institutions in the eyes of the public.

Study Problem

The organization and management of traffic in Jordan is one of the critical issues requiring serious attention due to its direct impact on several domains. The matter goes beyond traffic congestion to encompass road accidents and deaths resulting from them, including those related to traffic violations. Jordan is among the countries that face significant challenges regarding the number of deaths caused by road accidents, which necessitates effective measures to address them and to achieve the goals of the Road Safety Strategic Plan launched by the Traffic Department. This plan includes several pillars, the most relevant to violations being the following:

First: Legislative Reform and Enhanced Deterrence

A number of amendments were made to the 2008 Traffic Law. These amendments included tightening penalties for the most common and impactful violations, as a preventive measure aimed at reducing accidents and improving road safety.

Second: Strengthening Supervision of Drivers

To strengthen oversight of drivers and reduce violations, several measures have been taken, including:

- Tightening penalties for serious violations that contribute to accidents.
- Focusing on detecting moving violations that directly affect safety.
- Expanding the use of automated devices for traffic enforcement.
- Achieving effective deployment of fixed and mobile enforcement devices to detect violations more accurately.

Despite the positive role of these measures in enhancing road safety, they have contributed significantly to the proliferation of what are socially known as in-absentia violations. These have sparked widespread controversy among Jordanians due to the high rate of errors in issuing them, the difficulty of

challenging them, and their significant financial cost. Enforcement campaigns have also imposed an additional financial burden and pressure on citizens.

Accordingly, the importance of this study lies in examining the legal basis for in-absentia violations, the ways in which errors in issuing them are handled, and the impact of the spread of this type of violation on society and on public trust in state institutions.

Study Methodology

This study is based on a review and analysis of the legal provisions on traffic violations contained in the Jordanian Traffic Law and related legislation, in order to clarify their scope of application, their provisions, and the objectives intended by the legislator. The aim is to gain a clear understanding of the legal framework governing such violations and the consequences arising therefrom.

In addition, a simplified economic simulation was used to estimate the cost of challenging some common in-absentia violations, thereby illustrating the practical and economic burdens borne by individuals when exercising their right to challenge.

The study also employed a descriptive-analytical approach, by presenting real-life cases related to the subject matter, and then analyzing the data derived from them in order to understand and explain the dimensions of the problem. These cases are used as illustrative examples to highlight the social, economic, and legal challenges and implications associated with in-absentia violations.

Concept of In-Absentia Traffic Violations

The Jordanian Traffic Law defines traffic violations as the acts, offences, and misdemeanours specified in that Law. The Law enumerates a number of acts considered violations, punishable by imprisonment, a fine, or both, with the penalty depending on the seriousness of the act and its prevalence among road users. Among the most common violations and their prescribed penalties are:

- Using a mobile phone while driving if it is held in the hand: punishable by a fine of **50** Jordanian dinars (JOD).
- Running a red traffic light: punishable by imprisonment for not less than one month and not more than two months, or a fine of not less than **200** JOD and not more than **300** JOD, or both penalties.
- Driving at a speed exceeding the prescribed limit by more than **50** km/h: punishable by imprisonment for not less than one month and not more than three months, or a fine of **100** JOD, or both penalties, and the fine is doubled if the violation is repeated within one year.
- Driving at a speed exceeding the prescribed limit by more than **30** km/h and up to **50** km/h: punishable by a fine of **30** JOD.
- Driving at a speed exceeding the prescribed limit by more than **10** km/h and up to **30** km/h: punishable by a fine of **20** JOD.

These are among the most widespread violations and among the primary causes of road accidents. Violations are issued upon the commission of any of these acts or other acts enumerated in the Jordanian Traffic Law.

However, the Traffic Law does not provide a definition for in-absentia violations, it defines only violations in general. Greater Amman Municipality, in a video posted on one of its social media pages, clarified to the public that in-absentia

violations are those issued via cameras or when the driver is not present inside the vehicle, this aligns with the general public understanding.¹

Mechanisms for Recording Traffic Violations

In Jordan, traffic violations are detected through two main mechanisms which together form an integrated system aimed at reducing violations and enhancing road safety: human enforcement and automated enforcement.

First: Human Enforcement

Human enforcement is carried out by traffic police officers. Article (2) of the Regulation on Recording Traffic Violations and Collecting Fines provides that traffic violations shall be recorded and issued by public security personnel authorized for that purpose, and in accordance with the model approved by the Public Security Directorate, with notification given to the person who committed the violation.

In this context, handheld devices (PDAs) are used for recording, representing one of the key projects implemented by the Traffic Department in cooperation with Greater Amman Municipality to improve services provided to citizens. These devices offer several advantages, including:²

- Reducing errors in manually issued violations.
- Faster and more accurate access to information.
- Saving time, effort, and costs for both drivers and administration.

¹ Greater Amman Municipality, cityofamman channel, "Traffic Violations," video posted on YouTube, 2023, accessed 1 November 2025, available at:

<https://youtu.be/Jufx2bEUjPI>

² Regulation No. 79 of 2002 on the Recording of Traffic Violations and Collection of Fines, published in the Official Gazette No. 4563, p. 4396, on 16 September 2002.

Second: Automated Enforcement

Automated enforcement devices comprise a set of systems that operate automatically or manually to detect traffic violations using high-resolution digital cameras designed to capture red-light violations and speeding, and more recently, violations for not wearing a seat belt. These systems typically capture two images of the offending vehicle from the rear.³

The deployment of such devices is grounded in clear legal provisions, of which the most important are:

- Article (2) of the Jordanian Traffic Law, which defines “traffic enforcement devices” as devices that operate automatically or manually for the purpose of detecting traffic violations.
- Article (44/b) of the Traffic Law, which provides that:

“Data and images produced by traffic enforcement devices and electronic means shall constitute admissible technical evidence in judicial proceedings if the image shows the vehicle’s license plate number, its location, and the time of the violation, unless proven otherwise.”
- Instructions on Automated Traffic Enforcement Devices for the Year 2004, which regulate captured images and provide in Article (2) that:
 - a. Traffic administrations shall provide the competent court with images of violations and the approved forms prepared for that purpose.
 - b. The image deposited with the court must be clear and must satisfy the conditions laid down in Article (54/a) of the Traffic Law.

³ 1st Lt. Eng. Suha Al-Balawneh and 1st Lt. Eng. Farah Al-Jalamdeh, “The Impact of Automated Surveillance on Driver Behavior,” working paper presented to the Sixth Traffic Safety Conference, Central Traffic Department, Public Security Directorate, Amman – Jordan, 2012, available at: <https://psd.gov.jo/media/g3uc2zuh/الرقابة-الآلية-على-سلوك-السائقين.pdf>

Forms of Automated Enforcement Used in Jordan

The types of cameras and automated enforcement systems used to detect violations include:

- Red-Light Cameras: used to detect red-light running and speeding, they have been in operation since the second half of **2004**.
- Fixed Speed Cameras: installed on main roads with high speed limits, they have been in operation since **2006**.
- Mobile Radars on Traffic Investigation Vehicles: used to monitor speeding; they have been in operation since **2007**.
- Digital Cameras on Greater Amman Municipality Vehicles: used to monitor environmental violations, they have been in operation since **2007**.
- Mobile Radars on Highway Patrol Vehicles: used to monitor speeding on the entrances and exits of the capital Amman, they have been in operation since **2010**.

Recording Traffic Violations Between In-Person and In-Absentia in Jordanian Law

The Traffic Law and related legislation do not explicitly set out the methods for recording traffic violations. However, practical reality and the nature of the acts committed have led to the emergence of two types of violations:

- **In-Person Violation:** a violation issued after stopping the driver, requesting the driving licence and vehicle licence, and then entering the driver's data on the violation notice.
- **In-Absentia Violation:** a violation issued through cameras or in cases where the driver is not present in the vehicle.

In-absentia violations rely on the same legal basis that underpins automated enforcement, the use of electronic devices and cameras necessarily entails violations being recorded without the driver being present.

Legal Basis for Recording Traffic Violations

For any violation under the Traffic Law to be validly issued, Jordanian law requires that an official violation report be drawn up that establishes the facts of the incident. Such a report constitutes evidence of the facts contained therein unless rebutted. Article (44) of the Traffic Law and its amendments provides that:

- a. The data and violation reports drawn up in relation to traffic violations shall constitute evidence of the facts contained therein unless proven otherwise.
- b. Data and images produced by traffic enforcement devices and electronic means shall constitute admissible technical evidence in judicial proceedings if the image shows the vehicle's license plate number, its location, and the time of the violation, unless proven otherwise.

Accordingly, an in-absentia violation produces its legal effects only if the statutory conditions laid down by law are satisfied.

Conditions for the Validity of Violation Reports (In-Person and In-Absentia)

For a violation report to be valid, whether issued by a traffic police officer or by automated devices, the law requires that certain basic conditions be met. Pursuant to Article (151) of the Code of Criminal Procedure, a report will have evidentiary weight only if:

- It is drawn up within the limits of the official's jurisdiction and in the performance of his official duties.
- The official has personally witnessed the incident.
- The report is formally correct in terms of form and content.

Any other reports are treated merely as ordinary information. Therefore, the report must include all data relating to the vehicle and, where applicable, the image of the vehicle, and the data must match the attached image. The purpose is to ensure that the violation is valid and that it has been issued correctly, and not maliciously or in error.

Conditions for the Admissibility of In-Absentia (Automated) Violations

Article (44/b) of the Traffic Law provides that, for an in-absentia violation based on traffic enforcement devices to be legally admissible, the image or data must include:

- The vehicle's license plate number.
- The vehicle's location.
- The time of the violation.

By necessary implication, if any of these conditions is not met, the image or data cannot be considered admissible technical evidence, and the court cannot convict on the basis thereof.

An Overview of the Practical Reality of In-Absentia Traffic Violations and the Challenges Faced by Citizens

Recently, there has been a widespread increase in traffic violations, especially in-absentia violations, accompanied by strong reactions and public outcry on social media. Citizens frequently indicate in their complaints that their objection is not to the nature of in-absentia violations per se, but rather to the failure to comply with the formal and legal requirements imposed by law on this type of violation, which casts doubt on their validity and credibility.

Among the most significant reasons for the recurring objections to in-absentia violations are the absence of attached images, or the inclusion of symbolic or illustrative images that do not reflect the actual violation, as in the image attached to some violations.

This results in a lack of conformity between the violation and the legal provisions, meaning that the court cannot base a conviction on such evidence, since criminal judgments must be based on certainty and conviction, not on doubt or probability.

Thus, the first issue that citizens encounter when facing in-absentia violations is the absence of attached images, which indicates the possibility of either automated or human error.

The assertion that citizens can challenge in-absentia violations before the Greater Amman Municipality Court, if the violation occurred within the capital, or before the municipal court in whose jurisdiction the violation occurred, encapsulates a second major problem: in practical terms, the cost of challenging an in-absentia violation is nearly equal to, or may even exceed, the value of the violation itself. This effectively deters citizens from challenging such violations.

Practical Simulation of Incurring an In-Absentia Violation and Estimating the Cost of Challenging It

To analyze the financial burden that in-absentia violations impose on citizens, a simple and common scenario can be simulated: the issuance of a violation for using a mobile phone while driving, for which the law prescribes a fine of 50 JOD.

Assuming that the vehicle owner is an employee earning a monthly salary of 500 JOD, this person faces only two options:

Option One: Pay the Violation Immediately

- Amount paid: 50 JOD.

Option Two: Challenge the Violation

In practice, challenging the violation requires attending approximately three court hearings.

By a simple calculation, the person's daily wage is:

- $(500 \div 30) = 16.67$ JOD per day.

If attending the court hearings requires being absent from work for three days, then:

- $(16.67 \text{ JOD} \times 3 \text{ days}) = 50 \text{ JOD}$.

In addition to the time cost and loss of income, the citizen bears a material cost in transportation to and from the court, whether using a private vehicle or public transport. This cost averages approximately:

- $(5 \text{ JOD per visit} \times 3 \text{ visits}) = 15 \text{ JOD}.$

Accordingly, the total cost of challenging the violation amounts to **65 JOD**, compared with simply paying the **50 JOD** violation. In other words, the cost of challenging the violation reaches the equivalent of **130%** of the value of one of the most common violations, using a mobile phone while driving.

This simulation demonstrates that, in most cases, challenging an in-absentia violation costs the citizen more than the value of one of the most prevalent violations, making it an economically unviable option. As a result, there is an almost complete reluctance to exercise the right to challenge, even where the violation is doubtful in validity or lacks the statutory conditions. This allows errors in in-absentia violations to persist uncorrected and weakens oversight over the soundness of enforcement procedures.

Societal Evidence Regarding In-Absentia Violations

Posts and comments on social media reveal widespread discontent among citizens regarding in-absentia violations, particularly those issued by automated devices or those containing obvious errors. The following examples provide a representative sample of such complaints:

1. Repeated Violations Without Images

Many citizens report receiving violations, including those for using a mobile phone, without any photographic evidence. One citizen indicated on social media that he received violations totalling 245 JOD in a single month, noting that some of the alleged “mobile phone use” violations were not accompanied by any image.⁴



⁴ Post on Facebook from a personal account, published on 9 December 2024, accessed on 22 November 2025.

2. Lack of Clear Guidance and a Perceived Focus on Revenue Rather Than Prevention

One citizen reported receiving a violation for entering a prohibited street after a bridge. He explained that there were two entrances and a sign prohibiting turning, yet it was unclear which entrance was the correct one. A traffic police officer was “hidden” at one of the entrances and issued the violation without offering any guidance or warning. The citizen stated that the violation appeared to be for financial collection rather than traffic guidance.⁵

3. Violations as a Financial Burden

Many citizens have complained about the rising number of violations, asserting that they do not comply with legal requirements, and describing the situation as akin to revenue collection. They also report inconsistent treatment of offenders, creating a sense of inequality before the law.⁶

4. Violation Containing an Illogical Image

A citizen complained of receiving an in-absentia violation listing coordinates for a location he had not visited at all, stating that he had been at home all day. He added that the attached image showed only the sky, with no vehicle, license plate, or clear landmarks, raising serious doubts about the credibility of the violation.⁷

⁵ Post on Facebook from a personal account, published on 9 December 2024, accessed on 22 November 2025.

⁶ Post on Facebook from a personal account, published on 9 December 2024, accessed on 22 November 2025.

⁷ Facebook post by a news page titled “Citizen’s Complaint About Receiving a Traffic Violation,” posted on Facebook, accessed 3 November 2025, available at:

<https://www.facebook.com/SarahaNews/posts/122243521994183349/>



5. Violation with a Non-Existent Geographical Landmark

A citizen from the town of Kafranga reported receiving a violation for parking on a railway track in Ajloun Governorate, asking, “Is there even a railway in Ajloun Governorate?” This indicates a clear error in recording the violation location data.⁸

6. Red-Light Violation Despite Compliance with the Correct Lane

Another citizen reported receiving a red-light violation despite his vehicle having stopped at the light and turned right in accordance with the lawful lane, as indicated by the arrow on the road surface in the image. This case highlights shortcomings in the system’s automated interpretation of images and its ability to verify actual compliance with lane markings.⁹

⁸ Post on Instagram by a news page, published on 2 November 2025, accessed on 4 November 2025, available at: <https://www.instagram.com/p/DQkFhwUiMd8/>

⁹ Post on Facebook from a personal account, published on 2 November 2025, accessed on 4 November 2025.

يعطيكم العافية
انا اتخالفت تجاوز اشارة ضوئية حمراء
السيارة سيارتي مية بالمية
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الاشارة دغري انا رحيت يمين
ومتل ماهو موضح بالصورة
شاخصه اتجاه مسار السير من جهة يمين او يسار السهم
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7. Violation Despite Compliance with a Traffic Officer's Directions and Video Evidence

A citizen received an in-absentia violation for running a red light, even though he moved based on directions from a traffic officer who was managing traffic at the location. The citizen has an in-car video recording documenting the incident. This case illustrates a problem in applying the law and in automated enforcement decisions that do not take into account the directions of traffic officers on the ground.¹⁰

¹⁰ Post on Facebook from a personal account, published on 28 October 2025, accessed on 4 November 2025.

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خالنا نقطعها حمرة ومعني فيديو مصور من السيارة

في امل تنشال؟ والاعتراض مسموح هاي الفترة؟



Findings

1. The widespread prevalence of in-absentia violations imposes a direct financial burden on citizens, especially given their unprecedented increase in number.
2. Failure to comply with the formal requirements prescribed by law when issuing violations, particularly in-absentia violations, raises doubts as to their validity and lawfulness.
3. The growing frequency of errors in in-absentia violations undermines citizens' trust in traffic enforcement agencies and the electronic enforcement system, and fuels a general sense that the law is being applied unfairly.
4. The widespread and repeated issuance of violations limits some citizens' ability to renew their vehicle registrations or leads them to delay renewal, with resulting legal and economic consequences.
5. The practical simulation of challenging a violation demonstrates that the cost of challenging is equivalent to or greater than the value of the violation itself in the case of the most common violations, which discourages citizens from exercising their legal right to appeal.

Recommendations

1. Strengthen administrative and technical oversight of both human personnel and automated systems responsible for issuing traffic violations, to ensure procedural integrity and accuracy in recording.
2. Review procedures for challenging violations and consider amending the relevant legislation to digitize and automate the challenge process, so that it does not create financial or time burdens that deter individuals from exercising their legal right to challenge.
3. Ensure strict compliance with Article (151) of the Code of Criminal Procedure regarding the formal requirements for violation reports, and with Article (44/b) of the Traffic Law and related legislation, in order to guarantee the legality of violation reports and their evidentiary force before the courts.
4. Require competent authorities to attach an actual image of the violation on the designated online inquiry platform, to ensure transparency and reduce challenges arising from missing or unclear images.