

LEGAL NOTICE NO. 23

THE NATIONAL TRANSPORT AND SAFETY AUTHORITY ACT

(No. 33 of 2012)

IN EXERCISE of the powers conferred by section 54 of the National Transport and Safety Authority Act, the Cabinet Secretary for Transport and Infrastructure in consultation with the Board makes the following Regulations: —

**THE NATIONAL TRANSPORT AND SAFETY AUTHORITY
(OPERATION OF PUBLIC SERVICE VEHICLES) REGULATIONS,
2014**

1. These Regulations may be cited as the National Transport and Safety Authority (Operation of Public Service Vehicles) Regulations, 2014.

Citation.

2. In these Regulations, unless the context otherwise requires —

Interpretation.

“Act” means the National Transport and Safety Authority Act, 2012;

No. 33 of 2012

“Appeals Board” means the Transport Licensing Appeal Board established under section 39 of the Act;

“Authority” means the National Transport and Safety Authority established under section 3 of the Act;

No. 13 of 2011.

“Cabinet Secretary” has the meaning assigned to it under the Act;

“City” has the meaning assigned to it under the Urban Areas and Cities Act;

“commuter service” means a transport service offered by a public service vehicle which commences and terminates its services within the boundaries of a City or other urban area or between such city or urban area and its satellite towns;

“corporate body” means a limited Liability Company registered under the Companies Act, and includes a cooperative society registered under the Cooperative Societies Act and a society registered under the Societies Act;

Cap 486.

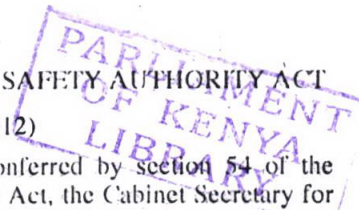
Cap 490

“licence” means a licence issued by the Authority under the Act for the operation of a public service vehicle;

“licensee” means a person to whom a license is issued under the Act;

“long distance passenger service” means a transport service, other than a commuter service, offered by a public service vehicle.

*Paper laid
Seal of Regency
18/3/14*



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“long distance night time passenger service” means a passenger service, other than a commuter service, offered by a public service vehicle registered to operate from or after the hours of 6 pm or whose scheduled time of arrival at its destination is after 9 pm;

“owner” means the registered owner of the public service vehicle;

“operator” means the corporate body with operational responsibility over the public service vehicle on a day to day basis either as the registered owner of the vehicle or pursuant to the terms of a contract or franchise agreement with the registered owner of the vehicle;

“Public Service Vehicle” has the meaning assigned to it under the Act;

“satellite town” means a town that serves as a place of residence for a large number of persons who commute regularly to a neighbouring city or urban area;

Cap.405 “Third Party Motor Vehicle Insurance” means an insurance policy by that name issued in respect to a public service vehicle pursuant to the provisions of the Third Party Motor Vehicle Insurance Act;

“urban area” has the meaning assigned to it under the Urban Areas and Cities Act, 2011.

Application of
the Regulations

3. (a) These Regulations shall apply to all public service vehicles operating on a public road in Kenya.

Public Service
Vehicle to be
Licensed.

4. A person shall not operate a public service vehicle without a valid licence issued by the Authority.

Conditions to be
met by applicants.

5. (1) A person desirous of operating public service vehicles shall be a member of a body corporate which shall—

- (a) be licensed to operate if the body corporate owns a minimum of thirty serviceable vehicles registered as public service vehicles or in respect to which an application for a licence has been or is to be lodged with the Authority;
- (b) have in its employment a staff complement which must include at a minimum—
 - (i) a driver in respect to each public service vehicle;
 - (ii) an inspector for each route on which the public service vehicle is intended to operate;
 - (iii) an office manager,
 - (iv) an accounts clerk; and
 - (v) a qualified mechanic or a contract under which the services of a mechanic are outsourced;
- (c) have in place a code of conduct approved by the Authority governing its employees, agents and sub-contractors;