

SPECIAL ISSUE

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SENATE BILLS, 2026

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**THE NATIONAL TRANSPORT AND SAFETY
AUTHORITY (AMENDMENT) BILL, 2026**

A Bill for

AN ACT of Parliament to amend the National Transport and Safety Authority Act to regulate assessors of public service vehicles; 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, 2026.

Short title.

2. The National Transport and Safety Authority Act, hereinafter referred to as the “principal Act”, is amended in section 2 by inserting the following definitions in their correct alphabetical sequence —

Amendment of section 2 of Cap 404.

“conformity assessment” means an evaluation to ascertain that a specific requirement relating to a motor vehicle have been fulfilled; and

“conformity assessor” means a person with specialized skills who uses criteria provided by the Authority to verify that a standard or technical specification has been applied in the design manufacturing and installation of a body of a public service vehicle.

3. Section 4 of the principal Act is amended in subsection (2) by inserting the following new paragraph immediately after paragraph (c) —

Amendment of section 4 of Cap 404.

(ca) register and license conformity assessors.

4. The principal Act is amended by inserting the following new sections immediately after section 26 —

Insertion of new sections in Cap 404.

Licensing of Public service vehicle conformity assessors.

26A. (1) A public service vehicle conformity assessor shall apply to the Authority for a licence in the prescribed form—

(2) The Authority shall before issuance of a license satisfy itself that the conformity assessor —

(a) is not engaged in the following activities with respect to the items to be inspected —

- (i) design and manufacture;
- (ii) supply;
- (iii) installation;
- (iv) purchase and ownership; or
- (v) maintenance.

(b) is not linked to a person that is engaged in activities listed under subsection 2(a).

(3) A licence issued under paragraph (a) shall be valid for a period of three years.

Powers of the Authority on Conformity assessment.

26B. The Authority shall—

(1) Prescribe a criteria for conducting the conformity assessment.

(2) In every three years designate conformity assessors to conduct assessment on public service vehicles.

(3) Conduct periodic audit on conformity assessors to ensure compliance with the provisions of this Act.

Submission of reports,

26C. Upon completion of the assessment under 26B(2) the conformity assessor shall submit a technical report to the Authority.

MEMORANDUM OF OBJECTS AND REASONS

Statement of Objects and Reasons

The principal object of this Bill is to amend the National Transport and Safety Authority Act to regulate public service vehicles conformity assessors. There is no legal provision that regulates the assessment of public service vehicles and as such public service vehicle assessors have been carrying out assessment through the Kenya Association of Bus manufacturers which led to a conflict of interest as the membership of the association comprises of owners of public service vehicles.

Further, the Bill requires the National Transport and Safety Authority to register and issue a license to a public service vehicle conformity assessor. Under the Bill, the Authority shall prescribe the criteria for conducting the conformity assessment. The Bill also requires the Authority to conduct periodic audits on public service vehicles conformity assessors to ensure compliance with the Act.

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

The Bill does not delegate legislative powers or limit any fundamental rights or freedoms.

Statement of how the Bill concerns county governments

This Bill concerns county governments in terms of Article 110(1)(a) as it contains provisions that affect the functions and powers of county governments with respect to county transport as set out in paragraph 5 of part 2 of the Fourth Schedule to the Constitution. The Bill therefore concerns county governments as public transport is a key service that many citizens use across various counties Bill.

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

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

Dated the 14th May, 2026.

KATHURI MURUNGI
Senator.