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REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION - 2025

DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE

REPORT ON;  
THE CONSIDERATION OF THE KENYA ROADS (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO. 31 OF 2024)

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 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
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TABLED BY:	<b>CHAPPELSON, DEPT COMMITTEE ON TRANSPORT &amp; INFRASTRUCTURE</b>
CLERK-AT-THE-TABLE:	<b>WILLIS OBIERO</b>

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## **ABBREVIATIONS**

ESIA	-	Environmental and Social Impact Assessment
IRAP	-	International Road Assessment Programme
KNBS	-	Kenya National Bureau of Statistics
KURA	-	Kenya Urban Roads Authority
NMT	-	Non-motorized Transport
WHO	-	World Health Organization
UNEP	-	United Nations Environment Programme
SEA	-	Strategic Environmental Assessments

## **CHAIRPERSON'S FOREWORD**

The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) was read a First Time on 19<sup>th</sup> June, 2024 and subsequently committed to the Departmental Committee on Transport and Infrastructure for consideration and reporting to the House pursuant to National Assembly Standing Order 127.

The principal objective of the Bill is to amend the Kenya Roads Act, (2007) to provide for designing and construction of designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways, which shall be separated from tracks for motorized transport. The Bill also provides that the enactment of the amendments shall take effect in 15 years' time to cater for already existing infrastructure.

Following the call for memoranda from the public through the placement of advertisements in the print media on 16<sup>th</sup> June, 2024, the Committee also invited relevant stakeholders to make submissions on the Kenya Roads (Amendment) Bill, 2024 vide a letter Ref: NA/DDC/TI/2025/002 dated 5<sup>th</sup> February, 2025. The Committee received submissions from the Ministry of Roads and Transport; Kenya Urban Roads Authority (KURA), Kenya Red Cross and the Environmental Civil Society Organizations and Advocates of non-motorized transport (NMT).

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 the consideration of the Bill. I wish to express my appreciation to the Committee Members and the Committee Secretariat for their resilience and devotion to duty, which made the consideration of the Bill successful. Finally, I wish to express gratitude to the Members of the public who submitted their views and comments on the Bill during public participation. Their views and comments indeed were vital in the consideration of the Bill.

On behalf of the Committee and pursuant to the provisions of Standing Order 199 (6), it is my pleasant privilege and honor to present to this House the report of the Committee on its consideration of the Kenya Roads (Amendment) Bill, 2024.

**Hon. GK George Kariuki, CBS, MP**

**Chairperson, Departmental Committee on Transport and Infrastructure**

## CHAPTER ONE

### 1.0 PREFACE

#### 1.1 Introduction and Committee Mandate

1. The Departmental Committee on Transport and Infrastructure is established under the National Assembly Standing Orders No. 216 (I). The functions and mandate of the Committee as per Standing Orders, No. 216(5) include: -
  - a) To 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) To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;
  - c) To study and review all the legislation referred to it;
  - d) To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
  - e) To 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 No.204 (Committee on appointments);
  - g) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - h) To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
  - i) To examine any questions raised by Members on a matter within its mandate.
  - j) To examine treaties, agreements and conventions;
2. The subject matter of the Departmental Committee on Transport and Infrastructure are stated in the Second Schedule of the National Assembly Standing Orders as follows: Transport, including non- motorized transport and maintenance of Roads, rails, air and marine transport, seaports and national integrated infrastructure policies and programmes and transport safety.

## **I.2 Committee Subjects and Oversight**

3. The Committee is mandated to consider the following subjects as per the second schedule of the Standing Orders:
  - (i) Transport, including non-motorized transport;
  - (ii) Construction and maintenance of roads;
  - (iii) Rails, air and marine transport; Seaports and national integrated infrastructure
  - (iv) policies and
  - (v) programmes; and
  - (vi) Transport safety.

### **Oversight**

4. The Committee oversees the Ministry of Roads and Transport, which has three (3) state departments namely:
  - i. The State Department for Roads
  - ii. The Department for Transport
  - iii. The State Department for Aviation and Aerospace Development
  
5. Further, Committee oversees the State Department for Shipping and Maritime Affairs which is under the Ministry of Mining, Blue Economy, and Maritime Affairs.

### 1.3 Committee Membership

6. The Committee comprises the following Members

The Hon. G.K George Kariuki, CBS, M.P - **Chairperson**  
Ndia Constituency  
**United Democratic Alliance Party**

The Hon. Mutua Didmus Wekesa Barasa, M.P- **Vice- Chairperson**  
Kimilili Constituency  
**United Democratic Alliance Party**

The Hon. Arama Samuel. M.P  
Nakuru Town West Constituency  
**Jubilee Party**

The Hon. Abdul Rahim Dawood, M.P.  
North Imenti Constituency  
**Independent**

The Hon. Naicca, Johnson Many, CBS, M.P  
Mumias West Constituency  
**Orange Democratic Movement Party**

The Hon. Elsie Muhanda, M.P.  
Kakamega County  
**Orange Democratic Movement Party**

The Hon. Francis, Kajwang' Tom Joseph,  
CBS, MP  
Ruaraka Constituency  
**Orange Democratic Movement Party**

The Hon. Chege John Kiragu, M.P.  
Limuru Constituency  
**United Democratic Alliance Party**

The Hon. Kiaraho, David Njuguna, M.P. OI  
Kalao Constituency

The Hon. Kiunjuri Festus Mwangi, M.P.  
Laikipia East Constituency  
**The Service Party**

The Hon. Bady, Bady Twalib, M.P.  
Jomvu Constituency  
**Orange Democratic Movement Party**

The Hon. Abdirahman, Husseinweytan  
Mohamed, M.P.  
Mandera East Constituency  
**Orange Democratic Movement Party**

The Hon. Komingoi Kibet Kirui, M.P.  
Bureti Constituency  
**United Democratic Alliance Party**

The Hon. Saney Ibrahim Abdi, M.P  
Wajir North Constituency  
**United Democratic Alliance Party**

The Hon. Jhanda Zaheer, M.P  
Nyaribari Chache Constituency  
**United Democratic Alliance**

## Jubilee Party

### I.4 Committee Secretariat

7. The following Members of Staff service the Committee:

Ms. Tracy Chebet Koskei  
Principal Clerk Assistant II  
**Lead Clerk**

Mr. Mohamednur Mohamud Abdullahi  
**Clerk Assistant III**

Mr. Abdinasir Moge  
**Fiscal Analyst**

Mr. Eric Kariuki  
**Research Officer**

Mr. Clinton Sindiga  
**Legal Counsel II**

Ms. Clare Choper Doye  
**Clerk Assistant III**

Ms. Rihna Saineye  
**Media Relations Officer**

Mr. Danton Kimutai  
**Audio Officer**

Ms. Faith Makena  
**Serjeant at-Arms**

## CHAPTER TWO

### 2.0 BACKGROUND INFORMATION

#### 2.1 Introduction

8. The Kenya Roads (Amendment) Bill, 2024 seeks to ensure that the three Road Agencies, namely: Kenya National Highways Authority; Kenya Urban Roads Authority; and Kenya Rural Roads Authority and County Governments in Construction of roads, the Agencies and County Governments “design and construct designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

#### 2.2 Situational Analysis

9. Kenya Vision 2030 is the Country’s development blueprint, aiming to transform Kenya into a newly industrializing “middle income Country providing a high quality life to all its citizens by the year 2030.”
10. On Infrastructural development, Vision 2030 aspires for a Country firmly interconnected through a network of roads, railways, ports, airports, water and sanitation facilities and telecommunications. Further, the vision anticipates that it will become impossible to refer to any region of our Country as “**remote**”.
11. Since 2009, Kenya has registered improvement in demographic indicators. From 1897, when the population was 2.5 million, the current population size is increasing by almost one million per year, from 37.7 million in 2009 to 47.6 million in 2019. Kenya’s population is projected to reach 57.8 million by 2030, 84.7 million by 2050, and 112.4 million by 2100.
12. Kenya is urbanizing rapidly, with the percentage of urban population to total population having increased from 5.3 per cent in 1948 to 31.2 per cent, representing 14.8 million people in 2019. Additionally, the number of urban centres increased from 47 in 1969 to 372 in 2019. Kenya currently has five cities: Nairobi, Kisumu, Mombasa, Nakuru, and Eldoret.
13. According to U.N. Habitat, by 2050, Kenya’s urban population is projected to reach 44 million people, which is close to half (46%) of the total country population, from an estimated current urban population of 13.8 million people.

## 2.2.1 Key Statistics on Road Infrastructure

14. The number of registered motor vehicles in Kenya in 2022 was 4,588,770 units, and 2.2 million motorcycles.
15. The WHO report on global status on road safety 2023 indicates that the African Region has the highest fatality rate at **19.4 deaths per 100,000** population, and the European Region has the lowest fatality rate at **7 deaths per 100,000 population**. In Kenya, the report indicates that the fatality rate is at **28.3 deaths per 100,000 population** with Kenya having the **fifth highest road fatality rate in the African Region** at 28.3, Comoros 29, Zimbabwe 29.8, Guinea-Bissau 30, Guinea 37 deaths per 100,000
16. The most vulnerable road users consisting of pedestrians, cyclists, motorcyclist and pillion passengers have faced a rising and acute risk of death on the roads. According to the Economic Survey 2024 by the KNBS there were 9,960 reported traffic accidents, 4,324 people lost their lives, 76.1% of the people who lost their lives being the vulnerable road users.

Table 1: Road Traffic Fatalities, 2023 (KNBS)

Category	Number of victims	Percentage
Pedestrians	1,591	36.8%
Motor Cyclists	1,133	26.2%
Passengers	739	17.1%
Drivers	382	8.8%
Pillion Passengers	393	9.1%
Pedal Cyclists	86	2.0%

## 2.2.2 Non-motorized transport

17. A report by United Nations Environment programme titled “walking and cycling in Africa” notes the following;
  - Africa is **the least safe place to walk and cycle in the world** - 261 pedestrians and 18 cyclists are killed every day.
  - The consistent **lack of essential infrastructure** makes the experience of walking and cycling difficult, unpleasant, and incredibly dangerous.

- Action for **road safety** includes the promotion of sustainable modes of transport, in particular safe walking and cycling. There is an urgent need for safer street designs to protect all individuals who walk and cycle.
- Walkable access to public transport is critical, especially for women, children, persons with disabilities and older persons who can only be guaranteed access if the walking environment is safe
- It is important to implement **sustainable multimodal** public transport systems – for which the inclusion of non-motorized connectivity and catchment zones is a key element.
- Of the roads in Africa assessed using the International Road Assessment Programme (IRAP) 5 star rating system, **95% fail** to provide an acceptable level of service for pedestrians and **93% fail** to provide an acceptable level for cyclists. Most roads are 1 star meaning that they have no cycle paths, no safe crossings and high vehicle speeds.
- Many of the people who walk and cycle in Africa feel that they are overlooked and undervalued by **traditional transport decision makers**.
- Taking action for people that walk and cycle is an urgent priority. Investment in walking and cycling has numerous environmental and health benefits. It reduces air pollution and encourages healthier, more active lifestyles

18. WHO Global plan on decade of action for road safety 2021–2030 Safe road infrastructure is essential to reduce road trauma. Road infrastructure must be planned, designed, built and operated to enable multimodal mobility, including shared/public transport, and walking and cycling. The WHO action plan recommends the following actions to improve the safety of road infrastructure:

- Develop functional classifications and desired safety performance standards for each road user group at the geographic land-use and road corridor level
- **Review and update legislation** and local design standards that consider road function and the needs of all road users, and for specific zones
- Specify a technical standard and star rating target for all designs linked to each road user, and the desired safety performance standard at that location.
- Undertake road safety audits on all sections of new roads (pre-feasibility through to detailed design) and complete assessments using independent and accredited experts to ensure a minimum standard of three stars or better for all road users.

## CHAPTER THREE

### 3.0 OVERVIEW OF THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)

#### 3.1 Introduction

19. The Kenya Roads (Amendment) Bill, 2024 seeks to amend the Kenya Road Act, (Cap. 408), to provide for designing and construction of designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.
20. The object of this amendment is to ensure that the three Road Agencies, namely: Kenya National Highways Authority; Kenya Urban Roads Authority; and Kenya Rural Roads Authority and County Governments in Construction of roads, the Agencies and County Governments“ design and construct designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport

#### 3.2 Analysis of the Bill

21. The Bill contains eight (8) clauses for consideration:
- i. *Clause 1* of the Bill is the short title.
  - ii. *Clause 2* of the Bill seeks to amend section 2 of the Act to provide for the definitions of the new terms introduced by the proposed amendments.
  - iii. *Clause 3* of the Bill seeks to amend section 4 of the Act to make provision for the Kenya National Highways Authority to design and construct lanes for non-motorized transport in designated roads under its control.
  - iv. *Clause 4* of the Bill seeks to amend section 7 of the Act to make provision for the Kenya Rural Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control.
  - v. *Clause 5* of the Bill seeks to amend section 10 of the Act to make provision for the Kenya Urban Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control. Further to make provision for county governments in the implementation of non-motorized transport infrastructure provision, such as side-walks, pedestrian crossings and cycle lanes, as part of its responsibilities.
  - vi. *Clause 6* of the Bill seeks to amend section 22 of the Act to empower the road agencies to design and construct lanes for non-motorized transport.

- vii. *Clause 7* of the Bill seeks to amend section 46 of the Act to empower the Cabinet Secretary to make Regulations relating to the design and construction of lanes for non-motorised transport users.
- viii. *Clause 8* of the Bill seeks to amend Section 50 of the Act to introduce police enforcement powers on non-motorized transport infrastructure use, such as dedicated lanes for pedestrians and cyclists and ensuring the safety for non-motorized transport users.

**Transitional Clause**

- 22. A transitional Clause in the Bill provides that the enactment of the proposed amendments shall take effect in 15 years' time to cater for already existing infrastructure.

## CHAPTER FOUR

### 4.0 PUBLIC PARTICIPATION/STAKEHOLDER ENGAGEMENT

23. Following the call for memoranda from the public through the placement of advertisements in the print media on 16th June, 2024, and request to stakeholders to make comments on the Bill vide a letters, Ref. NA/DDC/ TI/ 2024 058 dated 24<sup>th</sup> September, 2024 and Ref: NA/DDC/TI/2025/002 dated 5<sup>th</sup> February, 2025; The Committee received submissions from various stakeholders among them;

1. The Attorney General
2. The Ministry of Roads and Transport;
3. Kenya Roads Board
4. Kenya Urban Roads Authority
5. Environmental Civil Society Organisations and Advocates Of Non-Motorized Transport (NMT)
6. Institution of Engineers of Kenya
7. Ms. Nazleen Gitonga
8. Mr. Dennis Munene
9. Mr. Brian Kinyua
10. Mr. Kevin Gesora

23. The comments by stakeholders are outlined below:

#### 4.1 Submission by the Attorney General

24. The Attorney General, vide a letter dated 12<sup>th</sup> November, 2024 while confirming that no Constitutional or legal issues arise from the Bill, proposed the following amendments:

##### Clause 5

25. That the Clause be redrafted as follows: “*County governments shall be responsible for the design, construction, and maintenance of non-motorized transport infrastructure, including cycling lanes and pedestrian walkways, on all existing and new roads under their control*”.

##### Observation

26. The Committee adopted the proposal as it would ensure that there is clarity on the role of County governments in the management of roads under their jurisdiction.

##### New Sub clause II (2)

27. Insert a new sub-clause IIA(2) to provide that non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

Committee observation

28. The Committee agreed with this amendment as it will enhance the safety of all road users.

Clause 6

29. **Insert a new sub-clause** *“(aa)consult county governments on matters relating to non-motorized transport infrastructure on designated roads”*

Committee observation

30. The Committee adopted this amendment as it specifies the modality of the intended cooperation between road agencies and county governments.

Clause 7

31. Proposed that the Clause be redrafted to read *“the Cabinet Secretary may make regulations for the design and construction of designated tracks for non-motorized transport , including but not limited to..”*

Committee observation

32. The Committee adopted the amendment as it is meant to maintain consistency of language used in the Bill.

#### **4.2 SUBMISSIONS BY THE MINISTRY OF ROADS AND TRANSPORT**

33. The Cabinet Secretary for the Ministry of Roads and Transport, Mr. Davis Chirchir, accompanied by other Ministry officials appeared before the Committee on 10th April, 2025, and made submissions on the Bill. In his submission, he stated that the Ministry supports the amendments as the same is provided for in the Integrated National Transport Policy, Sessional Paper No.1 of 2012 which provides for non-motorized modes of transport.

34. The Cabinet Secretary noted that the amendments are in line with applicable Road Design Manuals. The Policy states that: "Steps will be taken to harmonize the non-motorized modes of transport and their concomitant infrastructure into the technical, legal and institutional mandates of existing Road Agencies, County Governments and relevant Ministries so that they can effectively play a complementary role to other transport modes."

35. The Cabinet Secretary proposed that the amendments be drafted to ensure compliance of the provisions within five (5) years as the same requires sufficient budgetary allocation and would affect ongoing implementation of road projects.

36. The Cabinet Secretary further urged Parliament to ensure there is sufficient budgetary allocation for the implementation of the amendments.

#### Committee observation

37. The Committee rejected the proposal to have the amendments to come into effect after five years and resolved that the amendments should come into effect immediately the Bill is assented to in order to guide the design of all projects going forward.

### **4.3 SUBMISSION BY THE KENYA ROADS BOARD**

38. The Kenya Roads Board in a submission dated 14th October 2024 supported the proposed amendments, noting that the implementation of the amendments will enhance road safety.

39. The Board also submitted that due to the high cost of road development and the preservation of assets through maintenance, the amendments should take a scientific approach to determining the optimal allocation of road investments, such as facilities for non-motorised transport. Further, the investments should target priority areas of the road network that would give maximum economic benefits to society at large.

### **4.4 SUBMISSION BY THE KENYA URBAN ROADS AUTHORITY**

40. The Kenya Urban Roads Authority in its submission dated 14<sup>th</sup> October, 2024 supported all the Clauses in the Bill indicating that the proposed amendments were apt and noted that the amendment to introduce police enforcement powers on non-motorised transport infrastructure use, such as dedicated lanes for pedestrians and cyclists and ensuring the safety of non-motorised transport users would ensure compliance by road users.

### **4.5 Submission by the Institution of Engineers of Kenya**

41. The Institution of Engineers of Kenya made their submissions on the Bill on 30<sup>th</sup> July, 2024 and proposed the following amendments

#### Clause 4

42. Insert a new paragraph ...that the Rural Roads Authority shall have the following functions and duties ...“(ab) *designing and constructing designated tracks for people living with disability*”

#### Committee observation

43. *The Committee adopted this amendment to requiring that one the road authorities function to include designing and constructing designated tracks for people living with disability to ensure that needs of people living with disability are provided for when designing and constructing roads.*

#### Clause 5

44. Insert a new paragraph ...that the Urban Roads Authority shall have the following functions and duties ....“(ab) *designing and constructing designated tracks for people living with disability*”

#### Committee observation

45. *The Committee adopted this amendment to requiring that one the road authorities function to include designing and constructing designated tracks for people living with disability to ensure that needs of people living with disability are provided for when designing and constructing roads.*

#### Clause 6

46. Insert the words “cycling track” be included part of the designs and construction of non-motorised lanes by road agencies.

#### Committee observation

47. The Committee adopted this proposal, which is meant to ensure consistency as per the definitions provided.

#### Clause 7

48. Insert new paragraphs (e) and (f) that the Cabinet Secretary may make to make Regulations relating to“(e) *sustainable road principles (green infrastructure) and environmental considerations*”

#### Committee observation

49. The Committee adopted this amendment as it was meant to integrate environmental and social principles in road developments.

### **4.6 SUBMISSIONS FROM ENVIRONMENTAL CIVIL SOCIETY ORGANISATIONS AND ADVOCATES OF NON-MOTORISED TRANSPORT (NMT)**

50. The Environmental Civil Society Organizations and Advocates Of Non-Motorised Transport (NMT) submitted their views on 30<sup>th</sup> July, 2024 and indicated that it incorporated views from the following;

- 1) The Kenya National Water Resource Users Association;
- 2) National Environmental Civil Society Alliance of Kenya;
- 3) Stand Out Shout-Bonga na Gava Youth Network;
- 4) World Wide Fund for Nature Kenya (WWF Kenya);
- 5) Drylands Learning & Capacity Building Initiative;
- 6) East Africa Wildlife Society;

- 7) International Fund for Animal Welfare;
- 8) Mama Cycling;
- 9) Kenya Cycling Federation;
- 10) Flone Initiatives; and
- 11) The National Council for Persons with Disabilities.

51. The Civil Society proposed the following amendments

#### Clause 2

52. Include a definition of “*mobility assistance devices*” to refer to technological mechanical devices that help individuals with mobility impairments to walk or improve their overall mobility.

#### Committee observation

53. The amendment was adopted to provide clear definitions of mobility assistance devices not provided for in the Bill.

54. Include ‘tricycle’ in the definition of non-motorised vehicle

#### Committee observation

55. This proposal was adopted as “tricycles” are omitted in the definition of ‘non-motorised vehicles’.

#### Transitional Clause

56. Proposed that the enactment period for the amendments be shortened from 15 years to 5 years.

#### Committee observation

57. The Committee rejected this proposal as it noted that 5 years was too long and resolved that the amendments should come into effect when the Bill was assented to.

#### 4.7 SUBMISSION BY MS. NAZLEEN GITONGA

58. **Ms. Nazleen Gitonga**, a cyclist, submitted that the proposed amendments to the Kenya Roads Act of 2007 are crucial for enhancing the safety, inclusivity, and sustainability of our road infrastructure. She urged the Members of the National Assembly to support this Bill and facilitate its swift passage.

#### 4.8 SUBMISSION BY MR. DENNIS MUNENE

59. **Mr. Dennis Munene** thanked the involved parties that have helped in the progress of road development specifically, the bike lanes and pedestrian walkways. He stated that some students use bicycles as a means of transport to and from schools. He submitted

that cycling improves health and allows one to be alert which both are beneficial to a student. He suggested improving some of the roads that lead to various schools that allow students to cycle to and from school.

#### 4.9 SUBMISSION BY MR. BRIAN KINYUA

60. **Mr. Brian Kinyua** submitted that the proposed amendments to the Kenya Roads Act of 2007 are crucial for enhancing the safety, inclusivity, and sustainability of our road infrastructure. He urged the Members of the National Assembly to support this bill and facilitate its swift passage.

#### 4.10 Submission by Mr. Kevin Gesora

61. **Mr. Kevin Gesora**, a cyclist, made his submission on 26<sup>th</sup> July, 2024 and indicated that he supported the Bill for the following reasons:

- i) Safety - dedicated NMT lanes will reduce accidents involving non-motorised road users and motor vehicles, thus enhancing road safety;
- ii) Environmental benefits- promoting non-motorised transport can reduce carbon emissions and contribute to environmental sustainability;
- iii) Health benefits – encouraging cycling and walking can improve public health by promoting physical activity; and
- iv) Inclusivity—providing infrastructure for NMT ensures that all road users, regardless of their mode of transport, have safe and accessible roads.

## CHAPTER FIVE

### 5.0 COMMITTEE OBSERVATIONS

62. The Committee, having considered submissions received and analysed documents presented on the Bill, made the following observations:

- 1) The amendments proposed in the Bill are very progressive whose time has come as it seeks to enhance the safety of all road users and to promote sustainable road development;
- 2) The most vulnerable road users in Kenya, consisting of pedestrians, cyclists, motorcyclists and pillion passengers, have faced a rising and acute risk of death on the roads. According to the Economic Survey 2024 by the Kenya National Bureau of Statistics (KNBS), there were 9,960 reported traffic accidents, 4,324 people lost their lives, 76.1% of the people who lost their lives being the vulnerable road users. Additionally, according to a report by the National Transport and Safety Authority (NTSA) on fatalities from road accidents in 2025, as at 18<sup>th</sup> June, 2025, there were 2177 road crash fatalities reported; vulnerable road users account for 1990 (73%) of the road crash fatalities;
- 3) With the growth in population and the increased rate of urbanization, planning for non-motorised transport is essential during designing and construction of roads to provide cycling lanes and pedestrian walkways; and
- 4) The Bill is laudable as it provides for penalties for motorists and other road users who fail to use the roads as designed, which will help to enhance compliance.

## CHAPTER SIX

### 6.0 COMMITTEE RECOMMENDATION

63. Having considered the submissions, and analyzed documents presented, the Committee recommends that the House **approves** the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) with amendments as per the schedule of amendments forming Chapter 7 of this report.

## CHAPTER SEVEN

### 7.0 SCHEDULE OF AMENDMENTS

#### CLAUSE 2

1 (a) **THAT**, Clause 2 of the Bill be amended by—

inserting the following new definitions in their proper alphabetical order

“disability” has the same meaning assigned to it under section 2 of the Persons with Disabilities Act, No. 4 of 2025

“mobility assistance devices” means technological mechanical devices that help individuals with mobility impairments to walk or improve their overall mobility;

“pedestrian” means a person travelling on foot, by wheelchair or other mobility aids; and

### **Justification**

To provide new definitions relevant to the Bill-

(b) in the definition of “non-motorized vehicle” by inserting the word “tri-cycle” immediately after the word bicycle

### **Justification**

To include tri-cycle as a non-motorized vehicle.

### **CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph(aa)—

(ab) designing and constructing designated tracks for persons living with disability.

### **Justification**

To ensure that people living with disability are provided for.

### **CLAUSE 4**

**THAT**, Clause 4 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (aa)—

(ab) designing and constructing designated tracks for persons living with disability.

### **Justification**

To ensure that people living with disability are provided for.

### **CLAUSE 5**

**THAT**, the Bill be amended by deleting Clause 5 and substituting therefor the following new clause:

1. Section 10 of the principal Act is amended in— (1) subsection (2) by inserting the following new paragraph immediately after paragraph (a)—	Amendment of section 10 of Cap.408.
---	---

<p>(aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.</p>	
<p>(ab)designing and constructing designated tracks for people living with disability</p>	

**Justification**

To ensure that people living with disability are provided for.

**NEW CLAUSE 5A**

**THAT** the principal Act is amended by inserting a new section immediately after Section 11:

11A. (1)The County governments shall be responsible for:

(a)the design, construction, and maintenance of non-motorized transport infrastructure, including cycling lanes and pedestrian walkways, on all existing and new roads under their control;and

(b) The non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

**Justification**

For clarity on the role of County governments in the management of roads under their jurisdiction.

**CLAUSE 6**

**THAT** the Bill be amended by

(a)deleting (aa) and substituting therefor the following new clause—

(aa) consult county governments on matters relating to non-motorized transport infrastructure on designated roads.

(b) by inserting the words “cycling track” immediately after “cycling lane”

**THAT** CLAUSE 7 of the Bill be amended by:

(a) deleting the words "relating to" appearing in the proposed new section 46A and substituting therefor the words "including but not limited to—

**Justification**

To maintain consistency of language used in the Bill

(b) by inserting the following new paragraphs immediately after paragraph (d)

(e) sustainable road principles and environmental considerations.

(f) promotion of technological innovation and advancements.

**Justification**

To integrate environmental and social principles in road development

**CLAUSE 9**

**THAT**, the Bill be amended by deleting clause 9

**Justification**

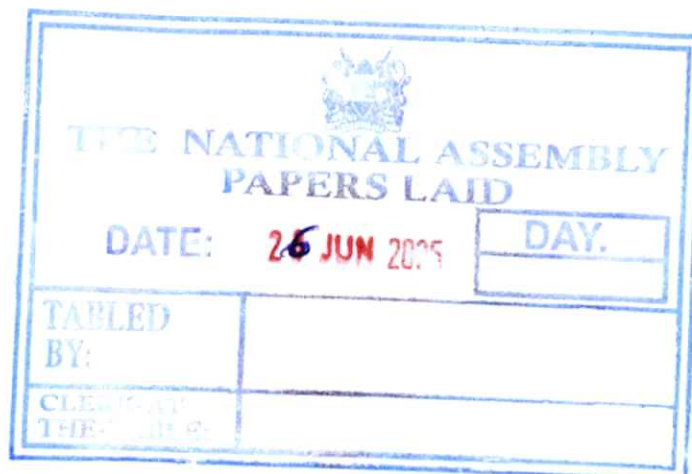
That the law come into action soon after its assented to.

SIGNED.....*Madame*.....  
DATE.....*24/06/2025*.....

**HON. GEORGE KARIUKI, CBS, MP**

**CHAIRPERSON**

**DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE**



**Annexure I: Signed list of Members who attended the sitting that considered and adopted the report.**



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

13<sup>TH</sup> PARLIAMENT- FOURTH SESSION- 2025

DEPARTMENTAL COMMITTEE ON TRANSPORT & INFRASTRUCTURE

MEMBERS ADOPTION SCHEDULE

DATE: 24-06-2025 START: 11:40am END: 1:20pm  
VENUE: Room 26, 5th floor, Bunge Tower  
AGENDA: Adoption of The Report on the Kenya Roads Amendment Bill  
(National Assembly Bill No. 31 of 2024)

NO	NAMES	SIGNATURE
1.	The Hon. GK George Kariuki, CBS, M.P – Chairperson	
2.	The Hon. Didmus Barasa, M.P- Vice Chairperson	
3.	The Hon. Kiunjuri, Festus Mwangi, M.P.	
4.	The Hon. Abdul Rahim Dawood, M.P.	
5.	The Hon. Arama Samuel, M.P.	
6.	The Hon. Bady, Bady Twalib, M.P.	
7.	The Hon. Francis, Kajwang' Tom Joseph, CBS, M.P.	
8.	The Hon. Kiaraho, David Njuguna, M.P.	
9.	The Hon. Naicca, Johnson Many, CBS, M.P.	
10.	The Hon. Chege, John Kiragu, M.P.	
11.	The Hon. Elsie Muhanda, M.P.	
12.	The Hon. Saney, Ibrahim Abdi, M.P.	
13.	The Hon. Hussein Weytan Mohamed, M.P.	
14.	The Hon. Jhanda Zaheer, M.P	
15.	The Hon. Komingoi, Kibet Kirui, M.P	

**Annexure 2: Minutes of the Committee on sittings considering the Bill and adoption of the report**



**THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025**  
**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

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**MINUTES OF THE TWENTY-FIFTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON TRANSPORT AND INFRASTRUCTURE HELD ON TUESDAY,  
24<sup>TH</sup> JUNE 2025 AT COMMITTEE ROOM 26, 5<sup>TH</sup> FLOOR, BUNGE TOWER AT 11:30  
AM**

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**MEMBERS PRESENT**

1. The Hon. GK George Kariuki, CBS, M.P. – **Chairperson**
2. The Hon. Didmus Wekesa Barasa, M.P. – **Vice-Chairperson**
3. The Hon. Abdul Rahim Dawood, M.P
4. The Hon. Arama Samuel, M.P
5. The Hon. Francis, Kajwang' Tom Joseph, CBS, M.P.
6. The Hon. Kiaraho, David Njuguna, MP.
7. The Hon. Chege John Kiragu, M.P
8. The Hon. Hussein Weytan Mohamed, MP
9. The Hon. Komingoi Kibet Kirui, M.P

**APOLOGIES**

1. The Hon. Kiunjuri Festus Mwangi, M.P.
2. The Hon. Bady, Bady Twalib, M.P.
3. The Hon. Naicca, Johnson Many, CBS, MP
4. The Hon. Muhanda Elsie, M.P
5. The Hon. Saney Ibrahim Abdi, M.P.
6. The Hon. Jhanda Zaheer, M.P

**SECRETARIAT**

- |                                |                                |
|--------------------------------|--------------------------------|
| 1. Ms. Chebet Koskei           | - Principal Clerk Assistant II |
| 2. Mr. Mohamednur M. Abdullahi | - Clerk Assistant III          |
| 3. Ms. Clare Choper Doye       | - Clerk Assistant III          |
| 4. Mr. Erick Kariuki           | - Research Officer             |
| 5. Mr. Clinton Sindiga         | - Legal Counsel                |
| 6. Mr. Danton Kimutai          | - Audio Officer                |
| 7. Mr. George Maina            | - Intern                       |

**MIN./NO.123/NA/T&I/2025:**

**PRELIMINARIES**

The meeting was called to order at Forty minutes past Eleven O'clock (11:40 am) with a word of prayer from the Hon. Chairperson. Thereafter, the Agenda of the meeting was adopted after being proposed by the Hon. Komingoi Kibet Kirui, M.P, and seconded by the Hon. Chege John Kiragu, M.P as follows:

**AGENDA**

1. Prayers
2. Preliminaries;
  - i. Adoption of the Agenda
  - ii. Remarks by Chairperson
3. Confirmation of Minutes/Matters Arising;
4. **Consideration and adoption of the Kenya Roads (Amendment) (No. 2) Bill (National Assembly Bill No. 16 of 2025)**
5. **Consideration and adoption of the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024)**
6. Pending Business
7. Any Other Business
8. Adjournment

**MIN./NO.124/NA/T&I/2025: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

Minutes of the Twenty-Third Sitting of the Committee held on Thursday 17<sup>th</sup> June 2025 were confirmed as true record of the proceedings after being proposed and seconded by the Hon. Hon. Francis, Kajwang' Tom Joseph, CBS, M.P, and the Hon. Komingoi Kibet Kirui, M.P, respectively

**MIN./NO.125/NA/T&I/2025: CONSIDERATION AND ADOPTION OF THE KENYA ROADS (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2025)**

The Committee considered and adopted its report on The Kenya Roads (Amendment) (No. 2) Bill (National Assembly Bill No. 16 Of 2025) after being proposed and seconded by the Hon. Komingoi Kibet Kirui, M.P and the Hon. Hussein Weytan Mohamed, MP respectively.

The Committee, having had engagements with stakeholders and considered submissions received, made the following observations;

- 1) **Lack of uniformity in tenure provisions-** The Committee noted the absence of standardized terms of service for Chief Executive Officers and Director Generals across

government parastatals. This lack of uniformity creates inconsistencies in governance structures and operational frameworks. The Committee therefore noted that there was a need for an Omnibus Bill to amend various statutes to cure the discrepancies in different terms of tenure for the Director Generals and Chief Executive officers in the various parastatals, state departments and agencies.

- 2) **Position of Secretary to the Board.**-That there is a need for amendments to the Kenya Roads Act to provide for a Secretary to the Board, a function currently done by the Director Generals, who may not be qualified Company Secretaries; and
- 3) **Proposed Committee Amendments by the Departmental Committee on Transport and Infrastructure-** The Committee identified the need to sponsor amendments to the following legislations;
  - a) The State Corporations Act, Cap. 446- to provide clarity on the term of service for all Director Generals and Chief Executive officers in the various parastatals, state departments and agencies to cap it to a three (3) year term, renewable once;
  - b) Kenya Roads Board Act, 1999 (align the term of service for the Director General as provided for in the Act with the Mwongozo Code of Governance

The Committee, having had engagements with stakeholders and considered submissions received, recommends that the House **approves** the Kenya Roads (Amendment) (No.2) Bill (National Assembly Bill No. 16 of 2025) without amendments.

9. **MIN./NO.126/NA/T&I/2025: CONSIDERATION AND ADOPTION OF THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)**

The Committee considered and adopted its report on **the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024)** after being proposed and seconded by the Hon. The Hon. Francis, Kajwang' Tom Joseph, CBS, M.P. and the Hon. Komingoi Kibet Kirui, M.P, respectively.

The Committee, having considered submissions received and analysed documents presented on the Bill, made the following observations:

- 1) The amendments proposed in the Bill are very progressive whose time has come as it seeks to enhance the safety of all road users and to promote sustainable road development;

- 2) The most vulnerable road users in Kenya, consisting of pedestrians, cyclists, motorcyclists and pillion passengers, have faced a rising and acute risk of death on the roads. According to the Economic Survey 2024 by the Kenya National Bureau of Statistics (KNBS), there were 9,960 reported traffic accidents, 4,324 people lost their lives, 76.1% of the people who lost their lives being the vulnerable road users. Additionally, according to a report by the National Transport and Safety Authority (NTSA) on fatalities from road accidents in 2025, as at 18<sup>th</sup> June, 2025, there were 2177 road crash fatalities reported; vulnerable road users account for 1990 (73%) of the road crash fatalities;
- 3) With the growth in population and the increased rate of urbanization, planning for non-motorised transport is essential during designing and construction of roads to provide cycling lanes and pedestrian walkways; and
- 4) The Bill is laudable as it provides for penalties for motorists and other road users who fail to use the roads as designed, which will help to enhance compliance.

### **COMMITTEE RECOMMENDATION**

Having considered the submissions, and analyzed documents presented, the Committee recommends that the House **approves** the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) with amendments as per the schedule of amendments forming Chapter 7 of this report.

### **SCHEDULE OF AMENDMENTS**

#### **CLAUSE 2**

(a) **THAT**, Clause 2 of the Bill be amended by—

inserting the following new definitions in their proper alphabetical order

“disability” has the same meaning assigned to it under section 2 of the Persons with Disabilities Act, No. 4 of 2025

“mobility assistance devices” means technological mechanical devices that help individuals with mobility impairments to walk or improve their overall mobility;

“pedestrian” means a person travelling on foot, by wheelchair or other mobility aids; and

**Justification**

To provide new definitions relevant to the Bill-

- (b) in the definition of “non-motorized vehicle” by inserting the word “tri-cycle” immediately after the word bicycle

**Justification**

To include tri-cycle as a non-motorized vehicle.

**CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph(aa)—

- (ab) designing and constructing designated tracks for persons living with disability.

**Justification**

To ensure that people living with disability are provided for.

**CLAUSE 4**

**THAT**, Clause 4 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (aa)—

- (ab) designing and constructing designated tracks for persons living with disability.

**Justification**

To ensure that people living with disability are provided for.

**CLAUSE 5**

**THAT**, the Bill be amended by deleting Clause 5 and substituting therefor the following new clause:

<p>I. Section 10 of the principal Act is amended in—          (1) subsection (2) by inserting the following new paragraph immediately after paragraph (a)—</p>	<p>Amendment of section 10 of Cap.408.</p>
<p>(aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which</p>	

shall be separated from tracks for motorized transport.	
(ab)designing and constructing designated tracks for people living with disability	

**Justification**

To ensure that people living with disability are provided for.

**NEW CLAUSE 5A**

**THAT** the principal Act is amended by inserting a new section immediately after Section 11:

11A. (1)The County governments shall be responsible for:

(a)the design, construction, and maintenance of non-motorized transport infrastructure, including cycling lanes and pedestrian walkways, on all existing and new roads under their control;and

(b) The non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

**Justification**

For clarity on the role of County governments in the management of roads under their jurisdiction.

**CLAUSE 6**

**THAT** the Bill be amended by

(a)deleting (aa) and substituting therefor the following new clause—

(aa) consult county governments on matters relating to non-motorized transport infrastructure on designated roads.

(b) by inserting the words “cycling track” immediately after “cycling lane”

**THAT** CLAUSE 7 of the Bill be amended by:

(a) deleting the words “relating to” appearing in the proposed new section 46A and substituting therefor the words “including but not limited to—

**Justification**

To maintain consistency of language used in the Bill

(b) by inserting the following new paragraphs immediately after paragraph (d)

(e) sustainable road principles and environmental considerations.

(f) promotion of technological innovation and advancements.

**Justification**

To integrate environmental and social principles in road development

**CLAUSE 9**

**THAT**, the Bill be amended by deleting clause 9

**Justification**

That the law come into action soon after its assented to.

**MIN./NO.127/NA/VI/2025: ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at Twenty minutes past One O'clock (1:20 pm). The Next meeting will be held on notice

**SIGNED.....DATE.....**

**HON. GK GEORGE KARIUKI, CBS, MP  
CHAIRPERSON**



THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025  
DIRECTORATE OF DEPARTMENTAL COMMITTEES

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MINUTES OF THE TWENTIETH SITTING OF THE DEPARTMENTAL COMMITTEE  
ON TRANSPORT AND INFRASTRUCTURE HELD ON THURSDAY, 5<sup>TH</sup> JUNE 2025  
AT COMMITTEE ROOM 25, 5<sup>TH</sup> FLOOR, BUNGE TOWER AT 10:00 AM

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**MEMBERS PRESENT**

1. The Hon. GK George Kariuki, CBS, M.P. – **Chairperson**
2. The Hon. Francis, Kajwang' Tom Joseph, CBS, M.P.
3. The Hon. Kiunjuri Festus Mwangi, M.P.
4. The Hon. Muhanda Elsie, M.P
5. The Hon. Chege John Kiragu, M.P
6. The Hon. Bady, Bady Twalib, M.P.
7. The Hon. Kiaraho, David Njuguna, MP.
8. The Hon. Arama Samuel, M.P
9. The Hon. Naicca, Johnson Many, CBS, MP
10. The Hon. Saney Ibrahim Abdi, M.P.
11. The Hon. Komingoi Kibet Kirui, M.P

**APOLOGIES**

1. The Hon. Didmus Wekesa Barasa, M.P. – **Vice-Chairperson**
2. The Hon. Abdul Rahim Dawood, M.P
3. The Hon. Hussein Weytan Mohamed, MP
4. The Hon. Jhanda Zaheer, M.P

**SECRETARIAT**

- |                        |                           |
|------------------------|---------------------------|
| 1. Mr. Erick Kariuki   | - Research Officer        |
| 2. Mr. Clinton Sindiga | - Legal Counsel           |
| 3. Mr. Danton Kimutai  | - Audio Officer           |
| 4. Ms. Rinha Saneye    | - Media Relations Officer |
| 5. Ms. Faith Makena    | - Sergeant at arms        |

**MIN./NO.097/NA/T&I/2025:**

**PRELIMINARIES**

The meeting was called to order at twenty minutes past Ten O'clock (10:20 am) with a word of prayer from the Chairperson. Thereafter, the Agenda of the meeting was adopted after being proposed by the Hon. Komingoi Kibet Kirui, M.P, and seconded by the Hon. Johnson Naica Manya, M.P as follows:

**AGENDA**

1. Prayers
  2. Preliminaries;
    - i. Adoption of the Agenda
    - ii. Remarks by Chairperson
  3. Confirmation of Minutes/Matters Arising;
  4. **Clause by Clause consideration of the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) Sponsored by Hon. Naisula Lesuuda (Member for Samburu West)**
  5. **Consideration of the proposed Traffic (Amendment) Bill, 2025, sponsored by the Hon. Robert Ngui Basil, MP (Member for Yatta Constituency)**
  6. Pending Business
  7. Any Other Business
  8. Adjournment
- 

**MIN./NO.098/NA/T&I/2025:**

**CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

Confirmation of Minutes of the previous meeting were deferred.

**MIN./NO.099/NA/T&I/2025:**

**CLAUSE BY CLAUSE CONSIDERATION OF THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)**

**Brief by the Legal Counsel**

The Legal counsel briefed the Committee on the Principal object of the Bill is to amend the Kenya Roads Act to make provision for design and construction of lanes for non-motorized transport.

He also briefed the Committee on the eight (8) clauses of the Bill for consideration:

1. *Clause 1* of the Bill is the short title.

2. *Clause 2* of the Bill seeks to amend section 2 of the Act to provide for the definitions of the new terms introduced by the proposed amendments.
3. *Clause 3* of the Bill seeks to amend section 4 of the Act to make provision for the Kenya National Highways Authority to design and construct lanes for non-motorized transport in designated roads under its control.
4. *Clause 4* of the Bill seeks to amend section 7 of the Act to make provision for the Kenya Rural Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control.
5. *Clause 5* of the Bill seeks to amend section 10 of the Act to make provision for the Kenya Urban Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control .Further to make provision for county governments in the implementation of non-motorized transport infrastructure provision, such as side-walks ,pedestrian crossings and cycle lanes ,as part of its responsibilities.
6. *Clause 6* of the Bill seeks to amend section 22 of the Act to empower the road agencies to design and construct lanes for non-motorized transport.
7. *Clause 7* of the Bill seeks to amend section 46 of the Act to empower the Cabinet Secretary make regulations relating to design and construction of lanes for non-motorized transport users.
8. *Clause 8* of the Bill seeks to amend Section 50 of the Act to introduce police enforcement powers on non-motorized transport infrastructure use, such as dedicated lanes for pedestrians and cyclists and ensuring the safety for non-motorized transport users.

### **Members Observations**

The Committee noted that the Bill is timely since it will enhance safety on our roads by making provisions during construction of roads for consideration of non-motorized Transport. Such measures will dignify walking and provide space for pedestrians and other non-motorized transport.

The Committee noted that the Amendment is comprehensive enough since it empowers the Cabinet Secretary to make regulations on areas not addressed directly through the Amendment

## **Committee recommendations**

The Committee requested the Legal Counsel to explore avenues of incorporating redress and enforcement on encroached road reserves by developers which compromises development of pedestrian walkways.

The Legal Counsel was instructed to review the following definitions;

- a) Non- Motorized vehicle- Should include mobility assisted devices for instance wheel chairs that are engine powered so that they are allowed to use pedestrian walkways.
- b) Scooters- Provide clear definition of a scooter since confusion may arise regarding its definition.

They also recommended that the Amendment should reference the County Government Act, consider including marginal note/consequential Amendment of County Government Act.

The Committee also requested the Legal Counsel to link the amendment with offences under the Traffic Act, provisions of Traffic Act should apply in case of violations by uses of the roads.

The Committee also recommended the deletion of fifteen years, the law should take effect immediately the president assents to the amendment.

**MIN./NO.100/NA/T&I/2025: CONSIDERATION OF THE PROPOSED TRAFFIC (AMENDMENT) BILL, 2025, SPONSORED BY THE HON. ROBERT NGUI BASIL, MP (MEMBER FOR YATTA CONSTITUENCY)**

## **Brief by the Legal Counsel**

The Legal counsel briefed the Committee on the Objective and the amendments to be considered. He stated that the Principal object of this Bill is to amend the Traffic Act, Cap 403 to ensure that owners of vehicles and motor cycles are not unreasonably deprived of their property when their vehicles are detained.

### **Analysis of the Bill,**

The Bill contains two (2) clauses for consideration:

9. *Clause 1* of the Bill provides for the short title.

10. *Clause 2* of the Bill provides that a new section 107 A be inserted immediately after Section 107 to provide for the criteria and the time period for how a motor-vehicle should be detained at a police station.

## **Committee Observation**

The Committee supported the Legislative proposal whose principal object is to amend the Traffic Act, Cap 403 to ensure that owners of vehicles and motorcycles are not unreasonably deprived of their property when their vehicles are detained to enforce the provisions of section 107 of the Traffic Act, Cap 403.

**MIN./NO.101/NA/TI/2025: ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at a Noon (12:00 noon). The Next meeting will be on notice.

SIGNED..........DATE. 19/6/2025.....

**HON. GK GEORGE KARIUKI, CBS, MP  
CHAIRPERSON**



**REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025  
DIRECTORATE OF DEPARTMENTAL COMMITTEES**

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**MINUTES OF THE FOURTEENTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON TRANSPORT AND INFRASTRUCTURE HELD ON THURSDAY,  
10<sup>TH</sup> APRIL 2025 IN 2<sup>ND</sup> FLOOR COMMITTEE ROOM, CONTINENTAL HOUSE,  
PARLIAMENT BUILDINGS AT 10:00 AM**

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**MEMBERS PRESENT**

1. The Hon. GK George Kariuki, CBS, M.P – **Chairperson**
2. The Hon. Kiunjuri Festus Mwangi, M.P.
3. The Hon. Abdul Rahim Dawood, M.P
4. The Hon. Kiaraho, David Njuguna, MP
5. The Hon. Chege John Kiragu, M.P
6. The Hon. Muhanda Elsie, M.P
7. The Hon. Saney Ibrahim Abdi, M.P.
8. The Hon. Hussein Weytan Mohamed, MP
9. The Hon. Jhanda Zaheer, M.P
10. The Hon. Komingoi Kibet Kirui, M.P

**APOLOGIES**

1. The Hon. Didmus Wekesa Barasa, M.P. – **Vice-Chairperson**
2. The Hon. Arama Samuel, M.P
3. The Hon. Bady, Bady Twalib, M.P.
4. The Hon. Francis, Kajwang' Tom Joseph, CBS, M.P.
5. The Hon. Naicca, Johnson Many, CBS, MP

## **IN-ATTENDANCE**

### **Friend of The Committee**

1. Hon. Naisula Lesuuda, MP

### **Ministry of Roads and Transport**

1. Mr. Davis Chirchir - Cabinet Secretary for Roads and Transport
2. Eng. Joseph Mbugua - Principal Secretary, State Department for Roads
3. Mr. Mohamed Daghar - Principal Secretary, State Department for Transport
4. Ms. Teresia Mbaika - Principal Secretary, State Department for Aviation & Aerospace
5. Eng. Kungu Ndungu - Director General, Kenya National Highway Authority
6. Eng. Philemon Kandie - Director General, Kenya Rural Roads Authority
7. Mr. George Njao - Director General, National Transport and Safety Authority
8. Eng. Kefa Seda - Director General, Public Private Partnership at the National Treasury
9. Mr. Philip Wachira - Chief Finance Officer, State Department for Roads
10. Mr. Robert Ngugi - Director Legal Services, National Transport and Safety Authority
11. Mr. Michael Labot - Parliamentary Liaison Officer, State Department for Roads

### **SECRETARIAT**

1. Ms. Chebet Koskei - Senior Clerk Assistant
2. Mr. Mohamednur M. Abdullahi - Clerk Assistant III
3. Ms. Clare Choper Doye - Clerk Assistant III
4. Mr. Erick Kariuki - Research Officer I
5. Mr. Abdinasir Moge - Fiscal Analyst I
6. Mr. Danton Kimutai - Audio Officer
7. Faith Makena - Serjeant At-Arms

### **MIN./NO.65/NA/T&I/2025:**

### **PRELIMINARIES**

The meeting was called to order at Ten Minutes past Ten O'clock (10:10 am) with a word of prayer from Hon. Jhanda Zaheer, MP. The Agenda of the meeting was adopted having been proposed by the Hon. Muhanda Elsie, M.P, and seconded by the Hon. Chege Kiragu, MP, as follows:

### **AGENDA**

1. Prayers
2. Preliminaries;
  - i. Adoption of the Agenda
  - ii. Remarks by Chairperson
3. Confirmation of Minutes/Matters Arising;
4. **Meeting with Hon. Naisula Lesuuda, MP regarding the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024),**

5. **Meeting with the Cabinet Secretary for Roads & Transport on the Draft Tolling Policy and consideration of the following Bills;**
  - (a) *The National Transport and Safety Authority (Amendment) Bill (National Assembly Bill No. 24 of 2024), sponsored by Hon. Chege Kiragu, MP (Member for Limuru)*
  - (b) *The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024), sponsored by Hon. Naisula Lesuuda, MP (Member for Samburu West) Pending Business*
6. **Consideration and adoption of the report on the approval hearing of Mr. Abdi Aden Millah as the Principal Secretary for the State Department of Shipping and Maritime Affairs**
7. Any Other Business
8. Adjournment

**MIN./NO.066/NA/T&I/2025: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

The following Minutes were confirmed:

- i. The Minutes of the Twelfth Sitting of the Committee held on Thursday, 3<sup>rd</sup> April 2025, were confirmed as a true record of the Committee's proceedings after being proposed by Hon. Saney Ibrahim Abdi, M.P. and seconded by Hon. Komingoi Kibet Kirui, MP.
- ii. The Minutes of the Twelfth Sitting of the Committee held on Friday, 4<sup>th</sup> April 2025, were confirmed as a true record of the Committee's proceedings after being proposed by the Hon. Hussein Weytan Mohamed, MP and seconded by Hon. Abdul Rahim Dawood, MP.

**MIN./NO.067NA/T&I/2025: SUBMISSION BY HON. NAISULA LESUUDA, MP, THE SPONSOR OF THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)**

The Hon. Naisula Leisuuda, MP appeared before the Committee to shed more light on her Bill and submitted as follows;

That, according to the United Nations Environment Programme, a majority of trips in Kenya are made by walking and cycling, with only 15 per cent made by private cars which are predominantly found in Nairobi roads and streets, despite these statistics, it is notable that a majority of Kenyan roads do not serve the needs of the people.

The Fourth Schedule to the Constitution designates transport as well as planning as shared functions between the national and county governments. However little has been done by these two levels of governments to promote the use of non-motorized transport.

The Honourable Member noted that Kenya is party to the **Paris Climate Change Agreement** as outlined in the Nationally Determined Contributions, the *National Climate Change Action Plan*, and the *Green Economy Strategy and Implementation Plan 2016-2030*. This policy framework identifies

*transport as a key sector for reducing greenhouse emissions. Consequently, the transport infrastructure must be safe, cost-effective, and supportive of carbon emissions.*

Hon. Lesuuda further submitted that she often receives heartbreaking pictures on her phone every time a cyclist or pedestrian is knocked down. She emphasized that Kenyan roads are particularly dangerous for non-motorised transport users because they are designed for vehicles and exclude other road users, who are also taxpayers like everyone else.

She also noted that Kenyans were speaking to Parliament loudly and clearly, urging it to take action. She underscored that this was a critical moment for the adoption of a comprehensive Non-Motorized Transport (NMT) legislation in the country. Each week, she said reports were received of cyclists and pedestrians being killed or injured on the roads and insisted that Parliament had the power to stop this trend by enacting the NMT policy that includes dedicated lanes for vulnerable road users.

Hon. Lesuuda added that Kenyans wanted roads that are safe for everyone, roads where persons living with disabilities can move freely and safely using assistive mobility devices, where children can walk to school without fear and where cycling is encouraged to reduce traffic and lower greenhouse gas emissions. She maintained that when roads are designed for all users; pedestrians, cyclists and other non-motorised users more people will be inclined to walk, cycle.

In conclusion, she stressed that this was not merely a transport issue but one of equity, safety and environmental sustainability. She urged the Committee to take immediate action, stating that inclusive road transport design and construction would help Kenya transition towards sustainable infrastructure development in line with National, Regional and International commitments.

**MIN./NO.068/NA/T&I/2025: SUBMISSION BY THE CABINET SECRETARY FOR ROADS AND TRANSPORT ON THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)**

The Cabinet Secretary for the Ministry of Roads and Transport, Mr. Davis Chirchir, accompanied by other Ministry officials stated that they support the amendments as the same is provided for in the Integrated National Transport Policy, Sessional Paper No.1 of 2012 which provides for non-motorized modes of transport. The amendments are in line with applicable Road Design Manuals. The Policy states that:

"Steps will be taken to harmonize the non-motorized modes of transport and their concomitant infrastructure into the technical, legal and institutional mandates of existing Road Agencies, County Governments and relevant Ministries so that they can effectively play a complementary role to other transport modes."

The Ministry seek that the amendments be drafted to ensure compliance of the provisions within five (5) years as the same requires sufficient budgetary allocation and would affect ongoing implementation of road projects.

The Cabinet Secretary further urged Parliament to ensure there is sufficient budgetary allocation for the implementation of the amendments.

### **Members comments**

The following matters arose:

- i. The Members and the Ministry commended the Hon. Lesuuda, MP for sponsoring such a progressive Bill whose time had come. They undertook to support the Bill as it moved to the next stage of consideration in the House.
- ii. The Members also lauded the Bill for providing a clause for penalties for motorists and other road users who will not comply with law or not use the roads as designed; and
- iii. The Members also noted that private developers had encroached into road reserves in some areas in Nairobi City and would jeopardize the implementation of walkways and cycling lanes on some roads.

**MIN./NO.069/NA/T&I/2025: SUBMISSION BY THE CABINET SECRETARY FOR ROADS AND TRANSPORT ON THE NATIONAL TRANSPORT AND SAFETY AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2024)**

The Cabinet Secretary submitted that it is the understanding that the Bill seeks to amend the NTSA Act (Cap. 404) to assign the function of overall responsibility for the safety of land transport including road, railway, pipeline, and any other form of land transport to the

The Cabinet Secretary brought to the attention of the Committee that the Ministry of Roads and Transport developed an Integrated National Transport Policy to guide development of the Transport Sector. The Policy provides several policy recommendations covering safety, accidents and incidents emanating from transportation related activities.

He further stated that the Ministry has initiated several strategic initiatives guided by the Integrated National Transport Policy (INTP) to address critical issues on safety, accidents and incidents the more recent one being establishment of an independent Accident Investigation Body known as Kenya Transport Accident and Investigation Bureau (KTAIB) approved by Cabinet on 9th October, 2023.

And that the Kenya Transport Accident and Investigation Bureau will be tasked with investigating transport-related accidents and incidents, identifying their root causes, and recommending measures to prevent future occurrences. establishment of the Investigation Bureau underscores the government's commitment to improving transport safety and accountability based on the best international practice.

The Cabinet Secretary further submitted that, the Ministry is at an advanced stage of developing a regulatory framework for the Rail Sub-sector. The draft Railway Bill proposes the establishment of a regulatory body to be charged with the economic and safety regulation based on best international practice. Thus NTSA has been identified as the proposed regulator for land surface transport. He noted that the Ministry intends to engage the National Assembly as key stakeholders during this process.

The Cabinet Secretary stated that the Ministry will amend the NTSA Act to include aspects of railway safety, security and economic regulations in line with the ongoing development of the Railway Bill, 2025 that has proposed that NTSA undertake the regulatory function of rail; The amend will include among others:

- a. Reviewing the mandate and functions of the NTSA;
- b. Renaming of the NTSA in line with the reviewed mandate;
- c. To enhance the mandate of the proposed Authority the Ministry has proposed the following functions on the same: -
  - i. advise and make recommendations to the Cabinet Secretary on matters relating to land surface transport, technical/ standards and safety regulation;
  - ii. advise and make recommendations to the Cabinet Secretary on economic regulation of land surface transport;
  - iii. regulate the land surface transport operations through registering, licensing of operators among others;
  - iv. implement policies relating to land surface transport and safety;
  - v. ensure the provision of safe, reliable and efficient land surface transport services;
  - vi. develop and implement land surface transport operations safety strategies;
  - vii. facilitate the education of the members of the public on land surface operations safety;
  - viii. conduct audits on land surface transport safety;
  - ix. undertake and compile inspection reports relating to land surface transport;
  - x. establish systems and procedures, oversee the training, testing and licensing of land surface transport operators;
  - xi. develop and approve the curricula for training of land surface transport operators;
  - xii. licensing and accreditation of land surface transport training centres;
  - xiii. co-ordinate the activities of persons and organisations dealing in matters relating to land surface transport safety; and
  - xiv. perform such other functions as may be conferred on it by the Cabinet Secretary responsible for transport or by any other written law.

In conclusion, the Cabinet Secretary for Roads and Transport commended the Hon. Kiragu's for his Bill and stated that it is the Ministry's proposal that as the Committee considers the NTSA (Amendment) Bill as sponsored by Hon. Chege Kiragu, MP for Limuru, the establishment of KTAIB, finalization of the Railway Bill as well as the proposed review of the NTSA functions by the Ministry be similarly considered for the purposes of improving transport safety and accountability in the country.

He added that the Ministry is committed to engaging the Committee as part of key stakeholders in the development of the aforementioned proposed legal and institutional framework.

## **Members Comments**

Members sought clarification on the Kenya Transport Accident and Investigation Bureau (KTAIB) and the proposals contained in Hon. Kiragu's Bill, noting that the two appeared to be similar. In response, the Cabinet Secretary explained that the Ministry had already initiated internal reforms to deal with accident investigations.

He further highlighted that proposals to establish the KTAIB would be incorporated into the forthcoming NTSA (Amendment) Bill, with the aim of enhancing the country's capacity to conduct transport accident investigations and to provide a legal framework to support ongoing projects.

The Cabinet Secretary further called for a harmonization session with the Hon. Chege Kiragu, MP and by extension, the Committee and assured the Committee of the Ministry's full cooperation.

## **MIN./NO.070/NA/T&I/2025: BRIEF ON THE DRAFT TOLLING POLICY**

The Cabinet Secretary for Roads and Transport briefed the Committee on the overview of the draft Tolling Policy and invited the Director General Public Private Partnerships to make a detailed presentation on the draft Policy. The Committee was informed as follows-

The Government of Kenya (GoK) is committed to prioritizing the development, maintenance, and rehabilitation of road infrastructure to achieve a world-class road network as envisioned in the Bottom-Up Economic Transformation Agenda (BETA) and Vision 2030. Budgetary constraints have created a financing gap, necessitating innovative funding solutions. The Integrated National Transport Policy (2012) and National Surface Transport Funding Policy (2016–2025) proposed options such as increasing the fuel levy, introducing road tolls, applying the "user pays" principle, and leveraging Exchequer funds.

To establish a comprehensive framework for tolling, a Multi-Agency Technical Working Group was appointed on 3rd April 2024 to develop the Road Tolling Policy, which will be finalized through a Sessional Paper approved by Parliament.

### **Objectives of the Policy**

- i. Provide guiding principles for planning and funding Toll Road projects;
- ii. Serve as a stable alternative funding source for road infrastructure;
- iii. Attract private sector investment in road development and maintenance;
- iv. Ensure governance, transparency, and public acceptance;
- v. Create efficient tolling systems to reduce urban congestion and carbon emissions.

### **Overview of Draft Tolling Policy Components**

- i. Legal, Regulatory, and Institutional Framework – Outlines the existing legal context;
- ii. Situational Analysis – Examines current financing challenges;
- iii. Policy Statement – Provides background and justification for the policy;
- iv. Policy Objectives – Discusses the aims of the policy;
- v. Policy Principles – Sets out values and standards;
- vi. Implementation Framework – Details the structure for tolling systems, tariffs, and road selection;
- vii. Monitoring and Evaluation – Specifies performance indicators for toll roads.

### **Overview of the Public Participation Exercise**

Conducted from 24th February to 10th March 2025 nationwide, with an online session on 13th March 2025. The public generally supported the policy framework, with key issues raised:

- i. Ensure transparency and accountability in toll management and procurement;
- ii. Exempt tolls for persons with disabilities, medical utility vehicles, and school buses;
- iii. Reduce policy review period from 10 to 5 years;
- iv. Develop a toll-sharing framework between national and county governments;
- v. Increase public involvement in setting toll rates, including options for discounts and toll-free days.

All public inputs were compiled and validated in a workshop.

In Conclusion, the Director General submitted that, the policy development is ongoing and progressing toward approval, the draft remains subject to change based on feedback and parliamentary input. Once approved by Cabinet, the policy will be tabled in Parliament.

### **Members Comments**

The following matters arose\_

#### **(a) The nature of roads that will be tolled**

Members sought clarification on the roads that will be subject to tolling, whether existing roads or newly constructed ones. In response, the Director General for Public Private Partnerships clarified that tolling will apply to both existing roads and new roads. However, existing roads will only be tolled after they have been upgraded from their current state if they are damaged.

#### **(b) Report on public participation**

The Members urged the Ministry to submit the report on public participation to Parliament to understand Kenyans' views on the draft Tolling Policy. The Ministry acknowledged the request and committed to submitting the report once finalized.

#### **(c) Dissemination of the right information on the Draft Tolling Policy**

The Members emphasized the importance of the Committee and by extension all Members of Parliament being thoroughly conversant with the Tolling Policy. This would enable them to effectively engage and convince the public on the potential economic benefits of road tolling. Additionally, the Ministry was advised to ensure that they shared the correct information to counter misinformation to the public.

## **Committee resolution**

The Committee resolved to undertake a retreat with the Ministry of Roads and Transport to receive a comprehensive briefing on the road tolling policy.

**MIN./NO.071/NA/T&I/2025:**

## **ADOPTION OF THE REPORT ON THE APPROVAL HEARING OF MR. ADEN ABDI MILLAH AS THE PRINCIPAL SECRETARY FOR THE STATE DEPARTMENT OF SHIPPING AND MARITIME AFFAIRS**

The Committee considered and adopted its report on the approval hearing of Mr. Aden Abdi Millah after being proposed and seconded by the Hon. Komingoi Kibet Kirui, M.P and the Hon. Abdul Rahim Dawood, MP, respectively.

The Committee made the following observations and recommendations

### **Committee observation**

The Committee, having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the nominee's Curriculum Vitae and having heard his oral submissions during the approval hearing, made the following observations on the nominee's suitability for appointment as Principal Secretary for the State Department for Shipping and Maritime Affairs, THAT-

- i. Mr. Aden Abdi Millah is a Kenyan citizen and holds an identity card (ID) number 11692023;
- ii. He holds a Master of Business Administration from Mount Kenya University and a Bachelor of Electrical Engineering from the University of Minnesota, Institute of Technology, Twin Cities. He also has a Diploma in Electrical Engineering from Jomo Kenya University of Agriculture & Technology;
- iii. He is an Engineer by profession having started his career as a technician working for the Kenya Power and Lightening Company. He progressed in his career by being appointed as an Engineer and thereafter was promoted to be an Engineer in charge, working for overseas organizations. He later came back to the country and joined the Public service as an employee of the National Transport and Safety Authority after he was appointed to the position of Regional Manager and later promoted to the position of Deputy Director & Head of Department, Motor Vehicle Registration a position he holds to date;
- iv. The nominee portrayed considerable knowledge and understanding of the Shipping and Maritime sector;
- v. The nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity;
- vi. He has never been charged in a Court of Law in the last three years;

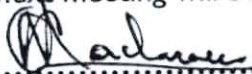
- vii. as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- viii. The nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- ix. The nominee does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution;
- x. He has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1), 76, 77 and 78(2) of the Constitution; and
- xi. The nominee demonstrated knowledge of topical, administrative and technical issues touching the maritime sector and has the requisite abilities, qualifications and experience to serve as the Principal Secretary for Shipping and Maritime Affairs.

**Committee Recommendation**

Having considered the suitability, capability and integrity of the nominee, and pursuant to Section 8(2) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the Committee recommends that the National Assembly **APPROVES** the appointments of Mr. Aden Abdi Millah, to the position of Principal Secretary, State Department for Shipping and Maritime Affairs.

**MIN./NO.072/NA/T&I/2025: ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at half past Two O'clock (2:30 PM). The next meeting will be held on notice

SIGNED..........DATE..........

**HON. GK GEORGE KARIUKI, CBS, MP  
CHAIRPERSON**

**Annexure 3: Copy of the Kenya Roads (Amendment) Bill, 2024**

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 108 (National Assembly Bills No. 31)*



REPUBLIC OF KENYA

**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2024**

**NAIROBI, 17th May, 2024**

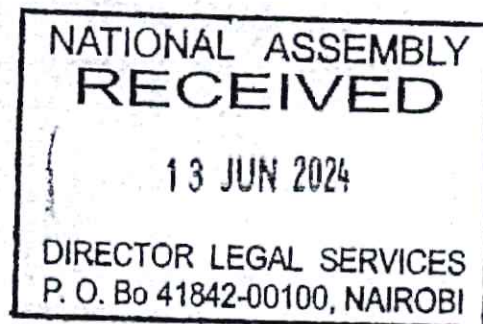
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**THE KENYA ROADS (AMENDMENT) BILL, 2024**

**A Bill for**

**AN ACT of Parliament to amend the Kenya Roads Act and for connected purposes**

**ENACTED** by the Parliament of Kenya, as follows—

1. This Act may be cited as the Kenya Roads (Amendment) Act 2024. Short title.

2. The Kenya Roads Act, (herein after referred to as ‘the principal Act’) is amended in section 2 by inserting the following new definitions in their proper alphabetical sequence— Amendment of section 2 of Cap. 408.

“bicycle” has the same meaning assigned to it under the Traffic Act;

“cycling lane” means on-road lanes exclusively reserved for use by bicycles and wheelchairs, with clear markings separating them from other lanes used by motorized vehicles;

“cycling track” means part of the road exclusively reserved for use by bicycles and wheelchairs and is physically separated from tracks used by motorized vehicles;

“non-motorized transport” means all forms of travel that do not rely on an engine or motor for movement and includes walking, cycling and mobility assistance devices;

“non-motorized vehicle” means any vehicle that is not self-propelled and includes bicycle, wheelchair, and scooter;

“pedestrian” means a person travelling on foot;

“pedestrian walkway” means that part of the road exclusively reserved for use by pedestrians and is physically separated from lanes used by motorized vehicles.

3. Section 4 of the principal Act is amended in subsection (2) by inserting the following new paragraph immediately after paragraph (a)— Amendment of section 4 of Cap. 408.

- (aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

4. Section 7 of the principal Act is amended in—

Amendment of section 7 of Cap. 408.

(1) subsection (2) by inserting the following new paragraph immediately after paragraph (a)—

- (aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

5. Section 10 of the principal Act is amended in—

Amendment of section 10 of Cap. 408.

(1) subsection (2) by inserting the following new paragraph immediately after paragraph (a)—

- (aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

The principal Act is amended by inserting a new section immediately after Section 11—

Inserting a new section 10A:

Functions of county governments.

**11A** The county governments shall have the following roles—

- (1) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

6. Section 22 of the principal Act is amended—

Amendment of section 22 of Cap. 408.

(1) in subsection (1) by inserting the following new paragraph immediately after paragraph (a)—

- (aa) to co-operate with county governments which have power over non-motorized transport infrastructure on designated roads ;

in subsection 2 paragraph (a) by inserting the words “cycling lane, pedestrian walkway” immediately after the word “road”

7. The principal Act is amended by inserting the following new section immediately after section 46—

Amendment of section 46 of Cap 408.

Regulations

**46A.** The Cabinet Secretary may make regulations for design and construction of lanes for non-motorized transport relating to—

Inserting a new section 46A.

- (a) use, safety or maintenance of the lanes for non-motorized transport;
- (b) uniformity of design and standards of the lanes for non-motorized transport;
- (c) the roads in which the lanes for non-motorized transport shall be constructed; and
- (d) the level and the width of the lanes for non-motorized transport

8. The principal Act is amended in Section 50 by inserting a new paragraph immediately after paragraph (2)—

Amendment of Section 50 of Cap 408.

(1) The traffic police shall have the responsibility of enforcing these rules by ensuring —

- (a) strict use of the dedicated lanes for pedestrians and cyclists; and
- (b) the safety of non-motorized of non-motorized transport users.

9. The enactment of these amendments shall take effect in 15 year’s time to cater for already existing Infrastructure.

Transitional Clause

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of object and reasons**

The Principal Object of the Bill is to amend the Kenya Roads (Amendment) Bill, 2023 to make provision for design and construction of lanes for non-motorized transport.

**Clause 1** of the Bill is the short title.

**Clause 2** of the Bill seeks to amend section 2 of the Act to provide for the definition of the new terms introduced by the proposed amendments.

**Clause 3** of the Bill seeks to amend section 4 of the Act to make provision for the Kenya National Highways Authority to design and construct lanes for non-motorized transport in designated roads under its control.

**Clause 4** of the Bill seeks to amend section 7 of the Act to make provision for the Kenya Rural Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control.

**Clause 5** of the Bill seeks to amend section 10 of the Act to make provision for the Kenya Urban Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control. Further to make provision for county governments in the implementation of non-motorized transport infrastructure provision, such as sidewalks, pedestrian crossings and cycle lanes, as part of its responsibilities

**Clause 6** of the Bill seeks to amend section 22 of the Act to empower the road agencies to design and construct lanes for non-motorized transport.

**Clause 7** of the Bill seeks to amend section 46 of the Act to empower the Cabinet Secretary make regulations relating to design and construction of lanes for non-motorized transport.

**Clause 8** of the Bill seeks to amend Section 50 of the Act to introduce police enforcement powers on non-motorized transport infrastructure use, such as dedicated lanes for pedestrians and cyclists & ensuring the safety of non-motorized transport users.

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

The Bill confers on the Cabinet Secretary the powers to make Regulations. It does not limit any fundamental rights or freedoms.

**Statement on how the Bill concerns county governments**

The Bill concerns county governments in terms of Article 110 (1) (a) of the Constitution as it affects the functions and powers of county governments as set out in Paragraph 5 (a) of Part 2 of the Fourth schedule of the Constitution.

**Statement of the Bill as a money Bill within the meaning of Article 114 of the Constitution**

The Bill is Money Bill within Article 114 of the Constitution.

Dated the 24th April, 2024.

NAISULA LESUUDA,  
*Member of Parliament*

*Sections which it is proposed to be Amended—**Section 2 which is proposed to be amended—*

In this Act, unless the context otherwise requires—

**“Authority”** means the Highways Authority, the Rural Roads Authority or the Urban Roads Authority;

**“city”** shall have the meaning assigned to it under the Local Government Act (Cap. 265);

**“class”** in relation to a road means the categorization assigned to it pursuant to the First Schedule;

**“construction”** means supervision, inspection and building and includes locating, surveying, mapping and eliminating road hazards;

**“Director-General”** means the Director-General appointed under section 13(1) or a person authorised to act on his behalf;

**“Highways Authority”** means the Kenya National Highways Authority established under section 3;

**“Local Authorities Transfer Fund”** shall have the meaning assigned to it under the Local Authorities Transfer Fund Act, 1998 (No. 8 of 1998);

**“Minister”** means the Minister responsible for Roads;  
**“municipality”** shall have the meaning assigned to it under the Local Government Act (Cap. 265);

**“national roads”** means national roads as classified in the First Schedule;

**“road”** means a public road as defined under the Public Roads and Roads of Access Act (Cap. 399);

**“Road Fund”** means the Kenya Roads Board Fund established under the Kenya Roads Board Act, 1999 (No. 7 of 1999);

**“roadside development”** means a physical structure or facility on land within or adjoining a road reserve;

**“rural roads”** means rural roads as so classified in the First Schedule;

**“Rural Roads Authority”** means the Kenya Rural Roads Authority established under section 6;

“**traffic sign**” shall have the meaning assigned to it under the Traffic Act (Cap. 403);

“**urban roads**” means urban roads as so classified in the First Schedule; “**Urban Roads Authority**” means the Kenya Urban Roads Authority

established under section 9; “**vehicle**” shall have the meaning assigned to it in the Traffic Act.

*Section 4 which is proposed to be Amended—*

#### **Functions of the Authority**

(1) The Highways Authority shall be responsible for the management, development, rehabilitation and maintenance of national roads.

(2) For the purposes of discharging its responsibility under subsection (1), the Highways Authority shall have the following functions and duties—

- (a) constructing, upgrading, rehabilitating and maintaining roads under its control;
- (b) controlling national roads and road reserves and access to roadside developments;
- (c) implementing road policies in relation to national roads;
- (d) ensuring adherence to the rules and guidelines on axle load control prescribed under the Traffic Act (Cap. 403) and under any regulations under this Act;
- (e) ensuring that the quality of road works is in accordance with such standards as may be prescribed by the Minister;
- (f) in collaboration with the Ministry responsible for Transport and the Police Department, overseeing the management of traffic and road safety on national roads;
- (g) collecting and collating all such data related to the use of national roads as may be necessary for efficient forward planning under this Act;
- (h) monitoring and evaluating the use of national roads;
- (i) planning the development and maintenance of national roads;
- (j) advising the Minister on all issues relating to national roads;

- (k) preparing the road works programmes for all national roads;
- (l) liaising and co-ordinating with other road authorities in planning and on operations in respect of roads; and
- (m) performing such other functions related to the implementation of this Act as may be directed by the Minister.

*Section 4 which is proposed to be Amended—*

#### **7. Functions of the Authority**

(1) The Rural Roads Authority shall have responsibility for the management, development, rehabilitation and maintenance of rural roads.

(2) For the purpose of discharging the responsibility described in subsection (1) above the Rural Roads Authority shall have the following functions and duties—

- (a) constructing, upgrading, rehabilitating and maintaining roads under its control;
- (b) controlling reserves for rural roads and access to roadside developments;
- (c) implementing road policies in relation to rural roads;
- (d) ensuring adherence by motorists to the rules and guidelines on axle load control prescribed under the Traffic Act (Cap. 403) or any regulations under this Act;
- (e) ensuring that the quality of road works is in accordance with such standards as may be defined by the Minister;
- (f) in collaboration with the Ministry responsible for Transport and the Police Department, overseeing the management of traffic on rural roads and issues related to road safety;
- (g) collecting and collating all such data related to the use of rural roads as may be necessary for efficient forward planning under this Act;
- (h) monitoring and evaluating the use of rural roads;
- (i) planning the development and maintenance of rural roads;
- (j) liaising and co-ordinating with other authorities in planning and operations in respect of roads;
- (k) preparing the road work programmes for all rural roads;
- (l) advising the Minister on all issues relating to rural roads; and

- (m) performing such other functions related to the implementation of this Act as may be directed by the Minister.

*Section 10 which is proposed to be amended—*

**Functions of the Authority**

(1) The Urban Roads Authority shall have the responsibility for the management, development, rehabilitation and maintenance of all public roads in the cities and municipalities in Kenya except where those roads are national roads.

(2) For the purposes of discharging its responsibility under subsection

(1) the Authority shall have the following powers and duties—

- (a) constructing, upgrading, rehabilitating and maintaining roads under its control;
- (b) controlling urban road reserves and access to roadside developments;
- (c) implementing roads policies in relation to urban roads;
- (d) ensuring adherence by motorists to the rules and guidelines on axle load control prescribed under the Traffic Act (Cap. 403) and under any regulations under this Act;
- (e) ensuring that the quality of road works is in accordance with such standards as may be defined by the Minister;
- (f) in collaboration with the Ministry responsible for transport and the Police Department, overseeing the management of traffic and road safety on urban roads;
- (g) monitoring and evaluating the use of urban roads;
- (h) planning the development and maintenance of urban roads;
- (i) collecting and collating all such data related to the use of urban roads as may be necessary for efficient forward planning under this Act;
- (j) preparing the road works programmes for all urban roads;
- (k) liaising and co-ordinating with other road authorities in planning and on operations in respect of roads;
- (l) advising the Minister on all issues relating to urban roads; and
- (m) performing such other functions related to the implementation of this Act as may be directed by the Minister.

*Section 22 which is proposed to be amended—*

**Powers of the Authority as a statutory body**

(1) An Authority shall have power—

- (a) to maintain, operate, improve and manage the roads under its jurisdiction;
- (b) to construct new roads;
- (c) to measure and assess the weights, dimensions and capacities of vehicles using any road and provide measures to ensure compliance with rules relating to axle load control, other provisions of the Traffic Act (Cap. 403) and any regulations under this Act; and
- (d) to provide such amenities or facilities for persons making use of the services or facilities provided by the Authority as may appear to the Authority necessary or desirable.

(2) Subject to this Act, the powers conferred by, subsection (1) shall include all such powers as are necessary or appropriate and proper for the purposes of the Authority and in particular, but without prejudice to the generality of the foregoing, shall include powers—

- (a) to construct any road, bridge, building, drainage structure, drain, river channelling or any other necessary or desirable works required for the purposes of the Authority;
- (b) to operate machinery and equipment on public roads in such manner as it deems necessary;
- (c) to carry on any business necessary or desirable to be carried on for the purposes of the Authority and to act as an agent for the Government in the provision of any agreed services;
- (d) with the approval of the Minister, to determine, impose and levy rates, tolls, charges, dues or fees for any of its services or for the use by any person of its facilities;
- (e) to prohibit, control or regulate;
  - i. the use by any person of the services performed, or the facilities provided, by the Authority; or
  - ii. the usage of any vehicle on any road or on any premises occupied by the Authority;

- (f) to sell, let or otherwise dispose of any property, movable or immovable, which in the opinion of the Board, is not necessary for the purposes of the Authority;

Provided that an Authority shall not so sell, let or otherwise dispose of any building or land placed at its disposal by the Government otherwise than with the consent of, and under conditions agreed by, the Minister;

- (g) to act as an agent for any person engaged, whether within Kenya or elsewhere, in the performance of services, or the provision of facilities, of a kind similar or complementary to those performed or provided by the Authority;
- (h) to enter into agreements with any person:
  - i. for the supply, construction, manufacture, maintenance or repair by that person of any property, movable or immovable, necessary or desirable for the purposes of the Authority;
  - ii. for the performance or provision by that person of any of the services or the facilities which may be performed or provided by the Authority;
  - iii. for the payment, collection or apportionment of any tolls, rates, charges or other receipts arising out of the performance or the provision by that person of any such services or facilities;
- (i) to establish or acquire any subsidiary corporation with the written approval of the Minister and the Minister responsible for Finance; or
- (j) to enter into any arrangement with any state corporation or other entity which, in the opinion of the Board, is likely to promote or secure the provision, or improved provision, of any service or facilities which they may separately provide.

(3) For the avoidance of doubt, it is hereby declared that subsections (1) and (2) relate only to the capacity of the Authority as a statutory body and nothing in those provisions shall be construed as authorizing the disregard by the Authority of any law.

(4) The powers conferred on an Authority under this section to construct or improve any road shall empower the Authority to undertake the construction or execution of any works necessary thereto on land vested in the Authority or on land placed at its disposal by the Government, or, in the case of land not so vested in, or placed at the

disposal of, the Authority, only with the agreement of the owner of the land on which such works are to be constructed or executed.

(5) Where any land is required by an Authority for the purposes of its functions under this Act the Authority shall proceed in accordance with section 22.

*Section 46 which is proposed to be amended—*

**Making of regulations by Authorities**

(1) An Authority may with the approval of the Minister make regulations for the better performance of its functions under this Act.

(2) Without prejudice to the generality of subsection (1), an Authority may make regulations—

- a. relating to the use, safety or maintenance of the roads falling within its responsibility;
- b. relating to the erection of structures on, near, over or under the roads falling within its responsibility;
- c. for the drainage of streets, lands, compounds and buildings adjacent to the road;
- d. respecting the level, width and construction of roads and streets;
- e. for the removal, demolition or alteration of any projection, structure or thing obstructing a road or likely to cause damage or inconvenience to road users; and
- f. prescribing the fees payable for services provided by the Authority.

(3) Rules or regulations made under subsection (1) may prescribe, in respect of any contravention of any provision thereof, a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding one year or both, and may also prescribe, in the case of continuing offences, an additional penalty in respect of each day in which the offence continues.

(4) The provisions of section 34 of the Interpretation and General Provisions Act (Cap. 2) shall not apply to regulations made under this Act.



**Annexure 4: Correspondence to stakeholders requesting for submission of comments**



THE NATIONAL ASSEMBLY  
OFFICE OF THE CLERK

P. O. Box 41842-00100  
Nairobi, Kenya  
Main Parliament Buildings

Telephone: +254202848000 ext. 3300  
Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)  
[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

Ref: **NA/DDC/T&I/2025/013**

**20<sup>th</sup> March, 2025**

**Eng. Joseph M. Mungai, CBS**  
Principal Secretary  
State Department for Roads  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

**Mr. Mohamed Daghar, CBS**  
Principal Secretary  
State Department for Transport  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

Dear

**RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON TRANSPORT & INFRASTRUCTURE TO CONSIDER BILLS BEFORE THE COMMITTEE**

The Departmental Committee on Transport and Infrastructure was established pursuant to National Assembly Standing Order 216 and is mandated to, among other things, 'study and review all legislation referred to it.'

The following Bills were Read a First Time and committed to the Departmental Committee on Transport and Infrastructure for consideration and reporting to the House:

1. **The National Transport and Safety Authority (Amendment) Bill (National Assembly Bill No. 24 of 2024)**, sponsored by **Hon. Chege Kiragu, MP (Member for Limuru)**, which seeks to amend the National Transport and Safety Authority Act (Cap. 404) to assign the overall responsibility for the safety of land transport, including transport by road, railway, pipeline, and any other form of land transport, to the National Transport and Safety Authority.
2. **The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024)**, sponsored by **Hon. Naisula Lesuada, MP (Member for Samburu West)**, which seeks

to amend the Kenya Roads (Amendment) Bill, 2023, to make provision for the design and construction of lanes for non-motorized transport.

The purpose of this letter is to invite the Cabinet Secretary for Roads and Transport to give the Ministry's comments on the Bills during a meeting scheduled for **Tuesday, 1<sup>st</sup> April, 2025 at 10:00 a.m. in the Committee Room on 5<sup>th</sup> Floor, Continental House, Parliament Buildings.**

We request that you provide twenty (20) copies of the written submissions and send a soft copy to the Office of the Clerk via email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke) by **Thursday, 27<sup>th</sup> March 2025.** We have enclosed herein copies of the Bills for reference.

Our Liaison Officers facilitating this matter are **Ms. Tracy Chebet Koskei** who may be contacted on tel. no. **0726416794** or email: [tracy.koskei@parliament.go.ke](mailto:tracy.koskei@parliament.go.ke) and **Ms. Clare Choper Doye** on tel. no. **0721938018** or email: [choper.doye@parliament.go.ke](mailto:choper.doye@parliament.go.ke).

Yours

**JEREMIAH NDOMBI, MBS**  
**For: CLERK OF THE NATIONAL ASSEMBLY**

Encl.//

Copy to:

**Mr. Davis Chirchir, EGH**  
Cabinet Secretary  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

**Hon. Naisula Lesuuda, MP**  
Member for Samburu West  
Parliament Buildings  
**NAIROBI**



**Hon. Chege Kiragu, MP**  
Member for Limuru  
Parliament Buildings  
**NAIROBI**



**THE NATIONAL ASSEMBLY  
OFFICE OF THE CLERK**

P. O. Box 41842-00100  
Nairobi, Kenya  
Main Parliament Buildings

Telephone: +254202848000 ext. 3300  
Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)  
[www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

When replying, please quote

**Ref: NA/DDC/T&I/2025/017**

**3<sup>rd</sup> April, 2025**

**Eng. Joseph M. Mungai, CBS**  
Principal Secretary  
State Department for Roads  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

**Mr. Mohamed Daghar, CBS**  
Principal Secretary  
State Department for Transport  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

Dear

**RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON TRANSPORT & INFRASTRUCTURE TO CONSIDER BILLS BEFORE THE COMMITTEE**

We refer to your letter Ref. MOR & T/R/A24.04 (50) dated 28<sup>th</sup> March 2025, requesting postponement of the meeting with the Committee scheduled for Tuesday, 1<sup>st</sup> April 2025.

The Committee has considered and acceded your request and has subsequently rescheduled the meeting to **Thursday, 10<sup>th</sup> April, 2025** to be held in the **Committee Room on 5th Floor, Continental House, Parliament Buildings at 11.00 am.**

In addition to the matters raised in our letter Ref. NA/DDC/T&I/2025/013 dated 28<sup>th</sup> March 2025, the Committee has requested that during the meeting, the Cabinet Secretary briefs the Committee on the **Draft Tolling Policy.**

Our contact persons on this subject are **Ms. Tracy Chebet Koskei** who may be contacted on tel. no. **0726416794** or email: [tracy.koskei@parliament.go.ke](mailto:tracy.koskei@parliament.go.ke) and **Mr. Mohamednur M. Abdullahi** on tel. **0720928507** or email: [mohamednur.abdullahi@parliament.go.ke](mailto:mohamednur.abdullahi@parliament.go.ke)

Yours


**JEREMIAH NDOMBI, MBS**  
**For: CLERK OF THE NATIONAL ASSEMBLY**

Encl.//

Copy to:

**Mr. Davis Chirchir, EGH**  
Cabinet Secretary  
Ministry of Roads and Transport  
Transcom House, Ngong Road  
**NAIROBI**

**Hon. Naisula Lesuuda, MP**  
Member for Samburu West  
Parliament Buildings  
**NAIROBI**



**Hon. Chege Kiragu, MP**  
Member for Limuru  
Parliament Buildings  
**NAIROBI**

**Annexure 5: Newspaper advertisement inviting the public to submit memoranda on the Bill.**

**Politics** Raila became the face of the establishment and inherited everything that was seen as wrong with that regime

# Kalonzo keen to avoid Raila mistake in 'handshake' saga

His advisers view the Uhuru-Raila pact in 2018 as the error that cost Raila the seat

BY JUSTUS WANGA

**W**iper Democratic Movement party leader Kalonzo Musyoka, keen to avoid the curse of incumbency in 2027 when he's expected to make a second bid for the highest office in the land, has decided to reject President William Ruto's call for national dialogue.

His advisers are convinced that the rapprochement between Orange Democratic Movement (ODM) leader Raila Odinga, who was the Azimio la Umoja One Kibaki Party presidential candidate in the 2022 presidential race, and President Uhuru Kenyatta in 2018, known as the handshake, cost the former prime minister the seat.

Backed by Mr Kenyatta, Mr Odinga became the face of the establishment and inherit-

ed everything that was seen as wrong with that regime. Mr Ruto, an insider who'd been Mr Kenyatta's deputy for 10 years, turned Mr Odinga's plight to his advantage and rode to victory.

In a bid to quell the tide of discontent among Generation Zoomer youths who are demanding far-reaching reforms in governance, President Ruto is holding out an olive branch to opposition politicians and stakeholders from other sectors of society for dialogue before naming his new Cabinet.

The curse of incumbency is when a candidate currently holding office, or those supported by the incumbent, are rejected by the electorate for the failures of that regime.

"The party has been unequivocal on the issue of dialogue with President Ruto. Calls for dialogue



Wiper Democratic Movement leader Kalonzo Musyoka addresses journalists at the party's headquarters in Karen, Nairobi, on Wednesday last week. FILE INATION

are unwise, ill-timed and in bad faith. This is the party's stated position and it has not been vacated," close Musyoka ally and Kitui Senator Enock Wambua told the Nation yesterday.

Feeling pressure from the Gen Z protesters, the President sent his ministers packing last week and is expected to appoint new ones any time from this week.

"We advised Kalonzo to stay away from Ruto. Working with him is bad for his future politics. The President must be left alone to face the consequences of his mistakes, that's why we are not boarding the Government of National Unity train," said Makuoni Senator Daniel Maanzo, a senior lawyer in Mr Musyoka's inner circle. This position has since been ratified by Wiper's National Executive Council, one of the party's highest decision-making bodies.

Mr Maanzo said the essence of a political party is to form the government, not to help other people run their government.

"Joining President Ruto defies logic. He is facing a lot of challenges. He has had differences with his deputy and now Generation Z wants nothing to do with him. How do you heal such a government? We cannot join such a government," he adds.

Wiper's position is also bolstered by quiet sentiments with-in Azimio that Mr Odinga may not run for President in the next


General Election because of his advanced age. In that case, he has nothing to lose by hobnobbing with the Ruto administration. For Mr Musyoka, they say, the price would be too high. The President is also expected to defend his seat for a second and final term in the next election.

The dialogue, which is expected to pave the way for the formation of a Government of National Unity, would mean that players from across the political divide would nominate representatives to the Cabinet and other positions in the executive arm of government.

And should Wiper or other opposition parties choose this route, they will automatically cede the moral high ground to criticise that government, and also bear responsibility for any failures associated with it. Irrespective of this, Nation has also established that the fear may not be so much of the incumbency curse as of the immediate situation that Mr Musyoka alluded to, the fear of an immediate public backlash. Other Azimio leaders; Eugene Wamalwa, Martha Karua and Jeremiah Kioni are also opposed to any form of dialogue with Dr Ruto.

"Dialogue can only be meaningful if the players have good faith and are guided by the best interests of the people. This is a trap period," Ms Karua said last week.

mwanga@ke.nationmedia.com

  
**REPUBLIC OF KENYA**  
**THE NATIONAL ASSEMBLY**  
**THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

IN THE MATTER OF ARTICLE 116(1) (b) OF THE CONSTITUTION  
AND  
IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF:

1. THE KENYA ROADS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2024);
2. THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2024);
3. THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024); AND
4. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 25 OF 2023).

**INVITATION TO SUBMIT MEMORANDA**

**WHEREAS** Article 116(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and Standing Order 127(3) of the National Assembly Standing Orders require House Committees considering Bills to facilitate public participation;

**AND** the Kenya Roads Board (Amendment) Bill (National Assembly Bill No. 16 of 2024), the Salaries and Remuneration Commission (Amendment) Bill (National Assembly Bill No. 21 of 2024), the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) and the County Governments (Amendment) Bill (Senate Bill No. 25 of 2023) have been read a First Time and referred to the relevant Departmental Committees for consideration and reporting to the House;

**IT IS NOTIFIED** that:

1. The Kenya Roads Board (Amendment) Bill (National Assembly Bill No. 16 of 2024) sponsored by the Leader of the Majority Party, seeks to amend the Kenya Roads Board Act, 1996 to reduce the membership of the Board and the institutions from which the membership may be nominated and to align the term "Minister" in the Act with the provisions of the Constitution;
2. The Salaries and Remuneration Commission (Amendment) Bill (National Assembly Bill No. 21 of 2024) sponsored by Hon. Didimus Barasa, MP seeks to amend the Salaries and Remuneration Commission Act to provide that the Chairperson and Members of the Commission shall serve on a part-time basis;
3. The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) sponsored by Hon. Njiragu Lomax, MP, seeks to amend the Kenya Roads Act of 2007 to provide for the design and construction of dedicated lanes for non-motorised transport; and
4. The County Governments (Amendment) Bill (Senate Bill No. 25 of 2023) sponsored by Sen. Samson Charankey, MP seeks to enhance the voting threshold for the removal of a member of a County Executive Committee by a County Assembly.

**NOW THEREFORE**, in compliance with Article 116(1) (b) of the Constitution and Standing Order 127(3) of the National Assembly invites the public and stakeholders to submit memoranda on the Bills to the respective Departmental Committees listed below:

BILL	COMMITTEE
The Kenya Roads Board (Amendment) Bill (National Assembly Bill No. 16 of 2024)	Transport and Infrastructure
The Salaries and Remuneration Commission (Amendment) Bill (National Assembly Bill No. 21 of 2024)	Labour
The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024)	Transport and Infrastructure
The County Governments (Amendment) Bill (Senate Bill No. 25 of 2023)	Administration and Internal Security

Copies of the Bills are available at the National Assembly Table Office, Main Parliament Buildings and on [www.parliament.go.ke/the-national-assembly/issue-business/bills](http://www.parliament.go.ke/the-national-assembly/issue-business/bills).

The memoranda 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 [ca@parliament.go.ke](mailto:ca@parliament.go.ke) to be received on or before Wednesday, 31<sup>st</sup> July 2024 at 5:00 p.m.

**S. MUDROGE, CBS**  
CLERK OF THE NATIONAL ASSEMBLY  
16<sup>th</sup> July, 2024

*"For the Welfare of Society and the just Government of the People"*

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**Annexure 6: Written submissions from stakeholders.**



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL  
&  
DEPARTMENT OF JUSTICE

NATIONAL ASSEMBLY  
RECEIVED  
18 NOV 2024  
CLERK'S OFFICE  
P.O. Box 41842, NAIROBI

10008  
11/11/24

NA/LDD/113/1/24

12<sup>th</sup> November, 2024

Njoroge, CBS  
National Assembly  
Building  
00100

Ms. Tracy Chebet, HoD  
Pls TNA. DM 19/11/24

DIRECTOR  
RECEIVED  
19 NOV 2024  
Directorate of Departmental Committees

**RE: REQUEST FOR SUBMISSION ON BILLS BEFORE THE DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE**

This is in reference to your letter under Ref. No. NA/DDC/T & I/CORR/2024/058 dated the 24th September, 2024 forwarding the Kenya Roads Board (Amendment) Bill, (National Assembly Bill No. 31 of 2024) sponsored by Hon. Naisula Lesuuda (MP), for our consideration and comments prior to consideration and reporting to the House by the Departmental Committee on Transport and Infrastructure.

Following the review of the Bill with respect to the Constitution and relevant statutes, we confirm that no constitutional or legal issues arise from the draft Bill. However, we hereby provide the following recommendations:

1. The Bill seeks to insert a new section 11A to give county governments the responsibility to design tracks for non-motorized transport for existing and new roads under its control including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

The Bill introduces section 11A, assigning county governments the duty to design, construct, and maintain non-motorized transport infrastructure on all existing and new roads within their jurisdiction including cycling lanes and pedestrian walkways, which must be distinctly separated from motorized transport tracks for safety. However, for clarity we propose that the provision be redrafted as follows: -

**11A.** (1) County governments shall be responsible for the design, construction, and maintenance of non-motorized transport infrastructure,

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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including cycling lanes and pedestrian walkways, on all roads under their control.

(2) The non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

2. **Clause 6** of the Bill seeks to amend section 22 of the Act:-

- (a) In subsection (1), by inserting a new paragraph immediately after paragraph (a) of subsection (1) to give powers to the road Authority to cooperate with county governments which are responsible for non-motorized transport infrastructure on designated roads;
- (b) in subsection (2)(a), by inserting the words "cycling lane" and "pedestrian walk" immediately after the word "road".

We note that the proposed new subsection (aa) seeks to obligate road Authorities to cooperate with county governments which are responsible for non-motorized transport infrastructure on designated roads. However, it does not specify the modality for the intended cooperation, therefore for clarity we propose that the provision be amended as follows for clarity:-

(aa) consult county governments on matters relating to non-motorized transport infrastructure on their designated roads.

3. **Clause 7** of the Bill seeks to amend section 46 of the Act to empower the Cabinet Secretary to make Regulations relating to design and construction of lanes for non-motorized transport. The Regulations contemplated includes Regulations for:-

- (a) use, safety and maintenance of lanes for non-motorized transport;
- (b) uniformity of design and standards of the lanes for non-motorized transport;
- (c) the roads in which the lanes for non-motorized transport shall be constructed; and
- (d) the level and width of the lanes for non-motorized transport.

The proposed amendment seeks to empower the responsible Cabinet Secretary to make Regulations on the design, use, safety and maintenance of non-motorized transport and infrastructure for the effective operationalization of the proposed new provisions. However, the use of the term "lanes for non-motorized transport" differs from the terminology used in clauses 3, 4, and 5, where the Cabinet Secretary has power in relation to the design and construction of "designated tracks for non-motorised transport."

In order to maintain consistency in language throughout the Bill, we propose that clause 7 be amended to read as follows:-

46A. The Cabinet Secretary may make regulations for the design and construction of designated tracks for non-motorized transport, including but not limited to—

4. **Clause 8** of the Bill seeks to amend section 50 of the Act to confer upon the police the responsibility to enforce rules by ensuring strict use of the dedicated lanes for pedestrians and cyclists and the safety of non-motorized transport users.

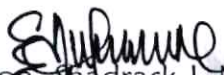
We note the following on the proposed amendment: -

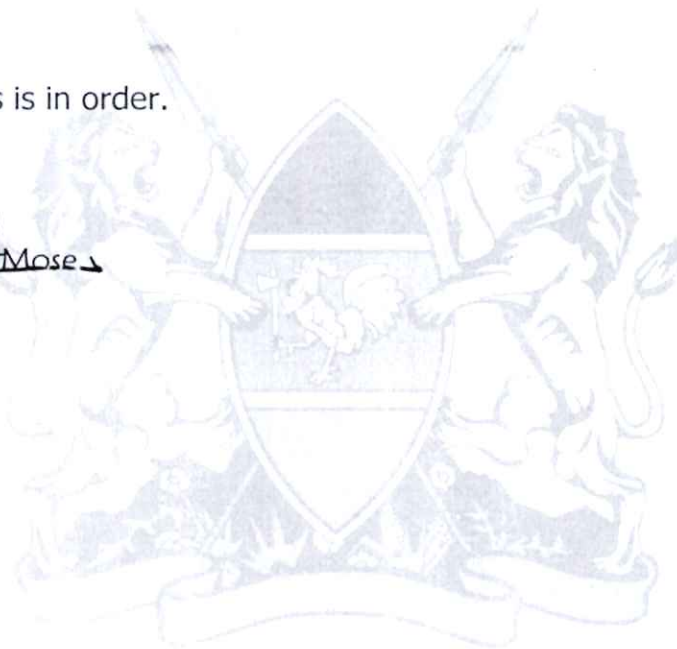
- (a) Clause 8 refers to rules but it is not clear as to the "rules" being referred to;
- (b) The marginal note refers to liability of owner and driver for damage and does not relate to law and order;

We note that police officers have general enforcement powers, therefore we may allow the National Police Service the discretion to determine the category of police officers who shall ensure strict use of dedicated lanes for pedestrians and cyclists and the safety of non-motorized transport users for the effective enforcement of safety and use of non-motorized infrastructure.

Subsequently, it is important to highlight that the policy on the subject matter, lies within the mandate of the Ministry of Roads and Transport seeking policy direction. To this end, we have therefore shared the proposal with the State Department for Transport for policy guidance.

We trust that this is in order.

  
Hon. Shadrack J. Mose  
Solicitor-General





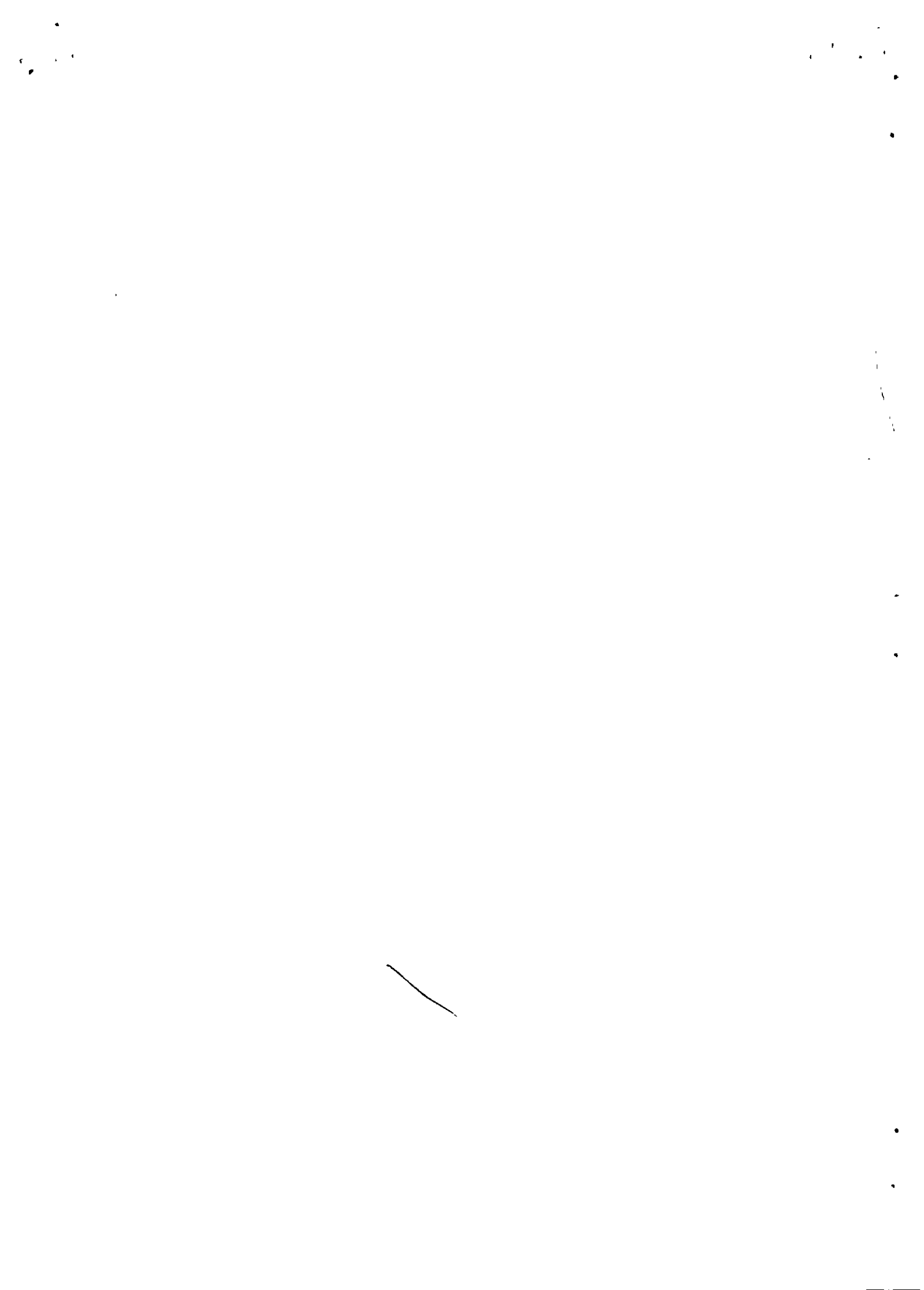
**COMMENTS ON THE KENYA ROADS (AMENDMENT) BILL NATIONAL ASSEMBLY**  
**BILL NO. 31 OF 2024**

No.	Part/ Section in the bill/ policy	Clause in the bill/Policy	Comment and/or issue with the clause	Proposed amendment	Justification
1	Functions of County Governments	Clause 11(A)	<p>"The county governments shall have the following roles –</p> <p>(1) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian</p>	<p>(1) Each county government shall, within its area of jurisdiction, be responsible for the construction and maintenance of the county roads in accordance with the provisions of Part 2 of the Fourth Schedule to the Constitution and Part B of the First Schedule to this Act. (2) For the purposes of discharging its responsibility, each county government shall undertake the following functions and duties –</p> <p>(a) designing, constructing, upgrading, rehabilitating and maintaining county roads;</p> <p>(b) designing and constructing designated tracks for non-motorized transport for</p>	<p>1. The Act needs to provide for the Roles of county governments in management of the County Roads beyond the single proposed role.</p>

No.	Part/ Section in the bill/ policy	Clause in the bill/Policy	Comment and/or issue with the clause	Proposed amendment	Justification
			<p>walkways which shall be separated from tracks for motorized transport.</p> <p><i>The issue that currently no other county roles are defined in the Act and there is need to enumerate other roles in addition to this new proposal</i></p>	<p>existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.</p> <p>(c) managing reserves and facilitating access to roadside developments with respect to county roads;</p> <p>(c) implementing road policies in relation to county roads; (e) ensuring adherence to the rules and guidelines on axle load control as prescribed under the Traffic Act and any Regulations made under this Act;</p> <p>(f) ensuring that the quality of county road works is in accordance with national standards issued by the Cabinet Secretary;</p> <p>(g) overseeing the management of traffic and road safety on county roads in collaboration with the county government;</p> <p>(h) collecting and collating all such data related to the use of county roads as may be necessary for efficient planning under this Act;</p> <p>(i) monitoring and evaluating the use of county roads;</p> <p>(j) planning the development and maintenance of county roads;</p> <p>(k) preparing the county investment programme and annual county road works programmes for county roads; and</p>	

No.	Part/ Section in the bill/ policy	Clause in the bill/Policy	Comment and/or issue with the clause	Proposed amendment	Justification
				<p>(1) co-ordinating with road Authorities or agencies in planning and operations in respect of county roads.</p> <p>(3) The national government shall, in accordance with Part 1, section 18 of the Fourth Schedule to the Constitution, be responsible for the standards for the construction and maintenance of county roads by county governments.</p> <p>(4) Each county government shall, for the purposes of ensuring uniformity and national standards in the roads sector, through its legislation and administrative action, implement and act in accordance with the national policy, standards and guidelines issued by the Cabinet Secretary under this Act.</p> <p>(5) Any action required under this Act to be done by the county government shall be deemed to have been done if done by an officer of the county government authorized by the government in that behalf.</p> <p>(6) Each county government shall by county legislation establish a County Roads Agency being either a department or division which shall be responsible for the management, development and maintenance of County</p>	

No.	Part/ Section in the bill/ policy	Clause in the bill/Policy	Comment and/or issue with the clause	Proposed amendment	Justification
				<p>Roads under the county executive in charge of roads.</p> <p>(7) The Director in charge of Roads at each County Government shall be designated by the Governor as the Chief Engineer (Roads) with requisite qualifications as provided by the Public Service Commission.</p>	



**Wednesday, 31<sup>st</sup> July 2024**

Kenya Red Cross Society  
P.O. Box 40712-00100  
NAIROBI

The Clerk of the National Assembly  
Parliament Buildings  
Parliament Buildings  
P.O. Box 41842-00100  
Nairobi Kenya

**RE: COMMENTS ON THE PROPOSED KENYA ROADS ACT, 2024**

**WHEREAS** Kenya Red Cross Society (KRCS) is a humanitarian relief organization established through the Kenya Red Cross Society Act (Cap 256 Laws of Kenya), auxiliary to the Government and a member of the International Red Cross /Red Crescent Movement. It is the sole National Red Cross Society in Kenya. KRCS' vision is to be a leading humanitarian organization sustainably promoting the well-being, health and resilience of communities. Within the KRCS Act, it has the following legal mandates:

- i) To provide volunteer aid to the sick and wounded in time of war and noncombative and to prisoners of war civilian sufferers from the effects of war.
- ii) In the case of catastrophes or public disasters, to provide the victims with relief.
- iii) In time of peace or war to carry on and assist in the work for the improvement of health, the prevention of diseases and the mitigation of suffering throughout the world.
- iv) To promote the Junior Red Cross movement among the youth of all races.
- v) To propagate the ideas and the humanitarian principles of the Red Cross with a view of developing a feeling of solidarity and mutual understanding among all men and all nations.
- vi) To carry out training and certification in areas related to emergency services, pre- and post- hospital care, humanitarian assistance and disaster management.

**WHEREAS**, The Principal Object of the Bill is to amend the Kenya Roads Amendment Bill, 2023 to make provision for design and construction of lanes for non-motorised transport.

**ACKNOWLEDGING THAT**, this Bill will significantly contribute to the reduction of road traffic deaths and injuries in Kenya caused by poor, non-inclusive transport infrastructure.

**HOWEVER**, road safety experts and research indicate that a safe system approach is critical in reducing road traffic crash. This includes addressing key risk factors, including speed.

WHO Road Safety Report (2018) ranks Kenya among 169 countries meeting best practise criteria used on speed limits legislation assessment. These include presence of a speed limit law and urban speed limits set at 50km/h. The Traffic Act, Section 42, provides for urban speed limit of 50km/h and the same limit for high pedestrian density areas like trading centres, townships, schools or cities. However, this urban speed limit remains extremely high. This is because the probability of a pedestrian being killed is multiplied by 8 with an increase of impact speed from 30km/h to 50km/h (<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-019-8139-5> ).

**IN THE FOREGOING**, Kenya Red Cross Society proposes addition of Clauses 2 and 3, under Section 11A, Functions of the County Government, immediately after Clause (1);

**Clause (2):** Review speed limits with the view of lowering speeds on roads that provide important connections in the non-motorised transport network (NMT) to below 50 km/h and creating 30 km/h within heavily pedestrianized areas. Motor vehicle speed is one of the main factors influencing NMT users' safety perception of a road/street. Appropriate limits will be set in accordance with road functions.

**Clause (3):** Apply traffic calming tools and methods widely to create and maintain sufficiently low motor vehicle volumes and speeds on NMT priority areas to ensure comfortable and safe traffic conditions. A variety of traffic calming techniques, including reduced carriageway widths and speed humps<sup>1</sup>, will be applied at frequent intervals to reduce motor vehicle speeds.

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<sup>1</sup> *Speed humps* should be placed so that vehicles do not approach NMT crossings and areas at high speeds. They should also be placed on side roads and near streetlights. To be effective, speed humps should be placed in series at 60 – 180 m intervals. Speed humps should not be placed on curves, public transport routes, or major emergency response routes. They will be designed and spaced to ensure uniform flow as much as possible.

## MEMORANDUM ON THE ROADS AMENDMENT BILL 2024

FROM: ENVIRONMENTAL CIVIL SOCIETY ORGANISATIONS AND ADVOCATES OF NON-MOTORISED TRANSPORT (NMT)

TO: CHAIR, TRANSPORT AND INFRASTRUCTURE DEPARTMENTAL COMMITTEE OF THE NATIONAL ASSEMBLY

RE: MEMORANDUM ON THE ROADS AMENDMENT BILL 2024

DATE: 30<sup>TH</sup> JULY 2024

### INTRODUCTION

Following the call for public and stakeholder submissions on the Kenya Roads Amendment Bill 2024, environmental civil society organizations (CSOs) and advocates for Non-Motorized Transport convened a meeting on July 24, 2024 to review and provide input on the proposed bill in line with Article 118(1)(b) of the Constitution and the CSOs' role in supporting good governance and sustainable development through the creation of effective laws and policies.

The Roads Amendment Bill 2024 will play a crucial role in enhancing sustainability and climate change resilience in the plan, design, construction and maintenance of road construction, promoting low-carbon transport in Kenya and aligning with international commitments particularly the United Nations Framework Convention on Climate Change (UNFCCC), Sustainable Development Goals (SDGs), the National Climate Change Action Plan III 2023-2027, Kenya's Green Economy Strategy Implementation Plan (GESIP) 2013- 2030 and the Integrated National Transport Policy 2024.

We affirm that promotion of Non-Motorized Transport (NMT) offers accessibility and mobility for vulnerable groups, affordable transport, health benefits such as improved physical health and improved air quality as a result of zero Greenhouse Gas (GHGs) emissions. However, failure to consider sustainability in the development of these projects, will most likely result in high economic, environmental and social long term costs.

We acknowledge that road network plays a pivotal role in the economic development of a country through; Facilitation of Trade; Attracting Investment; Reducing Transportation Costs; Boosting Tourism; Generating Employment; Enhancing Productivity; Improving Access to Markets and Access to Essential Service but at the same time vulnerable to climate impacts thus must be constructed in a way to enhance climate resilience

Outlined below is the input from the meeting, which brought together representatives from the Kenya National Water Resource Users Association, National Environmental Civil Society

Alliance of Kenya, Stand Out Shout-Bonga na Gava Youth Network, World Wide Fund for Nature Kenya (WWF Kenya), Drylands Learning & Capacity Building Initiative, East Africa Wildlife Society, International Fund for Animal Welfare, Mama Cycling, Kenya Cycling Federation, Flone Initiatives, and the National Council for Persons with Disabilities.

### **General Recommendations**

The Bill to introduce;

#### **1. Objects and Guiding Principles.**

This section to include:

- i) Article 10 and 232 of the constitution;
- ii) The leadership and integrity principles set out in Articles 73 and 75 of the Constitution
- iii) Promotion of universal access.
- iv) Article 69 (1) The State shall;
  - (b) Work to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya;
  - (d) Encourage public participation in the management, protection and conservation of the environment;
  - (f) Establish systems of environmental impact assessment, environmental audit and monitoring of the environment;
  - (g) Eliminate processes and activities that are likely to endanger the environment; and
  - (h) Utilize the environment and natural resources for the benefit of the people of Kenya.

#### **2: National Transport Policy and Plans development and implementation:**

- i) The Cabinet Secretary to develop, publish and review a national transport strategic plan.
  - ii) The Transport strategic plan(s) to take into account the national transport policy and serve as a guide for the implementation of the national policy on the road transport sub sector.
  - iii) The Cabinet Secretary to prescribe regulations in relation to the content and timelines for the preparation of the transport strategic plan.
  - iv) Within three months after the end of each financial year, the Cabinet Secretary prepares and publishes a report on the implementation of the national transport strategic plan.
- 3: There is a need to include the Financial and technical obligations of the contractor.

4. Functions of the Authority to include; Commissioning of Environmental and Social Impact Assessment and Strategic Environmental Assessments studies prior to construction of roads as per the provisions of the Environmental Management and Coordination Act, 1999

4: Environment Health, Safety and Security

i) The Bill to make reference to Chapter 5 of the Constitution of Kenya Part 1 of Land and Part 2 of the Environment and Natural Resources.

ii) The Bill to make reference to the provision of Environment, Health, Safety and security Chapter of the National Integrated Transport Policy 2024.

5. The CS to develop regulations on;

a. Principles for sustainable road development. The United Nations Environment Programme (2022) International Good Practice Principles for Sustainable Infrastructure can be used as a reference as they advocate for;

i) Strategic Planning to ensure the alignment of infrastructure policies and decisions with global sustainable development agendas and to strengthen the enabling environment.

ii) Responsive, Resilient, and Flexible Service Provision to meet actual infrastructure needs, allow for changes and uncertainties over time, and promote synergies between infrastructure projects and systems.

iii) Comprehensive Life Cycle Assessment of Sustainability, including the cumulative impacts of multiple infrastructure systems on ecosystems and communities over their entire lifespans, to avoid "locking in" infrastructure projects and systems with various adverse effects.

iv) Avoiding Environmental Impacts of infrastructure systems and investing in natural infrastructure to make use of nature's ability to provide essential, cost-effective infrastructure services and provide multiple co-benefits for people and the planet.

v) Resource Efficiency and Circularity to minimize infrastructure's natural resource footprint, reduce emissions, waste and other pollutants, and increase the efficiency and affordability of services.

vi) Equity, Inclusiveness, And Empowerment through a balance between social and economic infrastructure investment to respect, protect and fulfill human rights and promote well-being, particularly of more vulnerable or marginalized groups.

- vii) Enhancing Economic Benefits through employment generation and support for the local economy.
  - viii) Fiscal Sustainability and Innovative Financing to close the infrastructure investment gap within the context of increasingly constrained public budgets.
  - ix) Transparent, Inclusive, And Participatory Decision-Making that includes stakeholder analysis, ongoing public participation, and grievance mechanisms for all stakeholders.
  - x) Evidence-Based Decision-Making that includes regular monitoring of infrastructure performance and impacts based on key performance indicators and the promotion of data sharing with all stakeholders.
6. Updating the Models used for road planning and designs to consider changing conditions such as populations increase, impact of climate change and proposed developments as baseline data.
  7. Design phase<sup>1</sup> to cater for road stations<sup>2</sup> with supporting facilities especially for highways and major roads to enable road users to take breaks thereby reducing accidents caused by fatigue and collisions with parked vehicles along the roads; Animal crossing such as livestock as well as donkey and animal driven carts where appropriate.
  8. Composition of The Roads Board to be revised to include other stakeholders such as civil society organisations working in the environment and transport sectors and persons living with disabilities
  9. The bill to make reference to constitutional terms such as Cabinet Secretary, County Governments etc.

---

<sup>1</sup> Road Design: This involves the planning and layout of roads, taking into consideration factors like traffic flow, safety, aesthetics, and environmental impact. Road design includes decisions about lane widths, curvature, intersections, signage, etc

<sup>2</sup> Roadside Station: Is a facility located along the highways and major roads that provide various amenities and services to travelers. These services will entail restrooms, rest designated areas, fueling stations among others.

Subject Re: Submission of Memorandum

From Clerk of the National Assembly <cna@parliament.go.ke>

To Kevin Gesora <kevingesora37@gmail.com>

Cc  
Transport and Infrastructure Committee <dctransport.infratructure@parliament.go.ke>, Tracy Chebet Emily Koskei <tracy.koskei@parliament.go.ke>

Date Friday July 26, 2024 3:48:18 PM

Dear Kevin,

We acknowledge with thanks receipt of your email and forwarded your submissions, to the Committee on Transport and Infrastructure.

**Kind Regards**

**OFFICE OF THE CLERK**

**THE NATIONAL ASSEMBLY**

**P . O. Box 41842-00100**

**NAIROBI.**

**Tel: +254202848000 ext 3300 / +254790494055**

**Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)**

**website: [www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)**

**X:@NAssemblyKE**

**Facebook: [Parliament of Kenya](https://www.facebook.com/ParliamentofKenya)**



**From:** Kevin <kevingesora37@gmail.com>

**To:** cna <cna@parliament.go.ke>

**Date:** Friday, 26 July 2024 3:30 PM EAT

**Subject:** Submission of Memorandum

CAUTION: This Mail Originated from outside of the Organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

The purpose of this memorandum is to present an overview and justification for the proposed amendments to the Kenya Roads Act of 2007 as outlined in the Kenya Roads Board Amendment Bill (National Assembly No. 31 of 2024). This bill, sponsored by Hon. Naisula Lesuuda, seeks to mandate the design and construction of dedicated lanes for non-motorized transport (NMT).

Background

The Kenya Roads Act of 2007 currently governs the planning, development, and maintenance of roads in Kenya. However, with the increasing number of non-motorized transport users, such as cyclists and pedestrians, there is a growing need to enhance their safety and infrastructure. The amendment bill aims to address this gap by ensuring that future road designs include dedicated lanes for NMT.

### **\*\*Proposed Amendments\*\***

The amendment bill proposes the following changes to the Kenya Roads Act of 2007:

1. Incorporation of provisions requiring the design and construction of dedicated lanes for non-motorized transport in all new road projects.
2. Establishment of guidelines and standards for the construction of NMT lanes.
3. Allocation of funds for the maintenance and development of NMT infrastructure.
4. Allocation of resources to redesign the already set up roads to incorporate the dedicated lanes for NMT

These amendments will be implemented through collaboration with relevant stakeholders, including urban planners, transport engineers, and local governments.

### **\*\*Justification\*\***

The amendment is necessary for several reasons:

1. **\*\*Safety:\*\*** Dedicated NMT lanes will reduce accidents involving non-motorized users and motor vehicles, thus enhancing road safety.
2. **\*\*Environmental Benefits:\*\*** Promoting non-motorized transport can reduce carbon emissions and contribute to environmental sustainability.
3. **\*\*Health Benefits:\*\*** Encouraging cycling and walking can improve public health by promoting physical activity.
4. **\*\*Inclusivity:\*\*** Providing infrastructure for NMT ensures that all road users, regardless of their mode of transport, have safe and accessible roads.

### **\*\*Conclusion\*\***

In summary, the proposed amendments to the Kenya Roads Act of 2007 are crucial for enhancing the safety, inclusivity, and sustainability of our road infrastructure. We urge the Members of the National Assembly to support this bill and facilitate its swift passage.

PRESENT AND SIGNED BY

KEVIN GESORA  
GENZ cyclist  
+254717801654

Subject Fwd: Kenya Road Amendment Bill 2024

From Clerk of the National Assembly <cna@parliament.go.ke>

To

Transport and Infrastructure Committee <dctransport.infratructure@parliament.go.ke>, Tracy Chebet Emily Koskei <tracy.koskei@parliament.go.ke>, Tracy Chebet Emily Koskei <tracy.koskei@parliament.go.ke>

Date Wednesday July 31, 2024 8:34:41 AM

*Kind Regards*

**OFFICE OF THE CLERK**

**THE NATIONAL ASSEMBLY**

**P. O. Box 41842-00100**

**NAIROBI.**

**Tel: +254202848000 ext 3300 / +254790494055**

**Email: [cna@parliament.go.ke](mailto:cna@parliament.go.ke)**

**website: [www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)**

**X: @NAssemblyKE**

**Facebook: [Parliament of Kenya](https://www.facebook.com/ParliamentofKenya)**



**From:** walt <wtincom@gmail.com>

**To:** cna <cna@parliament.go.ke>

**Date:** Wednesday, 31 July 2024 2:48 AM EAT

**Subject:** Kenya Road Amendment Bill 2024

CAUTION: This Mail Originated from outside of the Organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Honourable Members,

With many thanks hopefully decorum is observed. I wish to launch my petition because climate change is a universal pandemic and in our ecosystem as planet earth our motherland, we certainly ought to forecast our future holistically.

We therefore. On our roads we must consider the animals both domestic (livestock, cattle, sheep, goat, camels, horses and donkeys) and wildlife and for our case we must consider our nomadic culture we would like to propose the following.

1. Free movement of domestic animals under supervision on our roads.
2. Restricted movements of our wild animals.
3. Ease movement of controlled wild animals

In summary under all consideration of our constitution animal Act.360 Kenya.

Kind Regards,  
Walter Tinderet

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**Introduction**

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**Background**

The Kenya Roads Act of 2007 currently governs the planning, development, and maintenance of roads in Kenya. However, with the increasing number of non-motorized transport users, such as cyclists and pedestrians, there is a growing need to enhance their safety and infrastructure. As an avid cyclist, I have personally experienced the challenges and dangers posed by the lack of dedicated lanes for NMT. The amendment bill aims to address this gap by ensuring that future road designs include dedicated lanes for NMT.

**Proposed Amendments**

The amendment bill proposes the following changes to the Kenya Roads Act of 2007:

- Incorporation of provisions requiring the design and construction of dedicated lanes for non-motorized transport in all new road projects.
- Establishment of guidelines and standards for the construction of NMT lanes.
- Allocation of funds for the maintenance and development of NMT infrastructure. These amendments will be implemented through collaboration with relevant stakeholders, including urban planners, transport engineers, and local governments.

**Justification**

The amendment is necessary for several reasons:

- Safety: Dedicated NMT lanes will reduce accidents involving non-motorized users and motor vehicles, thus enhancing road safety.



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Tel: +254202848000 ext 3300 / +254790494055

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website: [www.parliament.go.ke/the-national-assembly](http://www.parliament.go.ke/the-national-assembly)

X: [@NASsemblyKE](#)

Facebook: [Parliament of Kenya](#)



**From:** Dennis <[dennis.mwenda@strathmore.edu](mailto:dennis.mwenda@strathmore.edu)>

**To:** cna <[cna@parliament.go.ke](mailto:cna@parliament.go.ke)>

**Date:** Tuesday, 30 July 2024 7:31 PM EAT

**Subject:** Kenya Road Amendment Bill

CAUTION: This Mail Originated from outside of the Organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Greetings,

I would like to thank the involved parties that have helped in the progress of road development specifically, the bike lanes and pedestrian walkways.

Some students use bicycles as a means of transport to and from schools. Cycling improves health and allows one to be alert which are both beneficial to a student. I would suggest improving some of the roads that lead to various schools that allow students to cycle to and from school.

Kind regards,  
Dennis Munene

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The Kenya Roads Act of 2007 currently governs the planning, development, and maintenance of roads in Kenya. However, with the increasing number of non-motorized transport users, such as cyclists and pedestrians, there is a growing need to enhance their safety and infrastructure. The amendment bill aims to address this gap by ensuring that future road designs include dedicated lanes for NMT.

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The amendment is necessary for several reasons:

1. **\*\*Safety:\*\*** Dedicated NMT lanes will reduce accidents involving non-motorized users and motor vehicles, thus enhancing road safety.
2. **\*\*Environmental Benefits:\*\*** Promoting non-motorized transport can reduce carbon emissions and contribute to environmental sustainability.
3. **\*\*Health Benefits:\*\*** Encouraging cycling and walking can improve public health by promoting physical activity.
4. **\*\*Inclusivity:\*\*** Providing infrastructure for NMT ensures that all

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**From:** Dennis <[dennis.mwenda@strathmore.edu](mailto:dennis.mwenda@strathmore.edu)>  
**To:** cna <[cna@parliament.go.ke](mailto:cna@parliament.go.ke)>  
**Date:** Tuesday, 30 July 2024 7:31 PM EAT  
**Subject:** Kenya Road Amendment Bill

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From: nazim <osimnazim@gmail.com>

To: cna <cna@parliament.go.ke>

Date: Wednesday, 17 July 2024 8:39 PM EAT

Subject: Memoranda Submission

CAUTION:This Mail Originated from outside of the Organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

**Introduction**

The purpose of this memorandum is to present an overview and justification for the proposed amendments to the Kenya Roads Act of 2007 as outlined in the Kenya Roads Board Amendment Bill (National Assembly No. 31 of 2024). This bill, sponsored by Hon. Naisula Lesuuda, seeks to mandate the design and construction of dedicated lanes for non-motorized transport (NMT).

**Background**

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2. Establishment of guidelines and standards for the construction of NMT lanes.
3. Allocation of funds for the maintenance and development of NMT infrastructure.

These amendments will be implemented through collaboration with relevant stakeholders, including urban planners, transport engineers, and local governments.

**Justification**

The amendment is necessary for several reasons:

1. **Safety:** Dedicated NMT lanes will reduce accidents involving non-motorized users and motor vehicles, thus enhancing road safety.
2. **Environmental Benefits:** Promoting non-motorized transport can