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REPUBLIC OF KENYA



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4/12/19


THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – THIRD SESSION – 2019

DEPARTMENTAL COMMITTEE ON  
TRANSPORT, PUBLIC WORKS AND HOUSING



REPORT ON CONSIDERATION OF THE TRAFFIC (AMENDMENT) BILL, 2019  
(NATIONAL ASSEMBLY BILL No. 28)

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE:	04 DEC 2019
	DAY: WED
TABLED BY:	Hon. David Pkosingi MP Chairperson
CLERK AT THE TABLE:	A. Shubutu

CLERKS CHAMBERS  
DIRECTORATE OF COMMITTEE SERVICES  
PARLIAMENT BUILDINGS  
NAIROBI

DECEMBER, 2019

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## **CHAIRPERSON'S FOREWORD**

This report contains the proceedings of the Departmental Committee on Transport, Public Works and Housing on its consideration of the Traffic (Amendment) Bill, 2019 (National Assembly Bill No. 28) which was read a first time on **18<sup>th</sup> April, 2019** pursuant to Standing Order 127.

In processing the Bill, the Committee invited comments from the public by placing advertisements in the print media on **14<sup>th</sup> June, 2019** pursuant to Article 118 of the Constitution. By the time the Committee was considering the Bill, it had received both oral and written memoranda the Bill. The Committee has put all the stakeholders' comments into consideration while considering the Bill.

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee wishes to thank the sponsor of the Bill, Hon. Jude Njomo, M.P. and the stakeholders who responded to the Committee's call for memoranda.

Finally, I wish to express my appreciation to the Honorable Members of the Committee who made useful contributions towards the preparation and production of this report.

On behalf of the Departmental Committee on Transport, Public Works and Housing and pursuant to the provisions of Standing Order 199 (6), it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of the Traffic (Amendment) Bill, 2019 with the recommendation that the Bill is **approved with amendments**.

**THE HON. DAVID PKOSING, MP, CBS**

**CHAIRPERSON**

**DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS AND HOUSING**

## **EXECUTIVE SUMMARY**

The Traffic (Amendment) Bill (National Assembly Bill No. 28 of 2019) was published on **5<sup>th</sup> April, 2019** and read a first time on **18<sup>th</sup> April 2019** and thereafter committed to the Departmental Committee on Transport, Public Works and Housing for consideration pursuant to Standing Order 127.

The principal object of the Bill is to amend the Traffic Act, Cap. 407 to make provision for the standardization of roads classified as superhighways. The Bill seeks to define certain terms like “dual carriageway”, “highway”, “superhighway” and slow moving vehicle that have been used in the Bill which have not been defined in the Kenya Roads Act. The proposed amendment further seeks to ensure that every superhighway is classified either as Class A or Class B roads.

The Committee considered all the submissions before making its recommendation.

## **1.0 PREFACE**

### **1.1 Establishment of the Committee**

1. The Departmental Committee on Transport, Public Works and Housing is established under Standing Order 216(1) whose mandate, pursuant to the Standing Order 216 (5), is as follows;
  - a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
  - b) study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
  - c) study and review all legislation referred to it;
  - d) study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
  - e) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - f) to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
  - g) examine treaties, agreements and conventions;
  - h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - i) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - j) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
  - k) examine any questions raised by Members on a matter within its mandate.

## **1.2 Mandate of the Committee**

2. The Second Schedule to the Standing Orders mandates the Committee to consider matters relating to the following subjects:-

- (i) Transport;
- (ii) Roads;
- (iii) Public works;
- (iv) Construction and maintenance of roads, rails and buildings;
- (v) Air and seaports; and
- (vi) Housing.

3. In executing this mandate, the Committee oversees various State Departments, namely:

- (i) The State Department of Transport;
- (ii) The State Department of Infrastructure;
- (iii) The State Department of Housing and Urban Development;
- (iv) The State Department of Public Works; and
- (v) The State Department of Shipping and Maritime Affairs.

### 1.3 Committee Membership

The Committee was constituted by the House in December, 2017 and comprises of the following Members:-

#### **Chairperson**

Hon. David Pkosing, M.P.  
Member for Pokot South Constituency  
**Jubilee Party**

#### **Vice-Chairperson**

Hon. Moses Kuria, M.P.  
Member for Gatundu North Constituency  
**Jubilee Party**

#### **Members**

Hon. Dominic Kipkoech Koskei, M.P.  
Member for Soitik Constituency  
**Jubilee Party**

Hon. Peris Tobiko, M.P.  
Member for Kajiado East Constituency  
**Jubilee Party**

Hon. Kulow Maalim Hassan, M.P.  
Member for Banisa Constituency  
**Economic Freedom Party (EFP)**

Hon. Mugambi M, Rindikiri, M.P.  
Member for Buuri Constituency  
**Jubilee Party**

Hon. Samuel Arama, M.P.  
Member for Nakuru Town West  
**Jubilee Party**

Hon. Shadrack John Mose M.P.  
Member for Kitutu Masaba Constituency  
**Jubilee Party**

Hon. Rigathi Gachagua M.P.  
Member for Mathira Constituency  
**Jubilee Party**

Hon. Rehema Dida Jaldesa M.P.  
Member for Isiolo County  
**Jubilee Party**

Hon. Ahmed Bashane Gaal M.P.  
Member for Tarbaj Constituency  
**Peoples Democratic Party**

Hon. David Njuguna Kiaraho M.P.  
Member for Ol Kalou Constituency  
**Jubilee Party**

Hon. Johnson Many Naicca M.P.  
West Constituency Member for Mumias  
**Orange Democratic Movement Party**

Hon. Tom Mboya Odege M.P.  
Member for Nyatike Constituency  
**Orange Democratic Movement Party**

Hon. Suleiman D. Ramadhani M.P.  
Member for Msambweni Constituency  
**Orange Democratic Movement Party**

Hon. Ahmed Abdisalan Ibrahim M.P.  
Member for Wajir North Constituency  
**Orange Democratic Movement Party**

Hon. Gideon Mutemi Mulyungi M.P.  
Member for Mwingi Central Constituency  
**Wiper Democratic Party**

Hon. Savula Ayub Angatia M.P.  
Member for Lugari Constituency  
**Amani National Congress Party**

Hon. Vincent Kemosi Mogaka M.P.  
Member for West Mugirango  
Constituency  
**Ford Kenya Party**



#### **1.4 Committee Secretariat**

The Committee is resourced by the following members of the secretariat:-

**Ms. Chelagat Tungo Aaron**  
**First Clerk Assistant**  
**Lead Clerk**

**Mr. Ahmed Salim Abdalla**  
**Second Clerk Assistant**

**Ms. Mercy Wanyonyi**  
**Legal Counsel**

**Mr. Abdinasir Moge Yusuf**  
**Fiscal Analyst**

**Ms. Noelle Chelangat**  
**Media Relations Officer**

**Mr. James Muguna**  
**Research Officer III**

**Mr. Moses Kariuki**  
**Sergeant at Arms**

**Mr. Collins Mahamba**  
**Audio Recording Officer**

**Ms. Zainabu Wario**  
**Sergeant at Arms**

## **2.0 CONSIDERATION OF THE TRAFFIC ( AMENDMENT) BILL, 2019**

### **2.1 OVERVIEW OF THE TRAFFIC (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 28 OF 2019)**

#### **Statement of Objects and Reasons for the Bill**

6. The principal object of the Bill is to amend the Traffic Act, Cap. 407 to make provision for the standardization of roads classified as superhighways. The Bill seeks to define certain terms like “dual carriageway”, “highway”, “superhighway” and slow moving vehicle that have been used in the Bill which have not been defined in the Kenya Roads Act. The proposed amendment further seeks to ensure that every superhighway is classified either as Class A or Class B roads.
7. **Clause 1** of the Bill provides for the short title of the Bill.
8. **Clause 2 of the Bill** seeks to define certain terms like “dual carriageway”, “highway”, “superhighway” and “slow moving vehicle”.
9. **Clause 3** of the Bill seeks to classify superhighways as either Class A or Class B roads and provide the maximum speed limits on superhighways for public service vehicles as one hundred kilometres while for motor- cars one hundred and thirty kilometres.

#### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

10. The Bill does not delegate legislative powers to the Cabinet Secretary and neither does it limit fundamental rights and freedoms.

#### **Statement on whether the Bill concerns county governments**

11. The Bill does not affect the functions of county governments and is therefore not a Bill concerning counties for purposes of the Constitution and Standing Orders.

#### **Statement whether the Bill is a money bill**

12. The Bill is not a money bill for purposes of Article 114 of the Constitution. The enactment of the Bill shall not occasion additional expenditure of public funds.

### **3.0 PUBLIC PARTICIPATION IN THE REVIEW OF THE BILL**

13. Article 118 (1) (b) of the Constitution of Kenya provides as follows: -

*‘‘Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees’’*

14. Standing Order 127(3) provides as follows-

*‘‘The Departmental Committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee makes its recommendations to the House’’*

15. In line with the Constitution and Standing Orders, the National Assembly in the local daily newspapers of June 14<sup>th</sup> 2019 invited the public to make representations on the proposed amendments in the Bill as per annexure 2 of the report. Several members of the public either individually or representing institutions and organizations submitted their views to the Committee by way of written and oral submissions.

16. The Committee received both written and oral submissions on the proposed amendments to the Traffic Act, Cap 407.

17. The written submissions received are contained in Annexure 3 of the report.

#### **3.1 Submission by Stakeholders**

##### **3.1.1 The Ministry of Transport**

18. As regards to Clause 2, it was submitted that the Kenya Highway Code provides that every driver should keep to the left unless road signs or markings indicate otherwise or unless the driver is overtaking or wants to turn right or pass parked vehicles or pedestrians on the road. They recommended that the definition should not be inserted as it offends the road traffic rules.

19. With regards to the proposed amendment to section 94A of the Traffic Act, it was submitted that the amendment proposes to increase the speed limit for PSVs including buses, minibuses, coaches, motorcycles and light commercial vehicles to 100 kph, and 130kph for motor-cars. That the operational speeds in any class of road are set during construction and in accordance to the road designs and where need arises to change speed on any class of a road then the Cabinet Secretary

gazettes the appropriate speed based on evidential data pursuant to section 42(4) (b) of the Traffic Act, CAP 403. They objected to this amendment as road crashes have been attributed to high speeds of motor vehicles on Kenyan roads. The speed limits should be maintained as currently provided for.

20. With regards to the proposed amendments to section 2 of the Traffic Act (as proposed), it was submitted that the proposed amendments duplicate the definitions provided for under the Traffic Act, Cap 403. However there are omissions and inclusions and that the Act could be amended by inserting or deleting the following:

a) **“authorised officer”** means a person appointed as such under section 3(4);- This clause should be inserted; this definition is already provided for in the Act and is missing in the attached amendments.

b) **“highway authority”** means the **Minister** for the time being responsible for Public Roads or any other Authority or body to whom the **Minister** delegates powers subject to such terms and conditions as he may deem appropriate; That the word “Minister” should be deleted and substituted by “Cabinet Secretary responsible for Public Roads”.

c) The expression **“driving test examiner”** is defined as **“any person appointed to be a driving test examiner under subsection 3 of section 3”**. Section 3(3) provides that the Authority may appoint such number of suitably qualified persons to be inspectors of motor vehicles as it may deem necessary for purposes of this Act.” This section makes reference to inspectors and not driving test examiners hence should be deleted and the definition should be deleted pursuant to the Statute Law (Miscellaneous Amendment Act No. 18 of 2018. It was submitted that section 39 of the Traffic Act, provides that “Driving tests for the purpose of this Act shall be conducted by the Authority” They proposed that the amendment including the definition of the words “driving test examiner” should be abandoned as the amendment has already be made.

d) The word **“taxicab”** is defined as any public service vehicle constructed or adapted to carry not more than seven passengers, exclusive of the driver, which is registered under **any by-laws** relating to the licensing and operation of taxicabs to ply for hire from a taxi

rank or other public place within the area where such by-laws are in force. The words any **by-laws** should be replaced by the words **County Laws** as currently County Governments enact County Laws and not by-laws.

### **3.1.2 Hon. Jude Njomo, MP**

21. Hon. Jude Njomo briefed the Committee about the objects of the Bill which he submitted as to make provision for the standardization of roads classified as superhighways. He submitted that the Traffic Act was enacted without taking into consideration the advanced road structures and designs hence the need to incorporate them in law and provide for their use and standardization

#### **4.0 CLAUSE BY CLAUSE CONSIDERATION OF THE BILL**

21. This part deals with the clause by clause consideration of the Bill by the Committee after taking into consideration the views of the aforementioned stakeholders.

##### **4.1 Clause 1**

22. Clause 1 provides for the short title of the Bill.

##### **4.1.1 Committee's Observation and Recommendation on Clause 1**

22. The Committee observed that there was no stakeholder comments on the clause. The Committee recommended that the clause be agreed to as it appears in the Bill.

##### **4.2 Clause 2**

23. Clause 2 amends section 2 of the Principle Act.

##### **4.2.1 Committee's Observation and Recommendation on the Clause**

24. The Committee observed that the Ministry of Transport was not in support of the clause. The Committee recommended that the clause be agreed to as it appears in the Bill.

##### **4.3 Clause 3**

25. Clause 3 amends section 94A of the Principle Act.

##### **4.3.1 Committee's Observation and Recommendation on the Clause**

26. The Committee observed that the Ministry of Transport was not in support of the clause. The Committee recommended that the clause be agreed to as it appears in the Bill.

**5.0 COMMITTEE'S GENERAL OBSERVATIONS**

27. The Committee observed that the enactment of this law will ensure the management and standardization of superhighways thereby ensuring that they are well managed and regulated.

**6.0 COMMITTEE RECOMMENDATION**

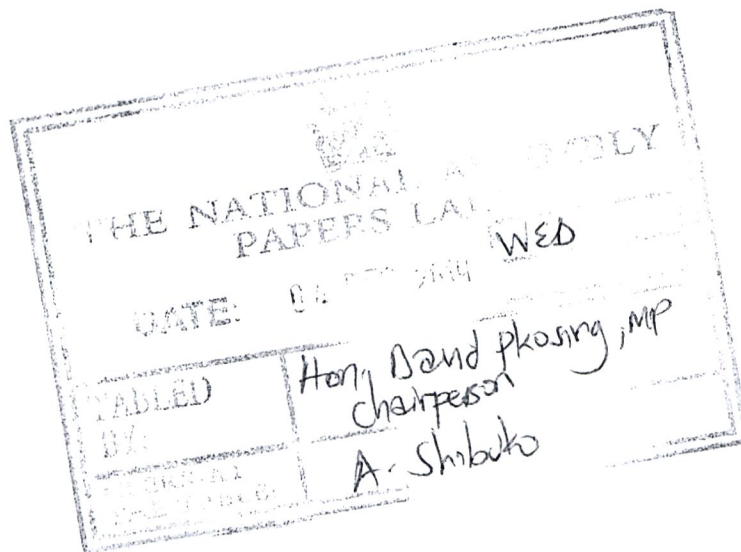
28. The Committee, having considered the Bill clause by clause proposes that the Bill be passed subject to the inclusion of the proposed amendments.

SIGNED.....*[Signature]*..... DATE.....*03/12/2019*.....

**THE HON. DAVID PKOSING, MP, CBS**

**CHAIRPERSON**

**DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS AND HOUSING**



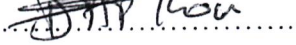
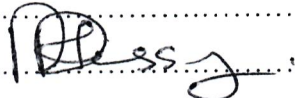
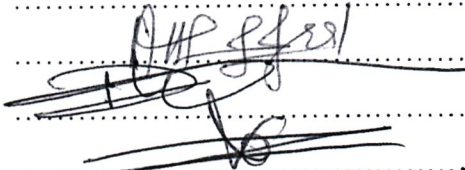
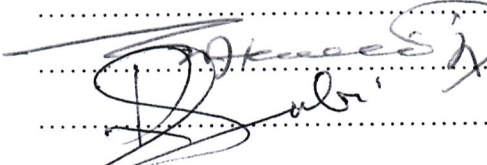


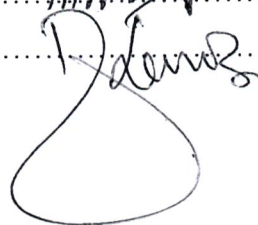
## **6.0 LIST OF ANNEXURES**

- Annexure 1:** Minutes of Committee sittings on the consideration of the Bill
- Annexure 2:** Newspaper advertisement inviting the public to submit memoranda on the Bill
- Annexure 3:** Written submission received from stakeholders following newspaper advertisement



## 7.0 Adoption of the Report

We, the members of the Departmental Committee on Transport, Public Works and Housing have today 2<sup>nd</sup> December, 2019 adopted this Report on the Traffic (Amendment) Bill, 2019 (National Assembly Bill No. 28 of 2019), for consideration and approval by the House Pursuant to Standing Order 199.

1. Hon. David Pkosing, M.P. -Chairperson ..... 
2. Hon. Moses Kuria, M.P. -Vice Chairperson .....
3. Hon. Samuel Arama, M.P. ....
4. Hon. Johnson Many Naicca, M.P. ....
5. Hon. Peris Pesi Tobiko, M.P. .... 
6. Hon. Savula Ayub Angatia, M.P. ....
7. Hon. Suleiman Dori Ramadhani, M.P. ....
8. Hon. Ahmed Abdisalan Ibrahim, M.P. ....
9. Hon. Ahmed Bashane Gaal, M.P. .... 
10. Hon. David Njuguna Kiaraho, M.P. ....
11. Hon. Dominic Kipkoech Koskei, M.P. ....
12. Hon. Gideon Mutemi Mulyungi, M.P. ....
13. Hon. Kulow Maalim Hassan, M.P. .... 
14. Hon. Mugambi M. Rindikiri, M.P. ....
15. Hon. Rehema Dida Jaldesa, M.P. .... 
16. Hon. Rigathi Gachagua, M.P. ....
17. Hon. Shadrack John Mose, M.P. ....
18. Hon. Tom Mboya Odege, M.P. .... 
19. Hon. Vincent Kemosi Mogaka, M.P. .... 

**MINUTES OF THE FIFTY SEVENTH (57<sup>TH</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING HELD ON TUESDAY, 30<sup>TH</sup> JULY 2019 AT 10.00 A.M. IN 5<sup>TH</sup> FLOOR, CONTINENTAL HOUSE, WITHIN PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. David Pkosing, M.P. - Chairperson
2. Hon. Samuel Arama, M.P.
3. Hon. Suleiman Dori Ramadhani, M.P.
4. Hon. Peris Pesi Tobiko, M.P.
5. Hon. Ahmed Abdisalan Ibrahim, M.P.
6. Hon. Rehema Dida Jaldesa, M.P.
7. Hon. Rigathi Gachagua, M.P.
8. Hon. Shadrack John Mose, M.P.
9. Hon. Tom Mboya Odege, M.P.
10. Hon. Vincent Kemosi Mogaka, M.P.

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. Moses Kuria, M.P. - Vice Chairperson
2. Hon. Savula Ayub Angatia, M.P.
3. Hon. Johnson Manya Naicca, M.P.
4. Hon. Dominic Kipkoech Koskei, M.P.
5. Hon. Kulow Maalim Hassan, M.P.
6. Hon. Mugambi Murwithania Rindikiri, M.P.
7. Hon. Ahmed Bashane Gaal, M.P.
8. Hon. Gideon Mutemi Mulyungi, M.P.

**SECRETARIAT**

1. Ms. Chelagat Tungo Aaron - Clerk Assistant I
2. Mr. Ahmed Salim - Clerk Assistant II
3. Ms. Mercy Wanyonyi - Legal Counsel II

- |                        |   |                  |
|------------------------|---|------------------|
| 4. Mr. Abdinasir Moge  | - | Fiscal Analyst   |
| 5. Mr. James Muguna    | - | Research Officer |
| 6. Ms. Zainab Wario    | - | Sergeant-at-arm  |
| 7. Mr. Collins Mahamba | - | Audio Officer    |

**MIN No. TPWH 283/2019: PRELIMINARIES**

The Chairman called the meeting to order at 10:15 am. The meeting was then opened with a word of prayer. Members were informed that the agenda of the meeting was to consider the Traffic (Amendment) Bill, 2019 (National Assembly Bills No. 28), the Kenya Roads (Amendment) Bill, 2018 (Legislative Proposal) and the National Transport and Safety (Amendment) Bill, 2019 (Legislative Proposal).

**MIN No. TPWH 284/2019: CONFIRMATION OF MINUTES OF THE PREVIOUS**

The minutes of the fifty sixth sitting held on 16<sup>th</sup> July 2019 were confirmed as true record of the proceedings having been proposed and seconded by Hon. Tom Odege, M.P. and Hon. Shadrack Mose, M.P. respectively.

**MIN No. TPWH 285/2019: CONSIDERATION OF THE TRAFFIC (AMENDMENT) BILL, 2019 (NATIONAL ASSEMBLY BILLS NO. 28)**

The Committee went through the Traffic (Amendment) Bill, 2019 (National Assembly Bills No. 28) and resolved to invite Hon. Jude Njomo, M.P. as the sponsor of the Bill; Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works; and National Transport and Safety Authority, to give their views and comments on the Traffic (Amendment) Bill, 2019 on Thursday, 8<sup>th</sup> August 2019 at 10am.

**MIN No. TPWH 286/2019: CONSIDERATION OF THE KENYA ROADS (AMENDMENT) BILL, 2018 (LEGISLATIVE PROPOSAL)**

The Committee went through the Kenya Roads (Amendment) Bill, 2018 (Legislative Proposal) and resolved to invite Hon. Jude Njomo, M.P. as the sponsor of the legislative proposal on Thursday, 8<sup>th</sup> August 2019 at 10am.

**MIN No. TPWH 287/2019:**                    **CONSIDERATION OF THE NATIONAL  
TRANSPORT AND SAFETY (AMENDMENT) BILL,  
2019 (LEGISLATIVE PROPOSAL)**

The Committee went through the National Transport and Safety (Amendment) Bill, 2019 (Legislative Proposal) and resolved to invite Hon. Silvanus Osoro Onyiego, M.P. as the sponsor of the legislative proposal on Thursday, 8<sup>th</sup> August 2019 at 9:30am.

**MIN No. TPWH 288/2019:**                    **ANY OTHER BUSINESS**


The following matters were raised in the meeting:

1. The Chairperson informed the Committee that there were three possible foreign activities for the Committee as follows:
  - a) Invitation from the National Construction Authority vide a letter dated 24<sup>th</sup> July 2019 for a National Association of State Contractors Licensing Agencies (NASCLA) Annual Conference in Maryland USA, from 24<sup>th</sup> August to 4<sup>th</sup> September and the Committee proposed Hon. Shadrack Mose, M.P., Hon. Rehema Jaldesa, M.P., Hon. Ahmed Abdisalan, M.P., Mr. Nicholas Emejen and Ms. Chelagat Aaron Tungo to attend.
  - b) Invitation from the Kenya Civil Aviation Authority vide a letter dated 18<sup>th</sup> July 2019 for the 40<sup>th</sup> Session of ICAO Assembly in Montreal Canada, from 24<sup>th</sup> September to 4<sup>th</sup> October and the Committee proposed Hon. Johnson Naicca, M.P., Hon. Vincent Kemosi, M.P., Hon. Ahmed Bashane, M.P., Ms. Florence Abonyo and Mr. Ahmed Salim Abdalla to attend.
  - c) There was also expected invitation to attend the United Nations General Assembly in September and the Committee proposed Hon. David Pkosing, Hon. Peris Tobiko, M.P., Hon. Suleiman Dori, M.P. and any one officer to attend.

2. The Committee resolved to invite the Managing Director of the Kenya Ports Authority and the management team for a meeting on Thursday, 8<sup>th</sup> August 2019 at 11:30am to clarify a number of issues of concern, including;
  - a) The progress made by the Kenya Ports Authority in ensuring that the Special Interest Groups comprising of women, youth and people with disabilities access business opportunities in light of the relevant laws and circulars issued by the National Treasury on qualification of such groups; and
  - b) The progress made in light of the Presidential Directive on immediate clearance of goods and shipments at the inland container depot.
  
3. The Committee proposed a tour of projects within the Ministry located in the Coastal Region, North Eastern and Central Regions possibly at the end of August 2019. Members were advised to gather and submit information on the possible areas of visit by 9<sup>th</sup> August 2019 to enable planning.

**MIN No. TPWH 289/2019:                      ADJOURNMENT**

There being no other business to transact, the sitting adjourned at twenty five minutes past eleven o'clock.

Signed.....  .....

(Chairperson)

Date..... 1/8/19 .....

**MINUTES OF THE SIXTY SECOND (62<sup>ND</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING HELD ON TUESDAY, 24<sup>TH</sup> SEPTEMBER 2019 AT 9.30 AM. IN 4<sup>TH</sup> FLOOR, CONTINENTAL HOUSE, WITHIN PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. David Njuguna Kiaraho, M.P.
2. Hon. Kulow Maalim Hassan, M.P.
3. Hon. Rehema Dida Jaldesa, M.P.
4. Hon. Dominic Kipkoech Koskei, M.P.
5. Hon. Shadrack John Mose, M.P.
6. Hon. Vincent Kemosi Mogaka, M.P.
7. Hon. Gideon Mutemi Mulyungi, M.P.

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. David Pkosing, M.P. - Chairperson
2. Hon. Moses Kuria, M.P. - Vice Chairperson
3. Hon. Suleiman Dori Ramadhani, M.P.
4. Hon. Rigathi Gachagua, M.P.
5. Hon. Peris Pesi Tobiko, M.P.
6. Hon. Ahmed Abdisalan Ibrahim, M.P.
7. Hon. Tom Mboya Odege, M.P.
8. Hon. Ahmed Bashane Gaal, M.P.
9. Hon. Samuel Arama, M.P.
10. Hon. Mugambi Murwithania Rindikiri, M.P.
11. Hon. Savula Ayub Angatia, M.P.
12. Hon. Johnson Many Naicca, M.P.

**SECRETARIAT**

1. Ms. Chelagat Tungo Aaron - Clerk Assistant I
2. Ms. Mercy Wanyonyi - Legal Counsel
3. Mr. James Muguna - Research Officer
4. Ms. Noelle Chelagat - Media Relations Officer
5. Ms. Zainab Wario - Sergeant-at-arm

**IN ATTENDANCE**

1. Mr. Martin Eshiwani - Director Road Transport

- |                       |   |   |
|-----------------------|---|---|
| 2. Mr. David Oleshege | - | Director, State Department of Transport |
| 3. Mr. Francis Meja   | - | Director General, NTSA                  |
| 4. Mr. Tom Abuga      | - | Legal Manager, NTSA                     |
| 5. Ms. Brenda Mwangi  | - | State Counsel, SD of Transport          |

**MIN No. TPWH 324/2019:**                      **PRELIMINARIES**

The Chairman called the meeting to order at 10.00 am. The meeting was then opened with a word of prayer. Members were informed that the agenda of the meeting was to consider the National Transport and Safety (Amendment) Bill, 2019 (Legislative Proposal); the Traffic (Amendment) Bill, 2019 (National Assembly Bills No. 28) and the Kenya Roads (Amendment) Bill, 2018 (Legislative Proposal)

**MIN No. TPWH 325/2019:**                      **CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**

The confirmation of minutes of the previous sitting was deferred to a later date.

**MIN No. TPWH 326/2019:**                      **CONSIDERATION OF THE NATIONAL TRANSPORT AND SAFETY (AMENDMENT) BILL, 2019 (LEGISLATIVE PROPOSAL)**

The Committee invited the Hon. Silvanus Osoro Onyiego, who was the sponsor of the National Transport and Safety (Amendment) Bill, 2019 (Legislative Proposal) to give an overview of the Legislative Proposal before receiving views from the Ministry.

He informed the meeting that the Bill seeks to prohibit public officers serving in the National Government, County Governments and the public service from operating commercial vehicles more so police officers as this result in conflict of interest as they regulate the public transport system in the Nation.

Article 260 of the Constitution defines a **public office** as “an office in the national government, a county government or the public service, if the remuneration and benefits from the office are payable directly from the Consolidated Fund or directly out of money provided by Parliament.

Further, “**public service**” is defined as the collectivity of all individuals, other than State officers, performing a function within a State organ.

The proposal is general and too wide since it doesn’t limit its application to only police officers, which is the intention according to the memorandum of objects and reasons, but public officers or those in public service.

Further, the proposal ought to specify the circumstances for its application e.g if there is any conflict between personal interests and public or official duties.

**The Ministry submitted to the Committee as follows;**

That the recommendation to insert Section 26 1 (A) the following section:

“A public officer serving in the national government, county government or public service shall not be allowed to operate any class of vehicle as public service vehicles while in service”

This provision aims at making it illegal for the public officers working the National and County Governments to operate public service vehicles. While this suggestion is aimed at addressing conflict of interest, it is discriminatory hence unconstitutional. This amendment discriminates against public officers who have no relations to PSV licensing and traffic law enforcement. Teachers, land officers, health professional, agriculture officers will be affected yet they have no conflict of interest.

The Bill should propose the barring of Officers in NTSA and National Police Service who interact with PSVs in order to discourage engagement in the operation of PSV’s.

The Ministry therefore proposes that the amendment be re-drafted to state as follows:

“Any National Government or County Officer who is directly or indirectly involved in enforcement of transport policies and laws or in the inspection or licensing of both public service vehicles and commercial service vehicles shall not be allowed to operate any class of vehicle including private vehicles as public service vehicles and commercial service vehicles”

**MIN No. TPWH 327/2019:                      CONSIDERATION        OF        THE        TRAFFIC**  
**(AMENDMENT)        BILL,        2019        (NATIONAL**  
**ASSEMBLY BILLS NO. 28)**

The Committee invited the Hon. Jude Njomo who was the sponsor of the Traffic (Amendment) Bill, 2019 (National Assembly Bills No. 28) to give a brief over view of the Bill before inviting the Ministry for their comments on the same.

The meeting was informed that the Bill seeks to define certain terms like “dual carriageway”, “highway”, “superhighway” and slow moving vehicle that have been used in the Bill which have not been defined in the Kenya Roads Act.

The proposed amendment seeks to ensure that every superhighway is classified either as Class A or Class B roads.

The Kenya Roads Act, 2007 defines Class A and B roads as:



**Class A** International trunk roads linking centres of international importance and crossing international boundaries or terminating at international ports.

**Class B** National trunk roads linking nationally important centres.

The proposed amendment further seeks to ensure that each superhighway has a lane to the extreme left reserved for slow moving vehicles and a maximum speed limit for public service vehicles and motor-cars prescribed.

The Traffic Act defines a motor-car as a motor vehicle having seating accommodation for **not more than ten passengers** excluding the driver, but does not include a motorcycle;

There is need to incorporate a marginal note as a guide on the contents of the new section. Further, the relevant section of the Act ought to be amended i.e. section 42 as opposed to section 94.

**The Ministry submitted to the Committee as follows;**

**1.1 Proposal to Amendment of Section 2 of the Traffic Act** to include definition of “slow moving vehicle” – means a vehicle travelling at a speed or below seventy kilometers per hour”

The Kenya Highway Code provides that every driver should keep to the left unless road signs or markings indicate otherwise or unless the driver is overtaking or wants to turn right or pass parked vehicles or pedestrians on the road.

They recommended that the definition should not be inserted as it offends the road traffic rules.

**1.2 Amendment to include section 94A Traffic Act**

This amendment proposes to increase the speed limit for PSVs including buses, minibuses, coaches, motorcycles and light commercial vehicles to 100 kph, and 130kph for motor-cars.

The operational speeds in any class of road are set during construction and in accordance to the road designs. Where need arises to change speed on any class of a road then the Cabinet Secretary gazettes the appropriate speed based on evidential data

Section 42(4) (b) of the Traffic Act, CAP 403 provides that:

The Minister has the right;

“To impose on any road or area, either permanently or for such time as he considers appropriate, such lower limit of speed as may be necessary to prevent damage to the road or for the safety of the public having regard to any permanent or temporary hazards, the alignment or characteristics of the road, the width of streets, nature of traffic or general development of the area:

Provided that, in any case whilst such lower limit is in force under this subsection, indication of the maximum speed permitted shall be given by prescribe traffic signs erected and maintained so

as plainly to indicate to drivers entering or leaving such restricted road where the lower speed limit begins and ends.”

They objected to this amendment as road crashes have been attributed to high speeds of motor vehicles on Kenyan roads. The speed limits should be maintained as currently provided for.

**1.3** Section 2 of the Traffic Act (as proposed) duplicates the definitions provided for under the Traffic Act, Cap 403. However there are omissions and inclusions. We should amend by inserting or deleting the following:

- a) **“authorised officer”** means a person appointed as such under section 3(4);- This clause should be inserted; this definition is already provided for in the Act and is missing in the attached amendments.
- b) **“highway authority”** means the Minister for the time being responsible for Public Roads or any other Authority or body to whom the Minister delegates powers subject to such terms and conditions as he may deem appropriate; - should read the ‘‘Cabinet Secretary responsible for Public Roads’’
- c) The provisions of the amendments define **“driving test examiner”** as **“any person appointed to be a driving test examiner under subsection 3 of section 3”** Section 3(3) provides that  
“The Authority may appoint such number of suitably qualified persons to be inspectors of motor vehicles as it may deem necessary for purposes of this Act.”  
This section makes reference to inspectors and not driving test examiners hence the amendment should be deleted and the definition should read as it is currently provided as follows;  
**“driving test examiner”** *deleted by Statute Law (Miscellaneous Amendment Act No. 18 of 2018, .;-*

Section 39 of the Traffic Act, provides that

“Driving tests for the purpose of this Act shall be conducted by the Authority”

They proposed that the amendment including the definition of the words “driving test examiner” should be abandoned as the amendment has already been made.

- d) **“taxicab”** means any public service vehicle constructed or adapted to carry not more than seven passengers, exclusive of the driver, which is registered under any by-laws relating to the licensing and operation of taxicabs to ply for hire from a taxi rank or other public place within the area where such by-laws are in force.

The words any **by-laws** should be replaced by the words **County Laws** as currently County Governments enact County Laws and not by-laws.

**MIN No. TPWH 328/2019:**

**CONSIDERATION OF THE KENYA ROADS  
(AMENDMENT) BILL, 2018 (LEGISLATIVE  
PROPOSAL)**

The Committee invited the Hon. Jude Njomo who was the sponsor of the Kenya Roads (Amendment) Bill, 2018 (Legislative Proposal) to give his views on the Legislative Proposal and he informed the Committee that;

The Kenya Roads Act, in this Act referred to as “the principal Act” is amended in section 2 by inserting the following definitions in proper alphabetical sequence–

“**dual carriageway**” means a road which has two or more lanes of traffic travelling in opposite directions and is separated by a central strip of grass or concrete down the middle to separate the two lots of traffic;

“**highway**” means a long road giving fast connection between two places; and

“**superhighway**” means a dual carriageway highway, having at least four lanes, with two lanes on either side, and used for travelling at high speeds over long distances.

The Bill seeks to define certain terms like “dual carriageway” and “highway”, “superhighway” which have not been defined in the Kenya Roads Act.

**MIN No. TPWH 329/2019:**

**ADJOURNMENT**

There being no other business to transact, the sitting adjourned at half past eleven o’clock.

Signed.....

(Chairperson)

Date.....3/12/19



**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN  
DEVELOPMENT AND PUBLIC WORKS  
STATE DEPARTMENT OF TRANSPORT**

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Telephone: 2729200  
Email: ps@transport.go.ke  
Website: www.transport.go.ke

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NGONG ROAD  
P. O. Box 52692-00200  
NAIROBI

**MOT&I/C/ADM/034/7/1 VOL. XII**

**23<sup>rd</sup> September, 2019**

**Michael R. Sialai, EBS**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

Dear *Sir,*

**MEETING TO CONSIDER THE TRAFFIC (AMENDMENT) BILL, 2019  
(NATIONAL ASSEMBLY BILL NO. 28**

We acknowledge receipt of your letter Reference No. NA/DCS/TPWH/CORR/2019/122 of 17<sup>th</sup> September, 2019 on the above subject.

Enclosed, please find our comments on the Traffic (Amendment) Bill, 2019 and the National Transport and Safety Authority (Amendment) Bill, 2019.

Yours

  
Esther Koimett, CBS  
**PRINCIPAL SECRETARY**

Encls.



VERY URGENT

MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN DEVELOPMENT AND PUBLIC WORKS  
OFFICE OF THE PRINCIPAL SECRETARY

Telephone: (020) 2729200  
Fax: (020) 2726362  
Email: ps@transport.go.ke  
Website: [www.transport.go.ke](http://www.transport.go.ke)

TRANSCOM BUILDING  
NGONG ROAD  
P.O. Box 52692 - 00200  
NAIROBI

MOT & I/C/ADM/034/7/1 VOL.XII

23rd September, 2019

**Mr. Michael Sialai, EBS**  
The Clerk of National Assembly  
Parliament Buildings  
**NAIROBI**

① Dcoms  
Please deal  
24/09/19  
THE NATIONAL ASSEMBLY  
RECEIVED  
24 SEP 2019  
DIRECTOR COMMITTEE SERVICES

Dear Mr. Sialai,

**RE: MEETING TO CONSIDER THE TRAFFIC (AMENDMENT) BILL, 2019  
(NATIONAL ASSEMBLY BILLS NO.28**

Reference is made to your letter Ref.No.NA/DCS/TPWH/CORR/2019/122 dated 12<sup>th</sup> September 2019 on the above subject.

The Cabinet Secretary and I will be away on official duties outside the country. We request that the Committee allows us to be represented by Mr. David Oleshege, Director Administration, Mr. Martin Eshiwani, Director, Roads and Railway Transport and Brenda Mwangi, State Counsel.

Yours Sincerely

Esther Koimett, CBS  
PRINCIPAL SECRETARY

② TUNGO  
please deal  
FA  
24/9/19

Copy to: **Mr. James Macharia, EGH**  
Cabinet Secretary  
Ministry of Transport, Infrastructure, Housing, Urban  
Development and Public Works  
**NAIROBI**

③ ehenwano  
please note  
FA  
24/9/19

NATIONAL ASSEMBLY  
RECEIVED  
24 SEP 2019  
CLERK'S OFFICE  
P. O. Box 41842, NAIROBI

**Hon. Christopher Obure, EGH**  
Chief Administration Secretary  
Ministry of Transport, Infrastructure, Housing, Urban  
Development and Public Works  
**NAIROBI**

**1.0 STATEMENT ON TRAFFIC (AMENDMENT) BILL, 2019  
(NATIONAL ASSEMBLY BILLS NO. 28)**

We wish to make the following comments with regard to the Bill

**1.1 Proposal to Amendment of Section 2 of the Traffic Act to include definition of "slow moving vehicle" - means a vehicle travelling at a speed or below seventy kilometers per hour"**

The Kenya Highway Code provides that every driver should keep to the left unless road signs or markings indicate otherwise or unless the driver is overtaking or wants to turn right or pass parked vehicles or pedestrians on the road.

We recommend that the definition should not be inserted as it offends the road traffic rules.

**1.2 Amendment to include section 94A Traffic Act**

This amendment proposes to increase the speed limit for PSVs including buses, minibuses, coaches, motorcycles and light commercial vehicles to 100 kph, and 130kph for motor-cars.

The operational speeds in any class of road are set during construction and in accordance to the road designs. Where need arises to change speed on any class of a road then the Cabinet Secretary gazettes the appropriate speed based on evidential data

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The Minister has the right;

“To impose on any road or area, either permanently or for such time as he considers appropriate, such lower limit of speed as may be necessary to prevent damage to the road or for the safety of the public having regard to any permanent or temporary hazards, the alignment or characteristics of the road, the width of streets, nature of traffic or general development of the area:

Provided that, in any case whilst such lower limit is in force under this subsection, indication of the maximum speed permitted shall be given by prescribe traffic signs erected and maintained so as plainly to indicate to drivers entering or leaving such restricted road where the lower speed limit begins and ends.”

We object to this amendment as road crashes have been attributed to high speeds of motor vehicles on Kenyan roads. The speed limits should be maintained as currently provided for.

1.3 Section 2 of the Traffic Act (as proposed) duplicates the definitions provided for under the Traffic Act, Cap 403. However there are omissions and inclusions. We should amend by inserting or deleting the following:



a) "authorised officer" means a person appointed as such under section 3(4);- This clause should be inserted; this definition is already provided for in the Act and is missing in the attached amendments.

b) "highway authority" means the Minister for the time being responsible for Public Roads or any other Authority or body to whom the Minister delegates powers subject to such terms and conditions as he may deem appropriate; - should read the "Cabinet Secretary responsible for Public Roads"

c) The provisions of the amendments define "driving test examiner" as

"any person appointed to be a driving test examiner under subsection 3 of section 3"

Section 3(3) provides that

"The Authority may appoint such number of suitably qualified persons to be inspectors of motor vehicles as it may deem necessary for purposes of this Act."

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"driving test examiner" *deleted by Statute Law (Miscellaneous Amendment Act No. 18 of 2018, .;-*

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"Driving tests for the purpose of this Act shall be conducted by the Authority"

We propose that the amendment including the definition of the words "driving test examiner" should be abandoned as the amendment has already be made.

d) "**taxicab**" means any public service vehicle constructed or adapted to carry not more than seven passengers, exclusive of the driver, which is registered under any by-laws relating to the licensing and operation of taxicabs to ply for hire from a taxi rank or other public place within the area where such by-laws are in force.

The words any **by-laws** should be replaced by the words **County Laws** as currently County Governments enact County Laws and not by-laws.

② TUNGO  
Please deal  
FA  
2/16/19



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL  
&  
DEPARTMENT OF JUSTICE

③ EMEGO  
Please note  
FA  
2/16/19

Our Ref: AG/LDD/113/1/17

14<sup>th</sup> June, 2019

The Clerk of the National Assembly,  
Clerk's Chambers,  
Parliament Buildings,  
P. O. Box 41842-00100  
NAIROBI.

① D/COMS  
Please deal  
FA  
20/06/19

ATTN: FLORENCE ATENYO-ABONYO

**RE: PRE-PUBLICATION SCRUTINY OF THE KENYA ROADS  
(AMENDMENT) BILL, 2018 BY HON. JUDE NJOMO, MP**

Reference is made to your letter dated 12<sup>th</sup> June, 2019 and referenced NA/DCS/TPWH/CORR/2019/069 and received in our Offices on the 14<sup>th</sup> June 2019.

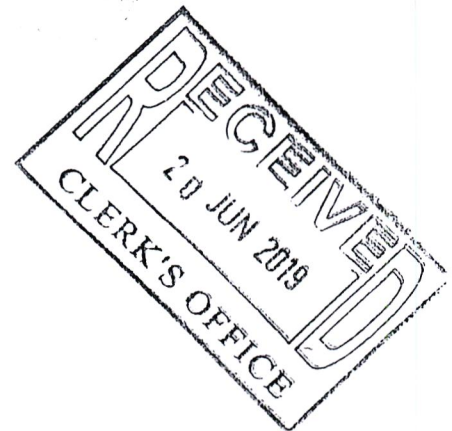
We kindly request for sufficient time, to consider the referenced legislative proposal and submit our comments and recommendations on the same.

Kindly inform the Departmental Committee on Transport, Public Works and Housing of our request and advise on an alternative the date we may submit our comments in light of this request.

**MAUREEN ODENDO,  
PARLIAMENTARY COUNSEL,  
FOR: ATTORNEY-GENERAL**

Copy to: 1. Hon. P. Kihara Kariuki  
Attorney-General

2. Mr. Kennedy Ogeto EBS  
Solicitor- General



SHERIA HOUSE, HARAMBEE AVENUE

P.O. Box 40112-00100, NAIROBI, KENYA. TEL: +254 20 2227461/2251355/07119445555/0732529995  
E-MAIL: [info.statelawoffice@kenya.go.ke](mailto:info.statelawoffice@kenya.go.ke) WEBSITE: [www.attorney-general.go.ke](http://www.attorney-general.go.ke)

DEPARTMENT OF JUSTICE

CO-OPERATIVE BANK HOUSE, HAILLE SELLASIE AVENUE P.O. Box 56057-00200, Nairobi-Kenya TEL: Nairobi 2224029/ 2240337  
E-MAIL: [legal@justice.go.ke](mailto:legal@justice.go.ke) WEBSITE: [www.justice.go.ke](http://www.justice.go.ke)

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(2) TUNGO  
Please deal  
FA  
05/11/19

(3) CHEMWEWE  
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05/11/19



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING,  
URBAN DEVELOPMENT AND PUBLIC WORKS  
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Website: [www.transport.go.ke](http://www.transport.go.ke)

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P.O. Box 30260 - 00100  
NAIROBI

REF: MOTIHUD/I/QMS/LD/LEG/VOL.I

28<sup>th</sup> October, 2019

Mr. Kennedy Ogeto, EBS  
Solicitor General  
Office of the Attorney General &  
Department of Justice  
P.O. Box 40112 - 00100  
NAIROBI

(1) Dlcoms  
Please deal  
  
05/11/19

Dear

RE: COMMENTS ON THE KENYA ROADS (AMENDMENT) BILL, 2018

Reference is made to the above matter and your letters dated 14<sup>th</sup> June, 2019 and 11<sup>th</sup> October, 2019 (ref: AG/LDD/113/1/17).

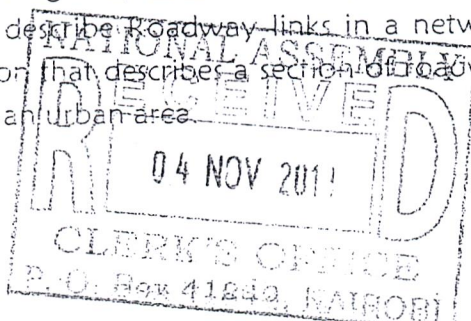
We have perused the Kenya Roads (Amendment) Bill, 2018 as attached in your aforesaid letter and we wish to comment as follows: -

Proposed New Definitions

The Bill proposes to introduce, in the Kenya Roads Act, three new definitions being "Highway": "Superhighway" and "Dual carriageway".

The Road Asset as carried in our current register has a nomenclature related to network functionality.

The term highway does not form part of the classification standard. However, it is a term used to describe Roadway links in a network. The term Super-highway is an aesthetic expression that describes a section of roadway with generous space provision and usually close to an urban area.



A dual carriageway is a lane configuration related to directional traffic flow pattern.

The three terms have not been used in the Kenya Roads Act since they have no standardized technical specification and are general in the description of a roadway.

#### Legal Notice Nos. 2 and 22 of 2016

1. The Kenya Roads (Amendment) Bill, 2018 purports to amend the Kenya Roads Act, 2007. However, pursuant to the Transition to Devolved Governments Act, 2012 the Transition Authority approved the transfer of some functions of road management to Counties consistent with the set Classification and Register of Public roads.
2. The said Classification was set out in the Fourth Schedule of Legal Notice No.2 of 2016 and Legal Notice No.22 of 2016 which classified all public roads into 2 categories as identified in the Constitution in accordance with national and international standards by the National Government i.e.
  - *Road Classes A, B, C (National Trunk Roads)*
  - *Road Classes D, E, F, G and others (County Roads)*

Under the said Legal Notices, the 3 Roads Authorities have responsibility for National Trunk Roads A, B, and C e.g. KURA manages roads Au, Bu, Cu etc., KeNHA manages A and B while KeRRA manages C roads.

3. This was also in compliance with court orders in Council of Governors –VS – ministry of Transport & Infrastructure, KeNHA, KURA and Transition Authority (HCCC Petition No.472 of 2014) made on the 11<sup>th</sup> December, 2014 which directed that roads be classified and transferred/devolved to the Counties accordingly.
4. From the foregoing, the Kenya Roads (Amendment) Bill, 2018 would therefore directly conflict with the existing legislation pertaining to the classification of public roads due to its reliance on the First Schedule to the Kenya Roads Act, 2007 which is no longer applicable for this purpose.

#### Kenya Roads Bill, 2017

1. The Kenya Roads Bill, 2017 (National Assembly Bill No.47 of 2017) is currently in Parliament. Indeed, the same has been referred to a Mediation Committee for deliberation on issues raised by both houses for reconciliation.
2. Within this Kenya Roads Bill, 2017 the classification of roads has been addressed under the first Schedule. The Bill classifies National Trunk Roads as Primary and Secondary (S, A, B, H, J and C). County Roads are D, E, F, G, K, L, M, N, P. The classification here is done to reflect the function served by the road.

3 Once the Bill is at Mediation, the Committee must deliberate and give its Report.

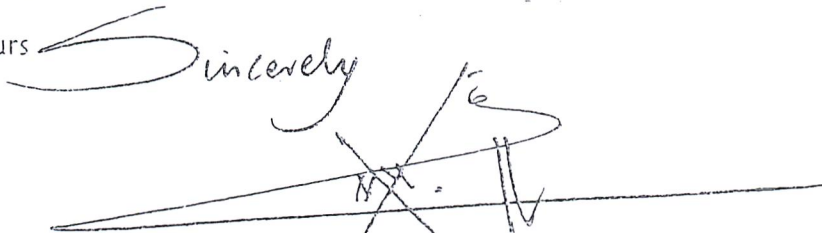
If the amendments alluded to in the Kenya Roads (Amendment) Bill, 2018 are implemented, the net effect will be invalid as the current classification of roads is as set out in Legal Notice No. 2 of 2016. Not only will the outcome be to create confusion

and conflict with the current classification being applied by both the National and County Governments but further, it is indeed also un-procedural. We refer you to Section 31 (c) of Interpretations and General Provisions Act, Cap. 2. *(This Clause provides for further amendment of the subsidiary legislation by the same authority that made them or the authority that replaces it. Note that the Transition Authority stood dissolved three years after the first general elections under the Constitution as legally provided).*

From the foregoing, it is our position, that the only way the amendments contemplated in the proposed Kenya Roads (Amendment) Bill, 2018 can be addressed is either through an amendment of the Legal Notice No.2 of 2016 as applicable or through an incorporation of the same in the Kenya Roads Bill, 2017. However, as indicated hereinabove, noting the classification system used in Legal Notice No.2 of 2016, the said amendment cannot hold water and should therefore not be allowed. Further the proposed new definitions are not acceptable as they have no standardized technical specification and are general in the description of a roadway.

Yours

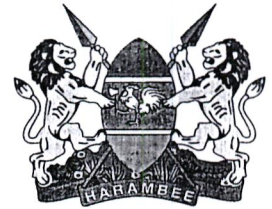
*Sincerely*

  
Prof. Paul M. Maringa, (PhD), CBS, Corp. Arch, (Maak), Mkip  
PRINCIPAL SECRETARY

Copy to: The Clerk  
National Assembly  
Parliament Building  
P. O. Box 41842 – 00100  
NAIROBI

# KENYA LAW REFORM COMMISSION

737



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P.O. Box 34999-00100  
NAIROBI, KENYA

Ref. No. KLRC/RES/45

..21<sup>st</sup> June, 2019..... 20.....

The Clerk of the National Assembly,  
Clerk's Chambers,  
Parliament Buildings,  
P.O. Box 41842-00100,  
NAIROBI

*① D/clk*

Attn: (Mr. Jeremiah Ndombi)

*24/6/19*

Dear *Jeremiah,*

RE: COMMENTS ON KENYA ROADS (AMENDMENT) BILL, 2018

Please refer to the above matter and your letter thereon.

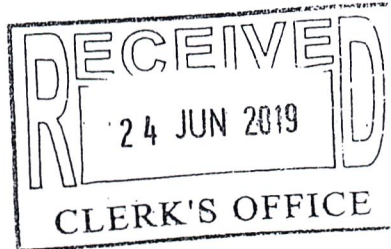
Kindly find enclosed Commission's comments on the Proposed Kenya Roads (Amendment) Bill, 2018.

As always, we thank you for your continued support to the Commission.

Yours, *Sincerely,*

*Joash Dache*

Joash Dache, MBS  
SECRETARY/CEO



Encl.

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## **REVIEW OF LEGISLATIVE PROPOSALS**

### **KENYA ROADS (AMENDMENT) BILL, 2018**

#### **INTRODUCTION**

Pursuant to the provisions of Standing Order No. 114(1) (b), this legislative proposal has been referred to the Departmental Committee on Transport, Public Works and Housing for its pre-publication scrutiny. Through the Clerk of the National Assembly, the Kenya Law Reform Commission has received the said Legislative Proposal and will proceed to comment as hereunder.

#### **OBJECTIVE**

The principal object of this Bill is to amend the Kenya Roads Act, No. 2 of 2007 to include highways and superhighways in the classification of Class A and Class B roads.

The Bill states that it does not delegate legislative powers nor does it limit any fundamental rights and freedoms.

The Bill does not concern county governments in terms of Article 109(3) of the Constitution as it does not affect the functions and powers of county governments recognized in the Fourth Schedule to the Constitution.

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

#### **COMMENTS**

1. Clause 2 of the Bill proposes the amendment of section 2 by inserting the following definitions in proper alphabetical sequence—



11/11/19  
Please do  
16/09/16



# Kenya National Highways Authority

Quality Highways, Better Connections

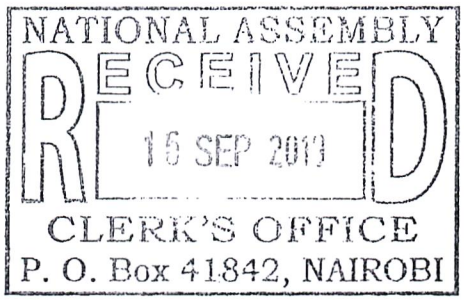
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Tel 020-8013842 Email dg@kenha.co.ke / info@kenha.co.ke Website www.kenha.co.ke

## Office of the Director General

Our Ref: KeNHA/02/DG/03/2019  
Your Ref: NA/DCS/TPWH/CORR/2019/070

9<sup>th</sup> July, 2019

Clerk of the National Assembly  
Clerk's Chambers  
National Assembly  
Parliament Building  
P.O. Box 41842-00100  
**NAIROBI**



② TUNAO  
Please do  
FA  
18/9/16

Attention: Jeremiah W. Ndombi

Dear *Madam Odendo,*

**RE: PRE-PUBLICATION SCRUTINY OF THE KENYA ROADS (AMENDMENT) BILL 2018 BY HON. JUDE NJOMO, MP**

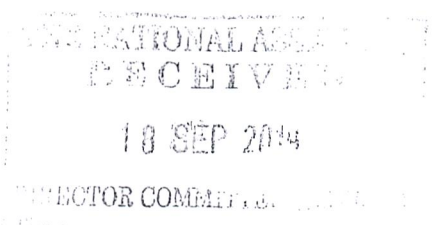
We refer to the above matter and your letter Ref: NA/DCS/TPWH/CORR/2019/070 dated 25<sup>th</sup> June, 2019.

The Authority has reviewed the Kenya Roads (Amendment) Bill 2018 and makes the following comments:

1. There is need to include at section 2 and 3 of the Bill the definition of 'Expressway' (a high speed road capable of supporting sustained traffic speeds of up to 120 Kilometers per hour and with controlled access). This is to be in line with the projects currently under implementation by the Authority, including the Mombasa Expressway that may pave the way for the construction of more expressways in the country.
2. The statement of the Objects and Reasons for the Bill should include expressways in the classification of Class A and Class B roads.
3. Kindly include "2007" after the words 'Kenya Roads Act' at section 2 to ensure clarity on the principal act under amendment.

Yours *Sincerely*

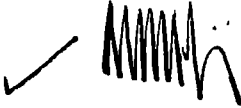
**Eng. Peter M. Mundinia**  
**DIRECTOR GENERAL**



③ CHENUNGO  
Please note  
FA  
18/9/19

Copy:

Mr. Julius Korir, CBS  
State Department for Infrastructure  
Ministry of Transport, Infrastructure,  
Housing, Urban Development & Public Works  
Works Building  
**NAIROBI**

Maureen Odendo ✓   
Parliamentary Counsel  
Office of the Attorney General  
Department of Justice  
Co-operative Bank House, Haille Selasie Avenue  
P.O. Box 56057-00200  
**NAIROBI**

Eng. Jacob Ruwa, OGW  
Executive Director  
Kenya Roads Board  
3<sup>rd</sup> Floor Kenya Re-Towers  
Off Ragati Road-Upper Hill  
**NAIROBI**

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 45 (National Assembly Bills No. 28)*



REPUBLIC OF KENYA

**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2019**

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**NAIROBI, 5th April, 2019**

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CONTENT

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## THE TRAFFIC (AMENDMENT) BILL, 2019

### A Bill for

### AN ACT of Parliament to amend the Traffic Act

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Traffic (Amendment) Act, 2019.

Short title

2. The Traffic Act, in this Act referred to as “the principal Act” is amended in section 2 by inserting the following new definitions in proper alphabetical sequence—

Insertion of new definitions into Cap. 403

“Class A” road has the meaning assigned to it in the Kenya Roads Act;

No. 2 of 2007.

“Class B” road has the meaning assigned to it in the Kenya Roads Act;

No. 2 of 2007.

“dual carriageway” means a road which has two or more lanes of traffic travelling in opposite directions and is separated by a central strip of grass or concrete down the middle to separate the two lots of traffic;

“highway” means a long road giving fast connection between two places;

“superhighway” means a dual carriageway highway, having at least four lanes, with two lanes on either side, and used by vehicles travelling at high speeds over long distances;

“slow moving vehicle” means a vehicle travelling at a speed of below seventy kilometres per hour.

3. The principal Act is amended by inserting the following new section immediately after section 94—

Insertion of a new section after section 94 of Cap. 403.

**94A.** (1) Every superhighway shall—

- (a) be classified either as Class A or Class B roads;
- (b) have the lane to the extreme left reserved for slow moving vehicles;
- (c) have the maximum speed limit set as follows—

- (i) one hundred kilometers per hour for public service vehicles including buses, mini-buses, coaches, motorcycles and light commercial vehicles; and
- (ii) one hundred and thirty kilometers per hour for motor -cars.

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statements of the Objects and Reasons for the Bill**

The principal object of this Bill is to amend the Traffic Act to make provision for the standardization of the use of all roads classified as superhighways.

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

This Bill does not delegate legislative powers and neither does it limit fundamental rights and freedoms.

### **Statement of how the Bill concerns county governments**

The Bill does not concern county governments in terms of Article 109(3) of the Constitution as it does not contain provisions that affect the functions and powers of the county governments as set out in the Fourth Schedule to the Constitution.

### **Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 14th March, 2019.

**JUDE NJOMO,**  
*Member of Parliament.*

Section 2 of Cap. 403 which it is proposed to amend—

### Interpretation

2. In this Act, unless the context otherwise requires—

“Authority” means the National Transport and Safety Authority established under the National Transport and Safety Authority Act;

“bicycle” means any bicycle or tricycle not self-propelled;

“cattle” includes oxen, bulls, cows, horses, camels, mules, asses, sheep, goats and swine;

“certifying officer” means the person appointed to be the certifying officer under subsection (2) of section 3;

“commercial vehicle” means a motor vehicle constructed or adapted for the carriage of goods or burdens of any description in connection with any trade, business or agriculture, but does not include any type or class of motor vehicle which the Authority may, by notice in the *Gazette*, declare not to be commercial vehicles for the purposes of this Act;

“computerized motor vehicle registration system” means any software or hardware for use in storing, retrieving, processing or disseminating information relating to registration records of motor vehicles and trailers, the licensing of drivers, and the keeping of such records in relation thereto as are required by this Act;

“dealer” means any person who deals by way of business in motor vehicles or trailers;

“dealer’s general licence” means a licence issued under section 23;

“deregistration certificate” means a deregistration certificate issued under section 6A(2);

“drive” in relation to a motor vehicle, includes the steering of a motor vehicle;

“driver” means any person who drives or guides, or is in actual physical control of, any vehicle or cattle on any road;

“driving licence” means a licence to drive a motor vehicle issued under this Act, and any document deemed to be a driving licence by any rules made under this Act;

“driving test examiner” means any person appointed to be a driving test examiner under subsection (3) of section 3;

“heavy commercial vehicle” means a commercial vehicle whose tare weight exceeds six thousand seven hundred and twenty pounds;

“highway authority” means the Minister for the time being responsible for Public Roads or any other Authority or body to whom the Minister delegates powers subject to such terms and conditions as he may deem appropriate;

“information technology” means any equipment or software for use in storing, retrieving, processing or disseminating information;

“inspection certificate” means a certificate affixed to a vehicle under section 17A;

“inspector” means any person appointed to be an inspector of vehicles under subsection (3) of section 3;

“invalid carriage” means a motor vehicle specially designed and constructed for the use of persons suffering from some physical defect or disability;

“licensing officer” means a licensing officer appointed under section 3;

“manufacturer” means a manufacturer of motor vehicles and trailers;

“matatu” means a public service vehicle having a seating accommodation for not more than twenty-five passengers exclusive of the driver, but does not include a motor-car;

“motor-car” means a motor vehicle having seating accommodation for not more than ten passengers excluding the driver, but does not include a motorcycle;

“motorcycle” means a motor vehicle with less than four wheels the weight of which unladen does not exceed eight hundred weights;

“motor omnibus” means a public service vehicle having seating accommodation for more than twenty-five passengers exclusive of the driver;

“motor vehicle” means any mechanically propelled vehicle, excluding any vehicle running on a specially prepared way such as a railway or tramway or any vehicle deriving its power from overhead electric power cables or such other vehicles as may from time to time by rules under this Act be declared not to be motor vehicles for the purposes of this Act;

“owner”, in relation to a vehicle which is the subject of a hire-purchase agreement or hiring agreement, includes the person in possession of the vehicle under that agreement;

“plying for hire” includes —



- (a) standing on any public taxi stand;
- (b) being offered for hire by any notice, advertisement or announcement;
- (c) standing or travelling whilst exhibiting a "For Hire" notice of any kind;

"provisional licence" means a licence issued under section 32;

"private hire vehicle" means any public service vehicle constructed or adapted to carry not more than seven passengers, exclusive of the driver, such vehicle not being a taxicab or matatu;

"public service vehicle" means any motor vehicle which—

- (a) is licensed under Part XI to carry passengers for hire or reward; or
- (b) plies for hire or reward or is let out for hire or reward; or
- (c) is carrying passengers for hire or reward;

"Registrar" deleted by Act No. 33 of 2012, s. 62(a);

"registration certificate" means a certificate issued under section 6(5);

"road" means any public road within the meaning of the Public Roads and Roads of Access Act (Cap. 399), and includes any other road or way, wharf, car park, footpath or bridle-path on which vehicles are capable of travelling and to which the public has access;

"tare weight" means the weight of a vehicle when unladen, inclusive of the weight of the body and all parts (the heavier being taken when alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when used on the road;

"taxicab" means any public service vehicle constructed or adapted to carry not more than seven passengers, exclusive of the driver, which is registered under any by-laws relating to the licensing and operation of taxicabs to ply for hire from a taxi rank or other public place within the area where such by-laws are in force;

"tractor" means a motor vehicle constructed or adapted for the purpose of hauling trailers but which is not itself designed to carry goods or passengers;

"trailer" means any vehicle designed to be drawn by a motor vehicle, but does not include a sidecar attached to a motorcycle;

"traffic signs" means any sign, notice, signal, light or other device erected or in any way displayed by or with the consent of the highway

authority, for the purpose of regulating, restricting or prohibiting traffic and vehicles of any kind, on a road;

Provided that all traffic signs shall conform to any regulations as to size, colour and type which may be prescribed by rules made under this Act;

“vehicle” includes a motor vehicle, a trailer and any other conveyance used on a road;

“vehicle licence certificate” means a certificate issued under section 20A of this Act.

REPUBLIC OF KENYA



Telegram 'Bunge'  
Telephone: 254-020-2221291  
Fax: 254-020-2243694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote:

Clerk's Chambers  
National Assembly  
Parliament Buildings  
P O Box 41842-00100  
Nairobi, Kenya

THE NATIONAL ASSEMBLY

NA/DCS/TPWH/CORR/2019/122

17<sup>th</sup> September, 2019

**Hon. Jude L. K. Njomo, M.P.**  
Member for Kiambu Town Constituency,  
Parliament Building,  
**NAIROBI**

**Ms. Esther Koimett, CBS**  
Principal Secretary,  
State Department for Transport,  
Ministry of Transport, Infrastructure,  
Housing, Urban Development & Public Works,  
Transcom House - Ngong Road,  
**NAIROBI**

**Eng. Karanja Kibicho, CBS**  
Principal Secretary,  
State Department of Interior,  
Ministry of Interior & Coordination of National Government  
Harambee House,  
**NAIROBI**

Dear

**RE: MEETING TO CONSIDER THE TRAFFIC (AMENDMENT) BILL, 2019 (NATIONAL ASSEMBLY BILLS NO. 28)**

---

The Departmental Committee on Transport, Public Works and Housing derives its mandate from the National Assembly's Standing Order No. 216 (5) where, among others, the Committee is mandated to study and review all legislation referred to it by the House.

The Traffic (Amendment) Bill, 2019 has undergone First Reading pursuant to Standing Order 127(3) and is now committed to the Departmental Committee on Transport, Public Works and Housing for consideration and thereafter report to the House.

During its sitting held on Tuesday, 17<sup>th</sup> September 2019, the Committee resolved to invite the Hon. Jude Njomo the sponsor of the Bill, the Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works and the National Transport and Safety Authority to give their views and comments on the Traffic (Amendment) Bill, 2019, in line with the provisions of Article 118 of the Constitution and Standing Order 127(3).

This is therefore to invite you to a meeting with the Departmental Committee on Transport, Public Works and Housing on **Tuesday, 24<sup>th</sup> September, 2019** in Committee Room on **5<sup>th</sup> Floor, Continental House, Parliament Buildings**, at **10:30 a.m.**

The Liaison Officers for this meeting are **Ms. Chelagat Tungo Aaron** who may be contacted on **Tel. No. 0720436528** or email addresses: [ctungo@parliament.go.ke](mailto:ctungo@parliament.go.ke) and **Mr. Ahmed Salim Abdalla** who may be contacted on **Tel. No. 0710204056** or email addresses: [damnan@parliament.go.ke](mailto:damnan@parliament.go.ke).

Yours



**JEREMIAH WNDOMBI**  
**For: CLERK OF THE NATIONAL ASSEMBLY**

Copy to: **Mr. James Macharia, EGH**  
Cabinet Secretary.  
Ministry of Transport, Infrastructure, Housing,  
Urban Development & Public Works.  
Transcom House - Ngong Road.  
**NAIROBI**

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
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NATIONAL ASSEMBLY

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National Assembly  
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P. O. Box 41842-00100  
Nairobi, Kenya.

Ref.NA/DCS/TPWH/CORR/2019/102

31<sup>st</sup> July, 2019

Hon. Jude L. K. Njomo, MP  
Member for Kiambu Town Constituency  
Parliament Building  
NAIROBI

Ms. Esther Koimett, CBS  
Principal Secretary  
State Department for Transport  
Ministry of Transport, Infrastructure, Housing,  
Development & Public Works  
Transcom House - Ngong Road  
NAIROBI

Mr. Francis Meja  
Director General,  
National Transport & Safety Authority (NTSA)  
Hill Park Building - Upper Hill Road  
NAIROBI

Dear Mr Meja

**RE: MEETING TO CONSIDER THE TRAFFIC (AMENDMENT) BILL, 2019 (NATIONAL ASSEMBLY BILLS NO. 28)**

---

The Departmental Committee on Transport, Public Works and Housing is established pursuant to the National Assembly Standing Order 216(5) and mandated to among others, "study and review all legislation referred to it by the House".

The Traffic (Amendment) Bill, 2019 has undergone First Reading pursuant to Standing Order 127(3) and is now committed to the Committee for consideration and thereafter report to the House. In its sitting held on Tuesday, 30<sup>th</sup> July 2019, the Committee resolved to invite Hon. Jude Njomo as the sponsor of the Bill; Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works; and National Transport and Safety Authority, to give their views and comments on the Traffic (Amendment)

Bill, 2019, in line with Article 118 of the Constitution and Standing Order 127(3) of the National Assembly Standing Orders.

This is therefore, to invite you to a meeting with the Committee on Thursday, 8<sup>th</sup> August, 2019 In Committee Room on 5<sup>th</sup> Floor, Continental House, Parliament Buildings at 10.00 am.

The Liaison Officers for this meeting are Ms. Chelagat Tungo Aaron who may be contacted on Tel. No. 0720436528 or email addresses: [ctungo@parliament.go.ke](mailto:ctungo@parliament.go.ke) / [tungoaaron@gmail.com](mailto:tungoaaron@gmail.com) and Mr. Ahmed Salim Abdalla who may be contacted on Tel. No. 0710204056 or email addresses: [damnan@parliament.go.ke](mailto:damnan@parliament.go.ke) / [asadamnan@gmail.com](mailto:asadamnan@gmail.com).

Yours



**JEREMIAH W. NDOMBI**  
**For: CLERK OF THE NATIONAL ASSEMBLY**

Copy to:- **Mr. James Macharia, EGH**  
Cabinet Secretary  
Ministry of Transport, Infrastructure, Housing  
Urban Development & Public Works  
Transcom House - Ngong Road  
**NAIROBI**

# Prison warders guard forest

About 24,000 hectares of South Marmarua was under trees before settlers invaded it



Kenya deputy conservator Patrick Kariki (left), Forest Officer PS Zinab Hussein and Commissioner General of Prisons W. J. Mwangi (right) inspect the forest in Marmarua.

The government has posted Kenya Prisons Service warders to Marmarua forest to keep out settlers.

The conservation officer will use a bulldozer to clear the forest. The pressure by locals to be allowed to return to the forest is high.

Under the agreement, Kenya Prisons Service and other partners at the weekend planted about 33,000 indigenous trees on about 100 acres. The ministries of Interior, Public Works, Environment, and the UN Environment are part of the cause to restore Kenya's threatened water catchments.

An additional 50,000 seedlings, including fruit trees and bamboo,

were planted in the forest. The project is part of the Marmarua Forest Conservation Project. Kenya Prisons Service PS Zinab Hussein, Forest Officer PS Zinab Hussein, and Commissioner General of Prisons W. J. Mwangi led the planting.

The forest is a key water catchment for the area. The forest is being cleared by settlers who have moved into the area. The forest is being cleared by settlers who have moved into the area.

She said her department is keen on helping the government attain 10 per cent forest cover by 2022 as directed by President Uhuru Kenyatta in May.

"Owing to the cries about animals grazing here, we will fence the forest and have our officers patrol it day and night. Let us work together to conserve this water catchment,"

she said. She said the forest is being cleared by settlers who have moved into the area. The forest is being cleared by settlers who have moved into the area.

Kenya Prisons has about 10 million tree seedlings with 27 other stations expected to help raise 150 million seedlings in two years. The seedlings are being produced in collaboration with the National Youth Service, and other agencies that have also established fuel woodlots.

Security officers say the animals come in droves, "not just 1,000 or 2,000 but herds on top of herds," a

conservation officer said. The top about 20 per cent of South Marmarua was under trees before it was mostly cleared by settlers who have moved into the area. The forest is being cleared by settlers who have moved into the area.

Residents want to practice Shamba System citing alleged successes in other areas where farmers were allocated an acre each to conserve.

Clement Gitau, a community forest association chairman, said the move would help reduce joblessness, hence cut down on activities that lead to deforestation of Marmarua

forest. He said the forest is being cleared by settlers who have moved into the area. The forest is being cleared by settlers who have moved into the area.

Stuti said the government will hold talks with concerned agencies on how best to engage locals in the conservation effort. In line with their quest for adoption of a Shamba system.

"I agree we need to work together. This is a matter we will discuss with government to that our efforts to restore this forest are not in vain," the CAS said.

REPUBLIC OF KENYA



## THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT – THIRD SESSION

In the matter of consideration by the National Assembly of the Gaming Bill (National Assembly Bill No. 38 of 2019)

### PUBLIC HEARINGS AND SUBMISSION OF MEMORANDA

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees." The National Assembly Standing Order 127(3) provides that, "the Departmental Committee to which a Bill is committed shall facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House."

The Gaming Bill, 2019 seeks to repeal the Betting, Lotteries and Gaming Act (Cap 131); provide for the licensing of betting, casinos and other forms of gaming; authorization of price competition in lotteries; provide for the establishment of the National Lottery; for the imposition and collection of a tax on betting and other forms of gaming and for connected purposes.

The Gaming Bill, 2019 has undergone First Reading pursuant to Standing Order 127(3) and stands referred to the Departmental Committee on Sports, Culture and Tourism for consideration and report to the House.

The provisions of Article 118(1)(b) of the Constitution and Standing Order 127(3), invite members of the public to submit representations they may have on the said Bill. The representations may be made orally or by submission of written memoranda in the following manner:

Written memoranda may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-Nairobi, hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi or emailed to [rk@parliament.go.ke](mailto:rk@parliament.go.ke), [pbo@parliament.go.ke](mailto:pbo@parliament.go.ke), to be received on or before Monday, 24th June 2019 at 5.00 pm.

Public hearings shall be held in the following three (3) counties from 9.00 am to 5.00 pm. Other counties shall be notified accordingly of the Public Hearings in due course.

COUNTY	VENUE	DATE
Isiasha	Kenya School of Government Hall	Monday 24th June, 2019
	Makiko Kinamal Social Hall	Tuesday 25th June, 2019
	Culture Centre Hall	Wednesday, 26th June, 2019

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



## THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT – THIRD SESSION

In the matters of consideration by the National Assembly:

- The Traffic (Amendment) Bill (National Assembly Bill No. 28 of 2019)
- The Crops (Amendment) Bill (National Assembly Bill No. 32 of 2019)

### SUBMISSION OF MEMORANDA

Article 118(1)(b) of the Constitution provides that "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees." The National Assembly Standing Order 127(3) provides that, "the Departmental Committee to which a Bill is committed shall facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House."

The Traffic (Amendment) Bill (National Assembly Bill No. 28 of 2019) seeks to amend the Traffic Act to make provision for the standardization of the use of all roads classified as super highways.

The Crops (Amendment) Bill (National Assembly Bill No. 32 of 2019) seeks to ensure that coffee shall not be exported from Kenya in its raw form for purposes of favourable balance of trade and payment. The Bill recognizes that the principal Act provides for coffee in its First Schedule as a scheduled crop which the Agriculture, Fisheries and Food Authority is mandated to develop and promote and for which, the Cabinet Secretary is required under section 4(1)(b) to make regulations to provide for declaration of regulation, including production, distribution and marketing of coffee among others.

The above mentioned Bills have undergone First Reading pursuant to Standing Order 127(3) and stands committed to the Departmental Committee on Transport, Public Works & Housing and Departmental Committee on Agriculture & Livestock respectively for consideration and thereafter report to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution and Standing Order 127(3), the respective Committees invite members of the Public to submit representations they may have on the said Bills. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke); to be received on or before Monday, 24th June, 2019 at 5.00 pm.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY