

SPECIAL ISSUE

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REPUBLIC OF KENYA

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NATIONAL ASSEMBLY BILLS, 2022

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CONTENT

Bill for Introduction into the National Assembly—	PAGE
The National Transport and Safety Authority (Amendment) Bill, 2022	1165





**THE NATIONAL TRANSPORT AND SAFETY
AUTHORITY (AMENDMENT) BILL, 2022**

A Bill for

AN ACT of Parliament to amend the National Transport and Safety Authority Act, 2012 and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the National Transport and Safety Authority (Amendment) Act, 2022.

Short title.

2. Section 4 of the National Transport and Safety Authority Act, 2012 (in this Act, referred to as “principal Act”) is amended in subsection (2) by—

Amendment of section 4 of No. 33 of 2012.

(a) inserting the following new subparagraphs immediately after sub paragraph (a)—

“(aa) regulation of two and three wheeled public motorcycle taxis;

(ab) establish systems and procedures for the regional registration and licensing of two and three wheeled public motor cycle taxis;

(ac) establish systems and procedures for the registration and licensing of drivers of two and three wheeled public motorcycle taxis by county governments in consultation with the Authority;

(ad) issue public service vehicle badges to drivers of two and three wheeled public motorcycle taxis; and

(ae) regulate two and three wheeled public service motor cycle taxis;

MEMORANDUM OF OBJECTS AND REASONS

Statement of Objects and Reasons for the Bill

The principal object of this Bill is to amend the National Transport and Safety Act, *No. 33 of 2012* to assign additional functions to the National Transport and Safety Authority; the proposed additional functions include, the establishment of systems and procedures for the regional registration and licensing of two and three wheeled public motor cycle taxis and, the regional registration and licensing of drivers of two and three wheeled public motor cycle taxis by county governments, in consultation with the Authority.

Statement on delegation of legislative powers and limitation of fundamental rights and freedoms

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

Statement on how the Bill affects county governments

This Bill concerns county governments in terms of Article 110 (1) of the Constitution as it affects the functions and powers of county governments set out under paragraph 5 of Part 2 of the Fourth Schedule to the Constitution.

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

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

Dated the 26th October, 2022.

SIMON NG'ANG'A KING'ARA,
Member of Parliament.

Section 4 of No. 33 of 2012 which it is proposed to amend—

4. (1) The functions of the Authority shall be to—

Functions of the Authority.

- (a) advise and make recommendations to the Cabinet Secretary on matters relating to road transport and safety;
- (b) (b) implement policies relating to road transport and safety;
- (c) (c) plan, manage and regulate the road transport system in accordance with the provisions of this Act;
- (d) ensure the provision of safe, reliable and efficient road transport services; and
- (e) (e) administer the Act of Parliament set out in the First Schedule and any other written law.

(2) In the performance of its functions under subsection (1), the Authority shall—

- (a) register and license motor vehicles;
- (b) conduct motor vehicle inspections and certification;
- (c) regulate public service vehicles;
- (d) advise the Government on national policy with regard to road transport system;
- (e) develop and implement road safety strategies;
- (f) facilitate the education of the members of the public on road safety;
- (g) conduct research and audits on road safety;
- (h) compile inspection reports relating to traffic accidents;
- (i) establish systems and procedures for, and oversee the training, testing and licensing of drivers;
- (j) formulate and review the curriculum of driving schools;
- (k) co-ordinate the activities of persons and organizations dealing in matters relating to road safety; and

- (1) perform such other functions as may be conferred on it by the Cabinet Secretary or by any other written law.