NAIROBI CITY COUNTY
www.nairobi.go.ke

MOBILITY & WORKS

Office of the County Chief Officer - Mobility

DRAFT

NAIROBI CITY COUNTY TRANSPORT ACT, 2020

DRAFT REGULATIONS

Contents

1. THE NAIROBI CITY COUNTY (BILLBOARD IN ROAD RESERVE) REGULATIONS, 2025 3
2. THE NAIROBI CITY COUNTY (SIGN OR BILLBOARDS PERMIT) REGULATIONS, 2025 9
3. THE NAIROBI CITY COUNTY (PUBLIC UTILITIES WORK) REGULATIONS, 202512
4. THE NAIROBI CITY COUNTY (RECORD OF PUBLIC UTILITIES) REGULATIONS, 2025 27
5. THE NAIROBI CITY COUNTY (TRAFFIC IMPACT ASSESSMENT) REGULATIONS, 2025 31
6. THE NAIROBI CITY COUNTY (STREET LIGHTING) REGULATIONS, 2025 39
7. THE NAIROBI CITY COUNTY (PUBLIC TRANSPORT FARE TABLE) REGULATIONS, 2025 45
8. THE NAIROBI CITY COUNTY (LOW EMISSION ZONES) REGULATIONS, 2025 48
9. THE NAIROBI CITY COUNTY (MOTORCYCLE TAXI (BODA BODA) PERMIT) REGULATIONS, 2025 53
10. THE NAIROBI CITY COUNTY (THREE WHEELED MOTORCYCLE TAXI (TUK TUK)) REGULATIONS, 2025 61
11. THE NAIROBI CITY COUNTY (CAR PARK LICENSING) REGULATIONS, 2025 68
12. THE NAIROBI CITY COUNTY (CAR PARKING STANDARDS) REGULATIONS, 202573
13. THE NAIROBI CITY COUNTY (DESIGNATED AREAS PARKING FEES) REGULATIONS, 2025 81
14. THE NAIROBI CITY COUNTY (PUBLIC SERVICE VEHICLE TERMINAL) REGULATIONS, 2025 85
15. THE NAIROBI CITY COUNTY (PERMIT TO OPERATE PUBLIC TRANSPORT SERVICE) REGULATIONS, 2025 91
16. THE NAIROBI CITY COUNTY (COUNTY ROAD RESERVES) REGULATIONS, 202594
17. THE NAIROBI CITY COUNTY (TAXICAB PERMIT) REGULATIONS, 2025 99

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT, 2020

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 62 of the Nairobi City County Transport Act 2020, the County Executive Committee Member for Transport makes the following regulations:-

1. THE NAIROBI CITY COUNTY (BILLBOARD IN ROAD RESERVE) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Billboard in Road Reserve) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020.

"Billboard" means any large freestanding structure on which an advertisement is placed and any large advertising board placed, mounted or fixed to a wall, building or structure.

"Central Business District" means the area bounded by Haile Selassie Avenue, Ring Road, Nairobi River, Kipande Road, Thika Road, and Uhuru Highway.

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Director" means the **director responsible for roads** within the Nairobi City County Government.

"City Planning" means the department responsible for outdoor advertising in the Nairobi City County Government.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government.

"County" means Nairobi City County.

"Footway" means that part of a road constructed for the use of pedestrians.

"public road" has the meaning assigned to it under the Act.

"road" includes footways, signs, markings and the road reserve.

"road reserve" has the meaning assigned to it under the Act.

"signs and advertisements" means posters and notices, placards and boards, fascia signs and projecting signs, pole signs and canopy signs, models and devices, advance signs and directional signs, traffic signs, area and city name signs.

DRAFT

3. Anything within the road reserve is protected by the road authority as provided for in Section 14 of the Act for road purposes only.

4. Any advertisement outside of the road reserve will only be allowed if it has planning permission, and does not contravene any of regulation 6 sub-regulations a), b) and c) of these regulations.

5. No sign, advertisement or billboard may be erected on a road or a footway or within a road reserve except—
(a) **On a No** objection from the County Executive Committee Member or the relevant road administrator.
(b) On approval by City Planning on application made through a prescribed form; and
(c) Payment of the prescribed fee laid out in Schedule One.

6. No approval will be granted for any sign, billboard or any advertisement that:
   a) Causes any kind of obstruction to motorised vehicles or persons using non-motorised transport, including the mobility impaired, either on the carriageway or footway of a road.
   b) In the view of the County Executive Committee Member might cause a distraction to drivers of any kind of motorised vehicle such that the driver might cause a road safety hazard to himself or other road users.
   c) Obstructs the visibility of road users, or of permitted traffic signs.
   d) Contains flashing lights.
   e) Is obscene.
   f) Is likely to cause insult or offence.

7. (1) Subject to the other provisions of these regulations the following shall be deemed to have the consent of the Chief Officer:-
   a) Traffic signs permitted under the Traffic Act, or this Act.
   b) Road, area, or ward names.
   c) Advertisements that are part of a building's fabric.
   d) Advertisements that satisfy electoral legislation for any pending presidential, national, county elections.
   e) Advertisements by national and county government bodies and agencies that provide information or directions about the services that they provide.
   f) Signs or advertisements that relate to any religious, educational, cultural, recreational, medical or similar institution; or any hotel, block of flats or apartments, or sporting facility.
   g) Temporary advertisements for non-commercial activities, sporting events, charity events, or functions for a learning institution.
   h) The Approval Process
      i. An application is submitted to the Chief Officer
      ii. The Director shall prepare a Technical Report with recommendations
      iii. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

8. A person who wishes to place a sign, advertisement or billboard in any portion of a road reserve on a County road, shall make an application to the County Executive Committee Member.

DRAFT

9. Any person who is denied an approval may appeal to the Committee Member within 14 days of being informed of the refusal by the Chief Officer

10. A person who wishes to erect a structure for a sign, advertisement or billboard on a road reserve shall apply to the Chief Officer and shall attach designs prepared by a Registered Engineering Consultant or Professional Engineer.

11. The Chief Officer shall examine and approve the designs of any structure required to be established on a road reserve before granting the approval to establish a structure on the road reserve or abutting areas, subject to the works being supervised by a registered engineer.

12. Fees shall be payable in advance and non-payment shall attract a penalty of not more than one thousand shillings for each month of the delay.

13. The placement, removal or relocation of any services or structures to or from the road reserve, shall be done under the supervision of a professional engineer and at the owner's expenses.

14. The removal or relocation of services or structures from or within the road reserve, shall be effected within thirty days after issue of notice to that effect by the County.

15. A person shall not place any service or structure on a road reserve without the permit issued by the County.

16. Any structure not permitted by the County shall be removed by the owner, or if removed by the County or its authorized officers, the owner shall reimburse the County for the cost of the removal.

17. If the County, on its own, removes a structure placed on a road reserve contrary to these regulations, the person responsible for placing the structure on a road reserve shall be liable to pay to the County an additional fifty percent charge in addition to the cost of removal.

18. The County shall not be responsible for storage or safety of any items removed or relocated from the road reserve.

19. If an advertisement, sign or billboard is within the road reserve of a County road that contravenes any part of these regulations: -

    (a) An authorised officer may visit the site of the advertisement, sign or billboard, and collect evidence including photographs, the location of the advertisement, sign or billboard, the name and contact details of any business.

    (b) The Chief Officer may contact the relevant business or owner of the advertisement, sign or billboard and serve an enforcement notice that they should remove the advertisement, sign or billboard from the road reserve permanently by no later than the close of that working day.

    (c) An authorised officer may also place a 'notice to remove' sticker on the advertisement, sign or billboard.

DRAFT

(d) If the advertisement, sign or billboard has not been removed by the business or owner by the next day it will be removed from the road reserve by an authorised officer.

(e) The County may store any removed advertisement, sign or billboards for a maximum of 90 days.

(f) The County will charge a storage cost and administration fee to anyone wishing to reclaim the advertisement, sign or billboard.

(g) The County will destroy or dispose of the advertisement, sign or billboard if it is not reclaimed after 90 days.

(h) If any person places any advertisement, sign or billboard in a road reserve in contravention to these regulations three or more times the County shall seek costs from the Court.

DRAFT

Schedule One: Fees Payable

Description	**Rate (KShs.)**
l. On application for consideration to erect a structure for advertising, a billboard, or sign on a road reserve	KShs 1,000
2. On grant of approval to place Commercial Advertisements or Billboards on road reserves	KShs 2,000 per square metre of commercial advertisements or billboards placed within road reserves
3. Any advertisement deemed to have consent	Zero

DRAFT

Prescribed Application Form

Name of Applicant	
ID No.	
Telephone Number	
Email address	
Company or institution represented by the applicant	
Road where the proposed advertisement is to placed	
Precise location of proposed advertisement or billboard	
Orientation of the proposed advertisement (facing)	
Does the structure to which the proposed advertisement will be attached currently exist?	YES/NO
If no, have the designs for a proposed structure been submitted?	YES/NO
Is this application submitted for deemed consent?	YES/NO
If yes, please state under which part of the regulations	
Proposed wording of the advertisement (if known)	
Area in square metres of proposed advertisement	
Application fee paid	YES/NO
Approved	YES/NO
Reasons for refusal	
Conditions	1. Condition 2. Condition 3. Condition
Calculated fee	
Fee paid on approval	YES/NO













DRAFT

Legal Notice No…
THE NAIROBI COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 62 of the Nairobi City County Transport Act, the County Executive Committee member for Transport makes the following regulations:-

2. THE NAIROBI CITY COUNTY (SIGN OR BILLBOARDS PERMIT) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi city county (sign or billboards permit) Regulations and shall come in to force upon publication in the Gazette.

2. In these Regulations, unless the context otherwise requires: -

"Act", Means The Nairobi City County Transport Act, 2020.

"CBD", Means the Central Business District of Nairobi as envisaged in the Transport Act 2020.

"Committee Member" Means County Executive Committee Member responsible for roads of the Nairobi City County Government.

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Director" means the director responsible for Street Lighting within the Nairobi City County Government.

"Permit" means a permit to erect signs, billboard on street light poles along County Roads.

"Public road" has the meaning assigned to it under the Act.

"Sign" means any sign, notice, signal, light or other device erected for display with and intent for advertisement purpose.

"Bill board" means a large free standing structure used or intended to be used for the purpose of posting displaying or exhibiting advertisement.

"Owner of vehicle" means a person in whose name a vehicle is registered shall, unless the contrary is proven, be deemed to be the owner of the vehicle.

"Clear height" means the vertical distance between the lowest edge of the sign and the level of the ground, footway immediately below such sign.

"Street/Public Lighting pole billboard" means a board mounted or fixed on a streetlight/public lighting pole intended to be used for the purpose of posting displaying or exhibiting advertisement.

DRAFT

"Directional sign" means a sign, indicating the way to a place, undertaking or activity, for the purpose of advertising. These takes the form of sub urban signs, transport termini adverts and signs.

"Illuminated" means connecting to an electrical power source to an outdoor structure for illumination of the advertisement message at night.

"Illuminated sign" means a sign whose continuous intermitted, functioning depends upon it being illuminated.

"Signage" means sign or any light which is not intended solely for illumination that means known place names, notice of events, public safety notices, traffic control/warning signs and directions in formation which is visible from any street or public place.

"Street lighting pole" means an infrastructure made of steel, concrete or any other material supplied with electric power and effectively earthed used for mounting street lighting luminaires for the sole purpose of lighting road.

3. These regulations give effect to section 62 (2) of the Act.

4. The purpose of these regulations is to protect the structural integrity of street lighting poles and to ensure public safety.

5. These regulations apply to all street lighting poles in Nairobi County irrespective of the authority that is responsible for the care and maintenance of that street.

6. No person may fix any advertising billboards on a street lighting pole on a road in Nairobi County unless that person has
(i) Been granted a permit by the Committee Member.
(ii) Paid the prescribed fee; and
(iii) Complied with the requirements of the Nairobi City County Outdoor Advertising and Signage Control and Regulations Act, 2018.

7. (1) An application for the grant of permit under section 6 above shall be lodged with the Chief Officer.

(2) An application may be made in an electronic format which is approved.
(3) An updated database for all permit holders shall be established and maintained.

8. Any person who is denied an approval may appeal to the Committee Member within 14 days of being informed of the refusal by the Chief Officer

9. The steel framework for any billboard which is attached to a street lighting pole shall:
(i) Be effectively secured, supported to withstand any wind pressure.
(ii) Be painted and treated to prevent corrosion.
(iii) Be effectively assembled with preventive measures to avoid ready ingress and accumulation of water into any part of its supporting framework.
(iv) Contain the name of the Company Advertising and contact details.
(v) Be constructed of a steel framework with a suitable self reflecting fabric.
(vi) The Approval Process

iv. An application is submitted to the Chief Officer

DRAFT

v. The Director shall prepare a Technical Report with recommendations
vi. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

10. Billboards fixed on streetlight poles shall have clear height of minimum 4meters from ground level so as not to impair road traffic safety.

11. No billboard attached to a streetlight pole shall exceed the standard size of 1800mm x 600mm in size centered on each streetlight pole.

12. No twin billboard of 1800mm x 600mm size shall be mounted or fixed on one streetlight pole.

13. Billboards mounted or fixed on streetlights poles shall be of self reflecting materials to enhance their visibility at night to pedestrians and vehicular traffic.

14. Any billboard which fails comply with any of sections 8, 9, 10, 11 or 12 shall be removed without further reference to the person and the cost of removal and storage shall be borne by the advertising entity.

15. (1) No sign, advertisement or billboard erected, mounted or fixed on street lighting pole shall be connected to street/public lighting power supply unless: -

(a) Approved by the Chief Officer on application made by the advertising entity through a prescribed form under section 6 and;

(b) The advertising entity pays for any electricity power consumed as calculated by the Chief Officer.

(c) That person effects payments for the monthly electricity power consumption.

(d) Provides to the County Executive Committee Member details of an electrical Sub-Contractor registered with the Energy and Petroleum Regulatory Authority holding a Class B License who shall make such electrical connections in a safe and secure manner.

(2) Any works carried out to make such electrical connections shall be supervised by an officer authorized by the Committee Member.

16. Illuminated advertising billboard on street lighting pole with effective levels of illumination that in the opinion of the Chief Officer impairs road traffic safety and nuisance to pedestrian shall not be allowed.

17. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand Shillings or to imprisonment for a term not exceeding six months or, both.

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 41 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

3. THE NAIROBI CITY COUNTY (PUBLIC UTILITIES WORK) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Public Utilities Works) Regulations and shall come into force upon publication in the Gazette.

2. In these Regulations, unless the context otherwise requires: –

"Act" means the Nairobi City County Transport Act, 2020

"Authorised officer" means any officer of the Nairobi City County Government authorised by the County Executive Committee Member to make determinations under this Regulation

"Betterment" means any improvement to the standard of road or footway construction, signs and markings.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government.

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Director" means the director responsible for Roads within the Nairobi City County Government.

"County" means the Nairobi City County Government.

"Emergency" means any unplanned event to a utility that causes the service provided by that utility to be stopped or causes a disruption to traffic or to the structure of a road.

"Footway" means that part of a road constructed for the use of pedestrians.

"Public road" has the meaning assigned to it under the Act.

"Reinstate" means repair of a road following any works undertaken by a utility company.

"Road" includes footways, signs, markings and the road reserve.

"Utilities" has the meaning assigned to it under the Act.

"Utility company" means any company whose business it is to supply electricity, internet, water, sewerage, oil, or any other product carried on or within wires, pipes, ducts and conduits below or above ground level.

DRAFT

3. (1) A utility company which in exercise of a statutory mandate on a county road or footpath may affect the flow of motorised traffic and pedestrians shall seek an approval from the Chief Officer in writing.

(2) The application shall be made in the prescribed form in Schedule one.

(3) A submission made by electronic means is acceptable.

(4) A person, who requires the permission in terms of subsection (1), must comply with the requirements contained in Schedule Two to these regulations.

(5) (1) The Chief Officer shall not unreasonably withhold any approval for works requested under subsection (1) where a utility company has clearly identified: -

(a) Location and nature of the proposed works in both written and plan form.

(b) The start date and end date of the proposed works.

(c) The days of the week on which the proposed works will take place.

(d) The times of each day on which the proposed works will take place.

(e) Measures proposed to ensure the smooth flow of traffic and pedestrians.

(f) The Approval Process

- An application is submitted to the Chief Officer
- The Director shall prepare a Technical Report with recommendations
- The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

(2) An approval shall only be granted after the company has lodged a Performance Bond with County value of which shall be determined by the County Executive Committee Member.

4. Any utility company in pursuance of works under its mandate on a county road may request the Chief Officer to issue temporary traffic orders to regulate traffic during the duration of the works in order to ensure the safety of workers and road users.

5. Any utility company in pursuance of works under its mandate on a county road must display at the site of those works: –

(a) A copy of the permission granted for such works by the Chief Officer.

(b) A copy of any traffic order issued by the Chief Officer

6. (1) In undertaking any works on a county road, a utility company shall be responsible for the safety of workers at the site and of traffic and pedestrians.

(2) Any authorised officer may inspect the site at which works are being carried out in order to ensure that safety measures under subsection (1) are in place.

(3) If in the view of an authorised officer the safety measures are inadequate or the works pose a safety hazard to pedestrians or vehicles the authorised officer may: –

(a) Request the utility company or its representative at that site to implement such safety measures as he sees fit; or

DRAFT

(b) Cause the works to be stopped and order the company to put in place measures to ensure safety until the works can be restarted.

7. (1) The Chief Officer shall determine who, upon completion of the works, should reinstate the road.

(2) If the Chief Officer determines that the utility company shall reinstate the road, then that company shall ensure that the road and footway, signs and road markings are reinstated to an appropriate standard.

(3) The appropriate standard under subsection (1) shall be deemed to be the standard of construction of the road before commencement of the works, or better than that standard.

(4) The standards for construction and reinstatement as laid out in Schedule Two shall be met by the company.

(5) An authorised officer shall inspect the works after reinstatement and determine if the standard has been met according to Schedule three.

(6) The Performance Bond lodged under subsection 3(2) may only be returned to the company after six months from the completion of the reinstatement works and with the approval of the Director.

8. (1) Before commencement of the works a utility company may propose to the Chief Officer measures for reinstatement after the works that significantly improve the standard of the road or the footway using the prescribed form of Schedule 3

9. (1) A utility company may declare that reason for the necessity of works being carried out on a road to be an emergency.

(2) In the event of a declaration of an emergency under subsection (1) sections 3, 4 and 5 of these regulations shall not apply.

(3) Any declaration of an emergency must be notified to the Chief Officer as soon as is reasonably possible and no later than twenty four hours after the emergency event.

(4) If in the view of the Chief Officer an emergency has been wrongly declared by a utility company he may order the Director to start an investigation under such terms of reference as he may deem fit.

(5) In carrying out an investigation under subsection (4) the Chief Officer may summon any representative of the utility company to respond to any questions posed under the terms of reference of that investigation.

Schedule One: Application Form by a Utility Company for permission to open the Carriageway,Footpath,public open spaces and other wayleaves on a County Road

Name of Utility Company	
Physical address of the company	
Nature of service provided	
Name of the organisation undertaking the proposed works	

DRAFT

Physical address of the organisation undertaking the proposed works (if different)					
Contact Person					
Contact telephone number					
Contact email					
Date of Application					
General location of proposed works(Ward/Sub County.					
Specific locations of proposed works					
Extent of Opening	Length (m)	Width(m)	depth (m)	From (GPS)	To (GPS)
carriage way					
Footh Path					
Comprehensive plans supplied?		Drawing No.		Drawing date	
Duration of proposed works			From (date)		To (date)
Nature of Works					
Measures proposed to ensure safety of traffic and pedestrians					
Performance Bond provided			**YES/NO**		
Received by Chief Officer			**Date**		
Approved by Director			**YES/NO**	**Date**	
Stamp					

*Carriageway, footway, reserve

Schedule Two: Code of Practice for work on county roads

Although the road authority is solely responsible for its own road network, the value of other services in the road and road reserve are often more than that of the road itself and therefore require as much or more maintenance, rehabilitation and replacement. These activities, together with the work that has to be carried out on the road itself, result in considerable delays, inconvenience, danger and additional costs to the road users. Furthermore, any work which is done in the road reserve can have serious cost implications as a result of any of the following:

1) Damage to roads and other services.
2) Damage to vehicles.
3) Injury to vehicle occupants or pedestrians.
4) Reduction of the effective life of the road, footway or other services; and
5) Time and social costs caused by delays.

There is therefore a need to ensure careful control and co-ordination of all work in the road reserve. This is the duty of the road authority, county government who is the custodian of all county roads and road reserves. In order to fulfil this duty, the county government has produced this document that attempts to ensure maximum co-ordination and co-operation between all the various departments and agencies that have to share the road reserve to provide services to their customers.

It is the aim of this document to minimise the effect of all work in the road reserve to the benefit of all concerned, and in particular the citizens, road users (motorists and pedestrians), service agencies and the road authority. Included are the procedures to apply, process and approve wayleaves, procedures to follow while doing any works and on completion of the work as well as specifications according to which the work must be done.

DEFINITIONS

In this Code, unless the context otherwise indicates: -

"Authorised officer" means an officer which is authorised by the county to perform specified services.

"Code" means the Code of Practice for work on the road and the road reserve as approved by the County Government including any appendices attached thereto.

"County" means the Nairobi City County Government; or its successor in title; or a person exercising a delegated power or carrying out an instruction, where any power in these regulations has been delegated or sub-delegated, or an instruction given.

“Chief Officer” means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Road authority" means the road authority for county roads, and is the Nairobi City County Government.

"Road reserve" means the full width of a public road, and includes the verge and the roadway.

"Service" means any system for supplying a public need that a service agency has on the road reserve.

"Service agency" means any department, public agency, company or utility that has a service in the road reserve.

"Wayleave" means a formal approval to carry out work in the road reserve.

"Work in the road reserve" means any activity, including the activities provided for in section 2 of this Code carried out within the road reserve.

1. PROCEDURE

The basic procedure which is required for work in the road reserve is as follows:

I. Approval must first be obtained for the proposed work as set out in Section 3.
II. A wayleave must then be applied for in accordance with the procedure set out in this document, before any approved work can be carried out in the road reserve.
III. If the wayleave application conforms to the requirements in this document, a wayleave will be issued by the road authority which allows for the work to be carried out.
IV. The road authority must be informed 48 hours prior to the commencement of the work.
V. The work must be carried out according to the procedures and specifications in the Code, the conditions under which the work was approved and any other requirement of every affected service agency.
VI. On completion of the work all trenches and excavations in the road reserve must be backfilled and reinstated according to the specifications contained in the Code.
VII. On completion of the work and temporary or permanent reinstatement, as applicable, a completion notice must be sent to the Committee Member by the wayleave holder. A reinstatement order must accompany the completion notice if the road authority has to do the permanent reinstatement.
VIII. An authorised officer will then carry out an inspection and issue a certificate of completion once all requirements have been met.
IX. The Code applies to every person who carries out work in county road reserves in the area of Nairobi City County. It does not apply to work in national road agency reserves.
X. The Committee Member undertakes to inform the relevant service agency in writing before commencing with any work in the road reserve that may affect the services of the service agency in the road reserve.

2. WORK IN THE ROAD RESERVE

i. Work in the road reserve includes the digging of trenches, tunnelling, erection of signboards, erection of structures, shaping and landscaping and any other work that may affect motorists, cyclists, pedestrians, the road, footways, kerbing, traffic signs, traffic signals, street lighting, underground or overhead services or any other structure or service that is contained within the road reserve.
ii. When applying for a wayleave for this work, the approved drawings together with the conditions of approval must be submitted with the wayleave application form.

3. WAYLEAVE

i. The road authority has jurisdiction over the road reserve and no work may be done on the road reserve before a wayleave in respect thereof has been issued by the road authority. A wayleave is permission ("leave") to cross the "way", i.e. the road.
ii. To obtain a wayleave, a wayleave application form (Schedule One) must be submitted, accompanied by three copies of the approved drawing showing details of the proposed work. Details required on the drawing are: -

DRAFT

1) A clear depiction of the proposed work.
2) Where any service is to be installed, the depth of every service below the level of the surface of the road.
3) Distance of the service from the road reserve boundary (i.e. the property boundary).
4) Position and extent of all structures including underground structures such as manholes, chambers, junction boxes, etc.
5) The location of all other services in the road reserve.

iii. Once all these requirements have been complied with, a wayleave will be issued by the Committee Member. An example of a wayleave appears in Appendix A. The application for a wayleave must be submitted well in time to ensure that a wayleave can be issued before the work is programmed to start. Work being carried out in the road reserve without a wayleave will be stopped by the road authority. A copy of the wayleave shall always be on site when work is being done in the road reserve.

iv. The wayleave holder accepts full responsibility for all costs associated with the work, including any damage to any other service, the cost of relocation of any other service, backfilling and reinstatement, test and any claim that may result from the work.

v. Only work described in the wayleave may be done and only at the locations given in the wayleave. The work described in the wayleave must commence within 90 days of date of issue of the wayleave, failing which the wayleave lapses and re-application is required.

4. COSTS

a. Processing Fee
   i. A processing fee is a fixed amount that is payable by the applicant when submitting a wayleave application form. This fee is to cover the cost of processing the wayleave application and will be prescribed by the County, from time to time.

b. Reinstatement Cost
   i. When the county does the permanent reinstatement, the cost involved will be payable by the applicant to the county. The cost will be determined using the relevant reinstatement rates appearing on the wayleave application form. These rates are determined by the County and will be reviewed from time to time.
   ii. In this case the wayleave application form must be accompanied by official order for an amount based on the expected area to be reinstated. The final invoiced amount payable will be determined using the measured area and quantities of the final reinstatement as agreed between the road authority and the service agency.
   iii. It is important to note that the decision on who does the permanent reinstatement lies with the Chief Officer..

5. EXISTING SERVICES IN THE ROAD RESERVE

i. The wayleave holder must obtain information from every service agency supplying a service within the County on the location of its service. Every service must then be indicated on the drawings to be submitted with the wayleave application form. Every service agency may impose additional conditions relating to work in the vicinity of its service.

ii. As part of the undertaking/indemnity on the wayleave application form, the applicant has to confirm that the necessary information has been obtained from every service agency and has to undertake to adhere to any additional condition imposed by any service agency.

DRAFT

6. TRAFFIC SIGNS

i. It is the responsibility of the wayleave holder to ensure that any law regarding traffic, safety, traffic signs is complied with.
ii. The wayleave holder must take all necessary measures and provide all necessary facilities to ensure an adequately safe and easy passage for traffic and pedestrians through areas in which work is in progress, or is uncompleted.
iii. Any temporary traffic sign erected during the course of the works shall be in accordance with the latest edition of the Traffic Act, 2012.
iv. The importance of adequate traffic signs and barricading must be stressed. These measures are intended to ensure the maximum safety for motorists, pedestrians and workers and also the minimum disruption of vehicles and pedestrians. Work sites must be properly barricaded and signed irrespective of how long the work will take.

7. ROAD CLOSURES

i. The granting of a wayleave does not give the wayleave holder the authority to close the road completely to traffic. Methods of construction and programmes of work must be determined on the basis that no road, or portion of road, may be completely closed to traffic for any appreciable period.
ii. In exceptional circumstances permission will be granted for the closure of a road or portion of road to traffic, subject to traffic orders being made by the Committee Member.

DRAFT

8. EXCAVATIONS

i. The area which is excavated must always be kept to a minimum. The width of the trench must be uniform in length and in depth, in other words the sides must be parallel and vertical. The top of the trench must be cut with a saw to ensure smooth, uniform edges.
ii. The minimum depth that any service may be placed under a road is 800 mm measured from the level of the surfacing of the road to the top of the service. The minimum depth at any other place in the road reserve, e.g. on a verge, is also 800 mm measured from the level of the surfacing of the road or from natural ground level. Any services not subject to being laid at a specific grade such as cables, should not be placed at a depth in excess of the 800 mm as this could interfere with a future service that has to be laid at a specific grade, such as sewers and stormwater pipes.
iii. All excavated material and equipment must be placed and demarcated in such a way as to cause the minimum disruption to vehicles and pedestrians. A safe passage must be kept open for pedestrians at all times.
iv. The wayleave holder will be responsible for any damage to any existing service. Any service, indicated on the drawings or on site by a representative from any service agency, must be opened by careful hand digging. If the service cannot be found, the relevant service agency must be contacted again for further instructions. Under no circumstances may a wayleave holder dig with mechanical equipment before every known service have been found and marked. When found, a service must be marked and protected or supported as required by the owner. If any service needs to be moved, instructions from the owner must be followed carefully. The wayleave holder will be

responsible for all movement costs. If any service is damaged during excavations, the relevant service agency must be contacted immediately.

v. Adequate preventative measures must be taken to ensure that no water (e.g. due to rain) flows into the open trenches since this will result in the weakening of the structural layers of the road. Any water that is present in a trench must be pumped out before backfilling. Water must be pumped into a stormwater drain and not into a sewer manhole. Any material that has become soaked must be removed from the bottom of the trench before backfilling.
vi. The wayleave holder must prevent any foreign material from entering any drain and ensure that silting does not occur either from pumping operations or as a result of rain. If any silting or other contamination does occur, the wayleave holder must clean the drain or request the road authority to do it at the cost of the wayleave holder.
vii. All re-usable material such as concrete blocks, slabs, kerbs, gutters, channels and stormwater inlets must be removed with care and re-used if possible.
viii. If any street furniture (e.g. street names, traffic signs, bus shelters, etc.) has to be removed, arrangements must be made for the safe removal, storage and re-erection.
ix. If an excavation is made through entrances to properties, access must be maintained by using steel plates, wooden planks or other temporary bridges of sufficient strength and properly secured against movement. The occupants of the properties must be kept informed at all times of how their access will be affected.

9. TRENCHLESS METHODS

i. If a trenchless method is used, disruption of traffic flow and pedestrian movement can be reduced considerably or totally eliminated. However, it is important that the wayleave holder using such a method must have all the necessary equipment and expertise to complete the work successfully.
ii. The position of every existing service must be located accurately. If any service is damaged, the way-leave holder will be responsible for all costs to repair such damage.
iii. The depth to the top of any tunnel that is drilled for the installation of a new service, must be at least 800 mm measured from the level of the surfacing of the road.

10. SPECIFICATIONS FOR BACKFILLING AND REINSTATEMENTS

c. General

i. Any trenching activity disturbs the structural integrity of a road or footway. Backfilling and reinstatement must therefore be done in such a way as to ensure that the reinstated trench and its immediate surroundings do not fail structurally, thus resulting in road user discomfort and increased costs.
ii. Backfilling refers to the replacement of the structural layers in the trench or excavation and includes the base, subbase, selected subgrade and subgrade, but excludes the surfacing.
iii. Reinstatement refers to replacing the bituminous surfacing or paving blocks in the case of roads, or the paving blocks, paving slabs, bituminous surfacing or grass in the case of footways and verges.
iv. Backfilling must be done by the wayleave holder in accordance with such specifications determined by the Committee Member.

DRAFT

v. If the permanent reinstatement must be done by the road authority, the wayleave holder must do a temporary reinstatement. The wayleave holder will then be charged for the permanent reinstatement at the applicable rates appearing on the wayleave application form. A reinstatement order must in such case be submitted together with the completion notice. The temporary reinstatement will be removed by the road authority and the backfilling will then be tested. If this does not comply with the applicable specifications, it will be replaced at the cost of the wayleave holder. These costs are be over and above any normal reinstatement costs.

vi. Temporary reinstatement must also be done if the wayleave holder abandons the site for a period not exceeding two months with the view of returning to complete the work. The wayleave holder must maintain this temporary reinstatement.

vii. Preparation of the Bottom of the Trench and Backfilling Around Services

viii. The trench bottom must be prepared and compacted according to the requirements of the service agency concerned, to ensure that the service is not damaged. The same applies to the backfilling around the service.

d. Backfilling of Roads

i. The minimum requirements of the road authority are that the structural layers of the backfilled trench, i.e. the base, subbase, selected subgrade and subgrade down to a depth of 800 mm below the level of the surfacing of the road, must have at least the same shear strengths as those of the adjacent undisturbed structural layers.

ii. It should be noted that it is generally very difficult to obtain the same quality structural layers in the confinement of a narrow trench as that of the undisturbed adjacent structural layers when the same materials are re-used.

iii. One of the following methods must therefore be used to ensure adequate shear strengths in trench backfill. The wayleave holder may use any one of the three methods for backfilling.

I. Method A. Re-using excavated material

iv. During excavation of the trench, the material from the top 400 mm of the excavation must be stockpiled separately from the rest of the material being excavated. This material must then be improved through chemical stabilisation with cement and used for the base and subbase layers during backfilling, and in the case of arterials, collectors and industrial roads also for the selected subgrade layers.

v. If the material is not stockpiled separately during excavation, the road authority will require that material with the required properties be imported. Material which was originally stabilised cannot be re-used and must be discarded.

II. Method B. Importing material

vi. Import a gravel material and stabilise with 60 kg of cement per m3 of material. Water must be uniformly mixed into the material. The material must then be placed in the trench in 75 to 100 mm layers and compacted to the required densities as specified by the Committee Member. The final layer must be finished to a level of 100 mm below the level of the surrounding sound surface of the road.

e. Backfilling of Footways

v. Any footway, where there is no possibility of vehicles crossing the footway, must be backfilled using the excavated material, placed in the trench in 150 mm layers and compacted to such density as determined by the Committee Member.

DRAFT

vi. Any footway where there is a possibility of light vehicles (cars and LDV's) crossing the footway, typically where there is mountable kerbing, must be backfilled using Method A or Method B.
vii. Any excavation in an unconstructed verge must be backfilled in such a way that the verge is in the same condition after backfilling as it was before excavation. All excess material must be removed and not spread over the verge. Topsoil must be removed and stored separately and replaced as the final layer.

f. Permanent Reinstatement of Roads
v. The same method of reinstatement must be used independent of the method of backfilling of the structural layers.
vi. The permanent reinstatement of the surfacing must consist of layers of thicknesses determined by the Committee Member. Surfacing layers shall be compacted to 95 % Marshall density.
vii. The reinstated surfacing must be at least 100 mm wider than the trench on both sides to accommodate any edge break where saw cutting was not possible. The material used for the reinstatement of the surfacing must comply with the relevant requirements of the surfacing.
viii. In the case of any road surfaced with interlocking paving blocks, the general procedure would be to re-use the material removed during the excavation of the trench. If new material has to be used, it must be of the same type and size as the existing material.

g. Permanent Reinstatement of Footways
i. The general procedure would be to re-use all the material removed during the excavation of the trench.
ii. Any constructed footway must be reinstated with the same surfacing materials that existed originally (e.g. concrete blocks, slabs, etc.). Material may be reused if undamaged, or else replaced with similar material.
iii. If a private driveway and footway with non-standard materials are to be excavated, the owner of the property concerned must be informed in advance and in writing of the intended work. The owner must then supply the wayleave holder with the materials that are to be used for the reinstatement.
iv. If any unconstructed verge has an established lawn, this must be removed, stored and replaced in sods in such a way that the lawn is in the same condition after reinstatement as it was before excavation. If the sods are allowed to dry out or become damaged in any way, they must be replaced with similar sods.
v. If an unconstructed verge has been planted with garden vegetation other than lawn, the owner of the adjacent property must be consulted before excavation, to obtain instructions on what to do with the plants that are affected. Every effort must be made to preserve all plants.

h. Temporary Reinstatements by the Wayleave Holder
i. If the permanent reinstatement is to be done by the road authority, the wayleave holder must do temporary reinstatement with a suitable material that is compacted to an adequate density to ensure that it will carry the traffic for a period of at least 14 days without deforming or potholing. The temporary reinstatement must be maintained by the wayleave holder in a serviceable condition for a period of 14 days from the date

DRAFT

on which the completion certificate has been issued by the Committee Member. After the 14 days period the maintenance will be taken over by the County.

ii. It is recommended that cold mix asphalt be used for temporary reinstatement.

i. Performance Specifications

i. The performance of any trench permanently reinstated by the wayleave holder will be monitored for 12 months, during which period the wayleave holder will be held responsible for any remedial work that may be required.

ii. The tests that were used for quality control (density or shear strength) will be used to determine whether or not the work was done according to specifications. The County may do additional tests if the quality control tests are not considered to be adequate.

iii. Remedial work will be required if any of the following defects exists:

1) Depressions;
2) Humps (crowning);
3) Edge depression (trips, vertical discontinuities) at the interface; or
4) Cracking.

iv. Any depression or hump will be measured with a straight edge across the reinstatement and will require remedial work if the following limits are exceeded over 100 mm or more of the length of the trench:

v. Remedial work will also be required if a depression results in standing water wider than 500 mm or exceeding one square metre, two hours after rain has stopped.

vi. Any edge depression exceeding 10 mm over 100 mm or more of the length of the trench will require remedial work.

vii. Any open crack wider than 3 mm and longer than 100 mm will require remedial work.

11. COMPLETION NOTICE AND CERTIFICATE OF COMPLETION

i. On completion of the work concerned the wayleave holder must fill in a completion notice and return it to the road authority within 24 hours (Schedule Five). The road authority will then arrange a site meeting with the wayleave holder to do an inspection and to issue a certificate of completion if all requirements have been met. The 12-month guarantee period for permanent reinstatement by the wayleave holder, or the 14-day maintenance period for temporary reinstatement by the wayleave holder, commences on the day after the date of issue of the certificate of completion.

ii. Completion of the work means that all work has been completed and that all material, equipment and rubble have been removed and the site is completely cleared and cleaned and that either the permanent or temporary reinstatement, as applicable, has been done by the wayleave holder.

iii. If work involves more than one street link (street block), a completion notice must be submitted after completion of each link.

DRAFT

Schedule Three: Approval of reinstatement by Director`s Authorised Officer:

Name of Utility Company				
Physical address of the company				
Nature of service provided				
Name of Company that undertook the works (if different)				
Physical address of the company that undertook the works (if different)				
Contact Person				
Contact telephone number				
Contact email				
Date of inspection				
General location of works				
Nature of Reinstatement inspected				
Road	From	To	Nature of betterment inspected	Approval comments
Director`s Authorised Officer's Comments				
Approval Granted (YES/NO):			Approval Denied (YES/NO):	
Name of authorised officer.			Signature	Date

DRAFT

General comments		
Final approval by Director	Date	Stamp`

Schedule Four: Claim by Nairobi City County damage to county road by Utility Company.

Name of Utility Company					
Physical address of the company					
Name of the company making this application (if different)					
Physical address of the company making this application (if different)					
Nature of service to be provided					
Contact Person					
Contact telephone number					
Contact email					
Date of Application					
General location of proposed works					
Specific locations of proposed works					
Road Name	From	To	From (GPS)	To (GPS)	Part of road

DRAFT

Duration of proposed works			From (date)	To (date)
Extent of damage				
Length (m)	Width(m)	Depth (m)	Remarks	
carriage way				
Foothpath				
Verge				
Item	**Quantity**		**Rate (KES)**	**Total (KES)**
Provisional and General				
Sub Total				
VAT				
Grand Total				

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 40 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

4. THE NAIROBI CITY COUNTY (RECORD OF PUBLIC UTILITIES) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Utility Records) Regulations and shall come into force upon publication in the Gazette.

2. In these Regulations, unless the context otherwise requires: –

"Act" means the Nairobi City County Transport Act, 2020.

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government.

"Director" means the director responsible for roads within the Nairobi City County Government.

"County" means the Nairobi City County Government.

"Footway" means that part of a road constructed for the use of pedestrians.

"public road" has the meaning assigned to it under Act

"utilities" has the meaning assigned to it under the Act

"utility company' means any company whose business it is to supply electricity, internet, water, sewerage, oil, or any other product carried on or within wires, pipes, ducts and conduits below or above ground level.

3. (1) The Committee Member shall cause to be prepared a record of all public utilities in the County that cross, or are under, or are above, any public road or footway

(2) In preparation and updating of the database in subsection (1) any company or organization providing utilities in the County is required to provide the Committee Member with such information as may be required.

DRAFT

4. (1) The Committee Member shall request in writing such information as he requires to prepare the record of utilities in the form prescribed in Schedule 1.

   (2) Any company in receipt of such a request made under subsection (1) shall reply to the Committee Member within a reasonable time.

5. (1) Any response to request made by the Committee Member under section 4 shall be in the form prescribed in Schedule 2.

   (2) Any information or data supplied to the Committee Member under subsection (1) shall be done so freely and without charge to the County.

6. The Committee Member may on request in writing from a utility company make available such data and information that is held within the record of utilities that relate to: -

   (a) The locations and attributes of the utilities that are the responsibility of the company making the request; and
   (b) The locations of any roads within the county that cross under or over the same utilities.

7. The county shall only use information provided by a utility company for the better care, maintenance, protection and development of its roads.

8. (1) Any utility company that makes changes or extensions to the locations of its utilities from those in response to the request in section 4 shall submit the nature of such changes or extensions to the Committee Member without receiving any request from the Committee Member.

   (2) Information and data on changes and extensions in subsection (1) shall be supplied to the County regularly and intervals of not more than six months.

9. In the event that the County as part of it's responsibility as a road authority interferes with the operation of any utility where the location of that utility has not been supplied to the Committee Member the County shall bear no liability.

DRAFT

Schedule One: General form of the Request to a Utility Company for information or data relating to the location and attributes of utilities or services that pass above or over a county road

OUR REF : XXX-XXX-XXX

YOUR REF : TBA

DATE :

THE ENGINEERING MANAGER,
NAIROBI CITY WATER & SEWERAGE COMPANY
P.O. Box XXXX– 00XXX,
NAIROBI,
KENYA.

Dear Sir/Madam,

NOTICE UNDER SECTION 40 OF THE NAIROBI CITY COUNTY TRANSPORT ACT TO SUPPLY INFORMATION ON THE LOCATIONS OF UTILITIES IN NAIROBI

In February of 2020, the Nairobi City County Government (NCCG) Assembly passed the Nairobi City County Transport Act. Section 40 of the Act, provides that the county government should prepare a database of all utilities in the county, and that all utility companies shall provide the county with such information as is required for the database to be compiled.

To this end, I request that you provide me with the **xxx network** spatial data covering the entire city of Nairobi within your possession, in the form of, to be added to the Record of Public Utilities Database domiciled at City Hall. This will assist in the smooth coordination of the approvals for current and future works, for your company.

The County has issued THE NAIROBI CITY COUNTY (RECORD OF PUBLIC UTILITIES) REGULATIONS, 2021. Schedule 2 of these regulations prescribes the form of the data and information that you must supply to me.

If there are any gaps within the data network in your possession that you provide to me, I encourage your cooperation in supplying this data in future. For any further clarifications, please contact the Committee Member responsible for Roads.

Yours faithfully,

County Executive Committee Member for Transport

Schedule Two: Form of the information or data relating to the location and attributes of utilities or services that pass above or under a county road

DRAFT

Data Format: ASCII, Excel .CSV, AutoCAD .DWG/DXF or ArcGIS Shapefile

Coordinate Reference System: ARC 1960 Datum

Requirements of features:

Representation of Feature	**Requirement**	**Definition**
Point	x,y,z coordinates	Start point or endpoint or junction Free standing feature, e.g., manhole
Line	Coordinates of start and end point	Line joining two points
Polygon	x, y coordinates	Shape, land parcel, building or manhole ancillary to the network of utilities

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Sections 43 and 44 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

5. THE NAIROBI CITY COUNTY (TRAFFIC IMPACT ASSESSMENT) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Traffic Impact Assessment) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Assessor" means a person or entity named to prepare the traffic impact assessment

"betterment" means any improvement to the standard of road or footway construction, signs and markings;

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government;

"Commuted sum" means money received by the County from a developer which may used to improve the transport system in the area where the new development has occurred;

"County" means the Nairobi City County Government;

"Director" means the person in charge of the traffic and parking management department.

"emergency" means any unplanned event to a utility that causes the service provided by that utility to be stopped or causes a disruption to traffic or to the structure of a road

"footway" means that part of a road constructed for the use of pedestrians;

"floor area ratio" means the ratio of the total floor area of a building or buildings on a parcel to the size of the parcel where the building or buildings are located;

"gross floor area" means the sum of the floor areas of the spaces within the proposed building, including basements, mezzanine and intermediate-floored tiers with headroom heights of 2.2 meters or greater, measured between the centre line of party walls, including the thickness of external walls but excluding voids;

DRAFT

"Gross leasable area" is the area of the proposed building that can be used by the tenants or occupants and includes common areas, elevators, common bathrooms, stairwells, and other portions of the building that the tenants do not occupy but they can use, and is measured from the centre of joint partitions to the outside wall surfaces.

"level of service" means a mechanism used to determine how well a transport facility is operating from a traveller's perspective and has six levels of service defined, each assigned a letter designation from A to F, with level of service A representing the best operating conditions, and level of service F the worst.

"liaison engineer" a person with appropriate qualifications authorised by the Committee Member to act as the focal point for the application

"public road" has the meaning assigned to it under Act

"road" includes footways, signs, markings and the road reserve

"site" means the place where the development is proposed to take place

"traffic impact assessment" has the meaning assigned to it under section 4 of these regulations.

"utilities" has the meaning assigned to it under the Act

"utility company' means any company whose business it is to supply electricity, internet, water, sewerage, oil, or any other product carried on or within wires, pipes, ducts and conduits below or above ground level.

3. Any person who applies for the development, redevelopment or change of use of a building or structure exceeding 2,000sq.m. gross floor area or in the opinion of the Chief Officer, is likely to impact significantly the transport infrastructure, due to the nature of intended activities, shall only be approved where a traffic impact assessment report has been submitted by the developer, proposer or owner of the building or structure.

4. A Traffic Impact Assessment shall be a tool for assessing the potential impacts of traffic generated by a proposed development on the surrounding transport system, based on the trips generated by that development.

5. A Traffic Impact Assessment shall include a description of the scope and intensity of the proposed project, a summary of the projected impacts and any required improvements to ensure that the transport facilities can safely accommodate the proposed development.

6. A traffic impact assessment report shall contain: -

(a) a forecast of the numbers of people and vehicles of all types that will be attracted to the building or structure in the year following the year of submission of the report and the following ten years;
(b) a review of existing transport and traffic conditions in the area the transport network is likely to be affected by the proposed building or structure; and
(c) an assessment of the additional transport infrastructure and services required in the affected area to accommodate the traffic and transport demands generated by the building or

DRAFT

structure with a view to ensuring that there is no net detrimental effect on traffic and public transport congestion.

7. (1) A traffic impact assessment report shall be presented in such a way that it follows a step-by-step approach, and is easy to verify and understand.
   (a) Any assumptions must be explained and supported with sufficient evidence.

8. A traffic impact assessment report shall have the following contents

   (a) Executive Summary
   (b) Introduction and Proposed Development Particulars
   (c) Plans of the County Government relating to roads and transport
   (d) Plans of national road agencies relating to roads
   (e) Existing Infrastructure Conditions
   (f) Background Traffic and Projection
   (g) Development Traffic
   (h) Post Development Traffic
   (i) Intersection Treatment Warrants
   (j) Analysis
   (k) Conclusions and Recommendations (including the proposed intersection plans)
   (l) Appendices (scoping and supporting documents, calculations, correspondence, etc.)

9. A traffic impact assessment must provide the proposed development particulars –

   (a) Trade name of the development
   (b) Development land use(s) types/categories
   (c) Land use (s) intensities-
      i. Total site area in square meters,
      ii. Floor area ratio
      iii. Gross floor area
      iv. Gross leasable area
   (d) Size of development per land use type
   (e) Location of the proposed development
   (f) Title Deed showing the plot number
   (g) The mutation/deed plan
   (h) Previous approval if any
   (i) The development phasing plan
   (j) Proposed opening year

10. Any traffic impact assessment shall identify in map and plan form-

   (a) The proposed development site boundary
   (b) Accesses to and from the site for motorised vehicles, pedestrian and cycles.
   (c) External roads up to distance of 1.5 km from the accesses to the site, measured along the shortest routes to the accesses, provided that there is at least one intersection within this distance. Where there is no such intersection, the distance will be extended to include at least one intersection. The maps and plans shall identify streets, junctions,

DRAFT

intersections and property accesses, together with number of lanes and type of intersection control e.g. uncontrolled, roundabout or signal control.

(d) Propose new or improved external roads, irrespective or the class of road, and new public transport facilities envisaged within the study area during the time horizon for which the traffic impact assessment is being made., up to 1,5km form the site boundary,

(e) Public transport, pedestrian and cyclist facilities that fall within the study area as defined above. This should include: bus and BRT routes, stops and stations, railway lines, and stations, pedestrian walkways and crossings, cycle lanes.

(f) sensitive areas. All roads in residential and other sensitive areas on which the proposed development is likely to have a significant impact.

11. In preparing a traffic impact assessment an assessor should take account of plans and programmes of public agencies including but not limited to:

(a) Spatial development framework
(b) Capital City Transport Plan
(c) County Integrated Development Plan
(d) Road agency strategic plans
(e) Traffic management plans
(f) Public transport plans
(g) Parking policies
(h) Non-motorised transport policies

12. Information provided in a traffic impact assessment should be provided for the study area in schematic form including but not limited to: –

(a) functional road classification and authorities indicated by means of lines with different colours.

(b) road lanes indicated by means of arrow symbols indicating turning movement directions per lane.

(c) traffic control measures at intersections and accesses indicated by appropriate symbols.

13. Any traffic impact assessment shall contain the results of surveys carried to collect data on-
(a) Turning movement counts
(b) Mid block counts
(c) Traffic speeds

14. The liaison engineer may require a traffic impact assessment to contain the results of surveys carried to collect data on-
(a) traffic origin and destinations
(b) parking occupancy and utilization
(c) proportions of delivery vehicles for commercial developments
(d) public transport patronage

15. (1) A traffic impact assessment shall provide a projection of future traffic demand in the study area.
(2) Growth rates shall be used to establish future year traffic forecasts of the form -

DRAFT

$$FYD = BYD * (1+ i/100)^n$$

where

FYD	=	Future Year Demand
BYD	=	Base Year Demand
i	=	Annual Growth Rate (%)
n	=	Number of Years

(3) Other developments as well as future potential development in the area shall be taken into account in the estimation of future background traffic and shall comprise -

(a) approved developments that have not yet been fully implemented and
(b) developments that are likely to occur during the study horizon of the traffic assessment.

16. (1) A traffic impact assessment shall include the traffic and trips generated by the proposed development:
    a) During the construction phase (Construction Traffic); and
    b) When the development is completed and fully occupied

(2) Trip generation rates for various classes of land use under section 16(1)(b) may be supplied by the County.

(3) In the absence of any rate supplied by the County or the assessor may make his own estimates.

17. A traffic impact assessment shall include an estimate of future traffic by adding –

    (a) The traffic calculated from section 15(2)
    (b) Traffic estimated from section 15(3)
    (c) Traffic generated by the development from section 16 minus any traffic currently generated by the site prior to any of the proposed development

18. A traffic impact assessment shall include the determination of the traffic demand per traffic stream or turning movement and traffic generated by the development must be distributed and assigned to the transport network to allow for this.

19. A traffic impact assessment shall include the determination of demand for public transport, walking and bicycle modes of transport and the impacts of these on the transport network shall be assessed.

20. A traffic impact assessment shall determine the percentage of traffic that will use specific routes in the network within the study area separately for -

    a) background traffic and
    b) development trips

21. (1) An application for any development shall only be approved if the building or structure contains within its curtilage the approved number of car parking spaces.

(2) The approved number of spaces in subsection (1) shall follow the standards for car parking with new developments that the Committee Member may from time to time publish.

DRAFT

22. A traffic impact assessment shall include–

(a) Include the traffic generation consequences of the numbers of parking spaces determined under section 20.
(b) Provision for cycle parking
(c) Provision for disabled parking

23. A traffic impact assessment shall include details of the following traffic consequences in the study area –
(a) existing conditions without the development
(b) conditions at the opening year of the development
(c) conditions at some design year to be determined by the liaison engineer for the purpose of establishing the mitigation measures that are required to accommodate the development for the following two situations:
    i) "Without" proposed mitigating measures, undertaken to show the need for mitigating measures.
    ii) "With" proposed mitigating measures, undertaken to show whether the proposed measures will be effective in addressing the impacts of the development.

24. The Approval Process
    i. An application is submitted to the Chief Officer
    ii. The Director shall prepare a Technical Report with recommendations
    iii. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

25. (1) The Chief Officer on the basis of a technical report, shall make a response to the assessor on the first submissions of a traffic impact assessment within 60 days;
(2) A response to the traffic impact assessment submitted under subsection(1) shall contain either:
    a) An approval of the assessment and the mitigation works proposed therein; or
    b) A request to modify and improve the contents of the traffic impact assessment; or
    c) A request to modify the mitigation works proposed in the assessment; or
    d) A determination that the traffic impact assessment is unsatisfactory in that it does not meet the requirements of these Regulations;

26. (1) As a condition of the planning approval the developer or proposer or owner of the building or structure shall be required to implement at their own cost the following mitigation measures in the approved traffic impact assessment -

(a) New traffic signals
(b) Pedestrian crossings/footbridges
(c) Widened or improved footways
(d) Cycleways
(e) Conversion of roundabout to traffic signals
(f) Intelligent Transport Systems installation at traffic signals
(g) Local widening at junctions
(h) New bus stops/shelters/laybys

DRAFT

(i) New public transport facilities including services, and passenger information systems

(2) The cost of mitigation measures other than those in subsection (1) shall be the subject of a contribution from the developer determined by the Chief Officer based on the general principles embodied in the formula -

Developer Contribution = Development Trips/Background Traffic * Cost of Mitigation

(3) Despite subsection (1), a developer, proposer or owner of the building or structure may commute a sum of money to the County in place of implementing the measures outlined in traffic impact assessment for the County to implement or cause to be implemented such measures at any time as it sees fit.

(4) Any sum of money commuted under subsection (3) shall be deemed to be a fee or charge under the Act.

(5) Any commuted sum shall be the subject of an agreement between the developer, proposer or owner of the building or structure and the County.

27. (1) A traffic impact assessment shall contain mitigation measures based on a level of service approach using such standards as the Committee Member may from time to time publish.
(2) Mitigation measures shall not be required if the consequences of the future traffic including that of the development fall under levels of service A to C

27. A traffic impact assessment report shall contain –

(a) For background traffic a graphical or tabular display of the background traffic at all horizon years including current year

(b) For development traffic:

i. Assumptions used in trip generation (including growth factor, trip reduction rates, etc.)
ii. Graphical or tabular display of the development traffic at all horizon years.

(c) For combined traffic a graphical or tabular display of the development traffic for all horizon years and hours.

(d) Graphical or tabular displays of the levels of service at all critical/main intersections and links at all horizon years including current year.

(e) Proposed Mitigation Measures and Expected levels of service after mitigation including -

i. Listing of mitigation measures with a graphical/conceptual illustration.
ii. Graphical or tabular display of the LOS at all critical/main intersections and links at all peak hours and horizon years.
iii. Time schedule for implementation of the mitigation measures and the party responsible for the mitigation.

(f) The access strategy for the development

(g) Parking supply and demand

DRAFT

28. A traffic impact assessment shall be accompanied by –

(1) plans scaled at 1:1250 that show -

(a) Location of the development

(b) Concept design of proposed mitigations (intersection designs, etc. – figures)

(c) Road accesses to the development

(d) Internal circulation of the development

(e) Public transport facilities within and surrounding the development

(f) Typical cross-sections of roads

(g) Pedestrian access and circulation facilities

(h) The agreed conceptual plans of mitigation measures as identified by the TIA specifying the opening year and the horizon year mitigations

(2) Tables of -

(i) Land uses specifying the corresponding units and quantities

(j) Detailed trip generation (in, out and total) for each peak hour

Detailed demand/requirements and parking supply and numbers of parking spaces

29 (1) In a case that any developer of a development, building or structure for which an approved traffic impact assessment has been prepared does not implement the mitigation measures contained in that traffic impact assessment then the County shall notify that developer in writing that

(a) the mitigation measures should be implemented within 28 days of the notification and that

(b) failure to implement the mitigation measures shall result in the stopping of any traffic to and from that development.

(2) If a developer does not implement the mitigation measures within 28 days the County shall issue an enforcement notice on the developer requiring him to implement mitigation measures within a further 14 days.

(3) if a development does not implement the mitigation measures within a further 14 days officers authorized by the Committee Member accompanied by police if required shall stop up every access and egress to the public roads of that development by physical means.

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 60 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

6. THE NAIROBI CITY COUNTY (STREET LIGHTING) REGULATIONS, 2025

These regulations may be cited as the Nairobi City County (Street Lighting) Regulations and shall come into force upon publication in the Gazette.

DRAFT

In these Regulations, unless the context otherwise requires –

“Act” means the Nairobi City County Transport Act, 2020

“cat eyes” means reflective materials placed in the centre line of the road enabling road users to visualise the centre of the road from a reflection of a vehicle’s headlights.

“Central Business District” means the area bounded by Haile Selassie Avenue, Ring Road, Nairobi River, Kipande Road, Thika Road, and Uhuru Highway.

“Code of Practice” means British standard code of practice for Road Lighting (BS 5489) and its Related Kenya Bureau of Standards code of practice (No. xxx)

“Committee Member” means the Committee Executive Committee Member responsible for roads of the Nairobi City County Government;

“County” means the Nairobi City County Government

“footway” means that part of a road constructed for the use of pedestrians;

“public road” has the meaning assigned to it under the Act

“road” includes footways, signs, markings and the road reserve

“road agency” means any public agency other than the County that is responsible for roads within Nairobi County

The provisions of these regulations shall give effect to section 60 of the Act.

(1) The purpose of these regulations is to establish the procedures and standards for street lights installed in the County.

(2) These regulations also establish the procedure for acceptance of street lights installed by an entity other than the County.

5. (1) The purpose of street lights installed in the County is to provide for traffic and pedestrian safety along public ways.

(2) The major objective is to reduce motor vehicle and pedestrian accidents by illuminating hazards.

(3) Street lights shall also be used to illuminate County owned property for security and safety purposes.

6. (1) The Committee Member shall determine the method of determination of the installation of street lights in the County guided by, on the road in question, the criteria of –

(a) volume of traffic;

(b) volume of pedestrians;

(c) safety; and

(d) security.

(2) The Committee Member shall have the authority to consider and determine actions of the County Government on the need for the installation of street lights on County Roads.

(3) The Committee Member shall have the authority to consider and determine actions on any request by any entity for the County to assume responsibility for an existing or planned street light.

7. (1) The County may install, pay for, or assume financial responsibility for street lights in the following instances-

lighting the intersection of a public way;

at bad curves or other serious road hazards where increased illuminations would ease any potential traffic hazard;

lighting of areas with high volumes of pedestrian traffic at dusk or dark.

(2) The County shall not install, pay for, or assume financial responsibility for street lights in the following instances-

Security of Private Property;

Entrance to Private Drives; or

Private roads or ways.

DRAFT

(3) The County shall only install or pay for a street light on an existing pole owned by the county or a public utility and which is located within a public right-of-way.

8. (1) The optical configurations of street lights installed in the County shall be as prescribed in the code of practice.

(2) Notwithstanding subsection (1) the Committee Member may amend the configurations applicable to street lights already installed if in his opinion the existing lights provide adequate light for public safety and security in that location.

9. The specifications for street light accessories shall be in accordance with such specifications contained in the code of practice.

DRAFT

10. (1) No Government agency engaging in street lighting installation along roads within Nairobi County shall install street lighting unless-

It has approval from a committee established by the Committee Member to deal with such approvals; and

The street lighting plan is in accordance with the code of practice

(2) Any government agency which installs street lights shall hand over such lights, including all necessary supporting structures to the Nairobi City County government for their care and maintenance. After the defect liability period, the agency shall make good all defects and clear all electricity bills incurred during the defect's liability period.

11. A government agency may enter to an agreement with the county to maintain street lights on its behalf, and shall bear the cost of that maintenance

12 (1) Any subdivision plan of land size ten (10) acres and above or any development stretching five hundred (500) metres or more must provide for streetlights to be installed by the developer. The streetlights should conform to the standards stipulated by Nairobi City County specifications and the code of practice and Kenya Bureau of Standards (KEBS) and must be approved by the Committee Member in charge. The street light should be handed over to Nairobi City County for adoption.

(2) No developer shall install street lighting on any road unless-

A plan for that lighting has been submitted to the Committee Member for approval;

Payment of the required fee as stipulated in the Finance Act

13. No approved works shall be carried out unless-

under the supervision of an authorized officer of the county

the prescribed fee laid out in schedule one has been paid

14. To accelerate streetlighting/public lighting infrastructure development the County Committee Member shall allow on request, willing and capable private/public sector to install new street/public lighting along a county road under private public partnership following any guidelines as from time to time be issued by the County.

15. Any proposal for a PPP arrangement (above) shall be lodged with the Committee Member.

16. A motor vehicle owner or any other road user who damages a streetlight pole

shall be charged as per the Finance Act.

17. Any commercial building with a frontage on a public road shall install security lighting as per guidelines issued by the county. Approval for new commercial development fronting a public road shall include provision for public lighting. Following any such guidelines as from time to time may be issued by the Committee Member and must ensure compliance.

18. A person who contravenes any provision of these Regulations commits an offence and is

liable on conviction to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding six months or, both.

DRAFT

DRAFT

Schedule One

Fees payable for supervision of works for the installation of street lighting

Kenyan Shillings 20,000

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 29 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

7. THE NAIROBI CITY COUNTY (PUBLIC TRANSPORT FARE TABLE) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Public Transport Fare Table) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Committee Member" means the Committee Member responsible for transport of the Nairobi City County Government

"public service vehicle" has the meaning assigned to it under Act, and excludes any vehicle designated as a bus rapid transit vehicle.

"school pupil" means any child wearing a uniform of a government or private school registered as a primary school by the State Department for Basic Education

"fare collection machine" a gadget that is able to collect fares either cash, card or digitally

3. These regulations apply to all public service vehicles operating on a public road in Nairobi City County, irrespective of the authority that is responsible for the care and maintenance of that road.

4. (i) No public service vehicle shall operate unless a fare table is displayed in the vehicle in such a way that it is visible to passengers

(ii) A fare table shall indicate the fare to be paid by each passenger on that public service vehicle for a journey between stage and any other stage on the route on which that public service vehicle has a license to operate.

(iii) Fares indicated in the fare table may differentiate between: -

(a) times of the day

(b) days of the week

DRAFT

(c) types of passenger

(d) sitting or standing passenger

5. A fare table shall be lodged with the Chief Officer and must be displayed in each public service vehicle.

6. No passenger shall be required to pay a fare which exceeds the fare for that journey as shown in the fare table.

7. No fare shall be payable by: -

    a) Any infant seated on the lap of an adult; and
    b) A school pupil provided they are in uniform and for journeys within the county and being carried as a standing passenger

8. The fare charged to a person who is accompanied by heavy or bulky goods shall be at the discretion of the operator of the public service vehicle.

9. Every public service vehicle shall have a fare collection machine

10. All public service vehicles shall progressively move towards the cashless payment within twelve (12) months of coming into effect of these regulations or as the Committee Member may extend.

11. All complaints should be addressed to the Committee Member.

12. An operator who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding ten thousand shillings or an imprisonment not exceeding three (3) months or revocation of any permit to operate granted under this Act.

DRAFT

Schedule One

Differentiations in fares permissible under these regulations

Time of day

Peak – 06.00 to 09.00 hours and 16.30 to 20.00 hours

Off Peak – all other times

Days of the Week

Monday to Friday

Saturday

Sunday and Public Holidays

Types of Passenger

Adult (over 13 years)

Child (over 3 years up to and including 13 years)

Infant (up to the age of 3 years)

Senior citizen (over the age of 70 years)

School pupil (up to the age of 13 years)

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 63 and 64 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

8. THE NAIROBI CITY COUNTY (LOW EMISSION ZONES) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Low Emission Zones) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Authorised person" means a traffic police officer or traffic marshal

"CBD" means the central business district of Nairobi as envisaged in the Act

"Chief Officer" means the Chief Officer responsible for Roads within the Nairobi City County Government.

"Committee Member" means the County Executive Committee Member responsible for transport.

"Directorate" means the unit headed by the director of transport.

"Sector" means the Transport, Roads & Public Works sector of the Nairobi City County Government

"permit" means authorization to access a Low Emission Zone in the form of a sticker or any other recognisable system.

"vehicle" means a mechanically propelled machine used to transport people and goods

"Low Emission Zones (LEZs)" means any designated areas where access of polluting vehicles is restricted.

3. These regulations apply to all areas designated as Low Emission Zones within Nairobi City County.

4. The Committee Member shall designate Low Emission Zones in Nairobi City County by notice in the Gazette,

DRAFT

5. The Committee Member shall designate Low Emission Zones within five years of these regulations coming into effect
6. Accessibility to Low Emission Zones shall be by permitted vehicles, pedestrians and non-motorised transport

7. No vehicle shall be allowed to enter a Low Emission Zones unless it holds a permit issued by the Committee Member.

8. A permit may be issued to any vehicle equipped with a propulsion system that is: -
    (a) is fully electric; or
    (b) uses bio-diesel for propulsion; or
    (c) uses hydrogen for propulsion; or
    (d) uses any fuel for propulsion that the Committee Members deems has low emissions; or
    (e) pays the fee prescribed in Schedule 1

9. No permit shall be required for a non-motorised vehicle or a non-motorised mode of transport or an emergency or police vehicle and utility vehicles.

10. (1) An application for the permit to enter the Low Emission Zones shall –

    (a) be lodged with the Chief Officer
    (b) contain such information and be accompanied by such documents as are required by the approved form as listed in Schedule Two; and
    (c) for the purpose of the list of documents in Schedule Two, the Chief Officer will require verification of details as laid out in Schedule three to ensure that a database for the vehicles is established and updated regularly.

    (2) An application may be made in an electronic format approved by the Committee member.

    (3) The Directorate shall keep and maintain an updated database of all permit holders

11. Any person who is denied an approval may appeal to the Committee Member within 14 days of being informed of the refusal by the Chief Officer.

12. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings for a first offence and a fine not exceeding thirty thousand shillings for every subsequent offence or a prison term not exceeding 6 months or both.

DRAFT

Schedule One

Fees payable for approval of permit to enter a low emission zone

Means of propulsion	**Fee payable (KShs)**	
	Daily	Annual
Electric	0	0
Bio-diesel	0	0
Hydrogen	0	0
Petrol	1,000	250,000
Diesel	1,000	250,000

DRAFT

Schedule Two

Documents required to accompany application for a vehicle permit:

(a) Application Form
(b) Valid vehicle logbook
(c) A copy of a valid vehicle insurance policy
(d) Detailed verification document from the Chief Officer to confirm the details presented for the vehicle

DRAFT

Schedule Three

Form for verifying the vehicle details with respect to the LEZ permit.

Name of Applicant	
Id of Applicant	
Registration no	
Signature of applicant	
For official use only	
Approved / Not approved	
Permit Number	
Name of authorised officer	
Sign & Date	

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 34 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

9. THE NAIROBI CITY COUNTY (MOTORCYCLE TAXI (BODA BODA) PERMIT) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Motor Cycle Taxi Permit) Regulations and shall come into force upon publication of the Gazette
2. In these Regulations unless the context otherwise requires:-

DRAFT

“Act” means the Nairobi City County Transport Act, 2020

“Authorised person” means a traffic police officer or traffic marshal

“CBD” means the central business district of Nairobi as envisaged in the Act

“Category” Means the service the motorcycle is registered to provide being either public transport or Courier services

“Committee Member means the County Executive Committee Member (CECM) responsible for transport.

“Chief Officer” means Chief Officer responsible for Transport and Planning for the Nairobi City County Government

“Sector” means the Transport, Roads & Public Works sector of the Nairobi City County Government

“motorcycle” means any mechanically propelled vehicle with two wheels, the weight of which shall not exceed eight hundred kilograms.

“permit” means a permit to operate a motorcycle for commercial gain through the carriage of a passenger

“ride” means to operate, manage or be in control of a motorcycle;

“rider” means the person operating or person in control of a motorcycle;

“Third Party Motor Vehicle Insurance" means an insurance policy by that name issued in respect to a motorcycle pursuant to the provisions of the Insurance (Motor Vehicles Third Party Risks) Act;

"Third Party Public Service Vehicle Insurance" means an insurance policy by that name issued in respect to a motorcycle pursuant to the provisions of the Insurance (Motor Vehicles Third Party Risks) Act.

"boda boda" means a two (2) wheeled motorcycle taxi used for hire and reward or courier services

" boda boda Transport Sacco" means a Motorcycle taxi Transport, Savings and Credit Co-operative Society registered under the Cooperative Societies Act.

"Company" means an organization registered under the companies act to offer transport services

"Zone" an area of road network for Motorcycle operation as defined by the chief officer

These regulations apply to all motorcycles offering public transport and couriers services on public roads in Nairobi City County, irrespective of the authority that is responsible for the care and maintenance of that road.

3. All boda boda operations in the city will be managed and regulated through Transport saccos/companies
4. Saccos and companies must meet requirements stipulated under schedule 1 of regulations.

5. The CECM shall determine the maximum number of saccos/companies in each category that will be permitted in each zone depending on demand.

6. No person shall operate a motorcycle for public transport and courier services unless he or she is a member of a registered bodaboda Transport Sacco/Company.

7. No person shall operate a motorcycle for public transport and courier services unless he or she holds a permit issued by the CECM.

8. No person shall operate a motorcycle from a non-designated picking and dropping point and shall not pick passengers outside the allocated motorcycle picking point.

9. Application of a Zone permit to be done only by bodaboda Transport Sacco/Company.

10. A Zone Permit may be issued to any applicant: -

    (a) That has been licenced by National Transport and Safety Authority (NTSA)
    (b) that fulfils all technical, operational and safety conditions in accordance with applicable laws and regulations;
    (c) whose bodaboda transport Sacco/Company zone permit is not currently revoked
    (d) Depending on Chief officer assessment on Zone Motorcycle demand analysis on applicable category.

11. A Sacco/Company whose zone permit has been approved will be issued upon payment of the required fees as per the finance act.
12. An applicant whose application has been rejected may appeal in writing to the CECM within 14 days.

DRAFT

13. A transport sacco/company whose permit has been revoked may re-apply for a permit at the end of the period of revocation.
14. A zone permit may be withdrawn on establishment of gross violation of laid down requirements by a bodaboda transport sacco/Company.

15. A bodaboda sacco/company whose permit has been withdrawn may appeal in writing to CECM within 14 days.
16. A zone permit shall be issued for a period of one calendar year renewable.
17. A zone permit shall not be transferable.
18. (1) An application for the grant of motorcycle taxi permit shall –

    (a) be lodged with Chief officer by a transport bodaboda sacco/Company to which a rider is a member.
    (b) contain such information and be accompanied by such documents as are required by the approved form as listed in Schedule 1;
    (c) be accompanied by the prescribed fee as per the Finance Act.
    (d) be made in an electronic format approved by the Directorate.

19. An applicant whose application has been rejected may appeal in writing to the CECM within 14 days.
20. A motorcycle permit may be withdrawn on establishment of gross violation of laid down requirements.
21. A rider whose permit has been revoked may re-apply for a license at the end of the period of revocation.
22. A rider whose permit has been withdrawn may appeal through the Bodaboda Transport Sacco/Company in writing to CECM within 14 days,
23. A withdrawn motorcycle permit that has been successfully appealed will be issued upon payment of the required registration fee.
24. A motorcycle permit shall not be transferable.
25. Database for the operators and two-wheeled motorcycles as per category will be established and updated regularly.
26. A Bodaboda transport Sacco/Company permit or a motorcycle permit may be renewed upon a renewal application which shall be made within fifteen days of the expiry date of the current permit.
27. A Transport Sacco/Company or motorcycle permit may be suspended for three months if a rider contravenes any parts of these regulations.
28. The Committee Member may from time to time limit the number of motorcycle taxi permits issued for the city zones taking into account mobility, safety and security.
29. The rider of a motorcycle taxi shall carry his permit at all times and show it to any authorised person if requested.
30. No motorcycle taxi shall –

(a) park or wait on a footway

(c) Obstruct pedestrian thoroughfare

(d) park on or within a carriageway that is regulated for parking except where designated for motorcycle taxi parking.

(e) Park in an area not designated as boda boda parking

DRAFT

(e) Contravene the traffic act or NTSA regulations

31. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings for a first offence and a fine not exceeding thirty thousand shillings for every subsequent offence or a prison term not exceeding 6 months or both.

DRAFT

Schedule One

Documents required to accompany application for issuance of permit for operation as a Bodaboda transport Sacco/Transport Company.:

(a) Duly filled Application Form

(b) Valid certificate of registration as a bodaboda Transport Sacco/Transport Company

(c) Proof of Membership of at least 50 no bodaboda operators for courier services

(d) Proof of Membership of at least 100 no bodaboda operators for Public Transport services

Schedule Two

Documents required to accompany application for a motorcycle operation permit:

(a) Duly filled Application Form
(b) Valid rider's licence
(c) Passport size photograph of applicant
(d) Photograph of motorcycle to be used motorcycle taxi clearly showing the registration plate
(e) Registration document (logbook) for the motorcycle to be used as motorcycle taxi
(f) Detailed verification document from the CEC to confirm the details presented for the two wheeled motorcycle.
(g) A copy of the third party public service vehicle insurance policy in respect of the same motorcycle
(h) Certificate of good conduct for the rider
(i) Letter of introduction from affiliated sacco/Company
(j) Must give contact details
(k) Must indicate next of kin

Schedule Three

Fees payable in Kenyan shillings in respect of a motor cycle taxi permit or its renewal:-

		One off /Re –admission (Ksh)	
1.0	**Transport Sacco/Company**	As prescribed in the finance act	
		One Year	
2.0	**Motorcycle**	**Application fee(Ksh)**	**New/Renewal Permit fee(Ksh)**
	Means of propulsion		
a	Internal Combustion Engine	As prescribed in the finance act	As prescribed in the finance act

DRAFT

b	Electric	As prescribed in the finance act	As prescribed in the finance act

DRAFT

Schedule 4

Colour code requirements in respect of a motorcycle taxi permit for different regions within the Nairobi City County:-

S/No.	Zone	Colour
1.	CENTRAL ZONE(Central CBD, Kilimani, Upper hill	YELLOW
2.	NORTHERN ZONE(Westlands, Ngara, Paklands Kangemi, Uthiru and Kinoo)	BLUE
3.	EASTERN ZONE (Kasarani , Embakasi ,	GREEN
4.	SOUTHERN ZONE(Industrial area, Viwandani, Pipeline, Mombasa road, South B, South C, Madaraka, Nyayo high rise, Langata)	ORANGE
5.	WESTERN ZONE(Kibera, Karen, Dargoreti south Kawangware, Lavington)	RED

DRAFT

Schedule 5

Application Form with respect to Boda Boda Transport Sacco/transport Company Registration

Name of Applicant		
Certificate No. of Registration		
Membership		
Zone		
Current Membership details		
Members Name	Motor cycle Registration number	Members driving Liscence Details
Colour coding		

Schedule 6

Application Form with respect to a two (2) wheeled motorcycle permit.

<table>
<tr><td>Name of Applicant</td><td colspan="2"></td></tr>
<tr><td>Id of Applicant</td><td colspan="2"></td></tr>
<tr><td>Means of propulsion (Internal Combustion Engine or Electric)</td><td colspan="2"></td></tr>
<tr><td>Permit Number</td><td colspan="2"></td></tr>
<tr><td colspan="3">Current Motorcycle’s details</td></tr>
<tr><td>Details of the motorcycle included in the permit</td><td>Registration number</td><td>Attach photograph</td></tr>
<tr><td colspan="3">Motorcycle to be removed</td></tr>
<tr><td>Details of any motorcycles to be removed from the permit</td><td colspan="2">Registration number</td></tr>
<tr><td colspan="3">Motorcycle permit to be added/renewed</td></tr>
<tr><td rowspan="3">Details of any motorcycles to be added to the permit</td><td>Registration number</td><td>Attach photograph</td></tr>
<tr><td>Details’ verification document from the Sector</td><td>Attach</td></tr>
<tr><td>Third party public service vehicle insurance policy</td><td>Attach</td></tr>
<tr><td colspan="2"><u>Attatcments</u>
1. Duly filled Application Form
2. Valid rider’s licence
3. Passport size photograph of applicant
4. Photograph of motorcycle to be used motorcycle taxi clearly showing the registration plate
5. Registration document (logbook) for the motorcycle to be used as motorcycle taxi
6. A copy of the third-party public service vehicle insurance policy in respect of the same motorcycle
7. Certificate of good conduct for the rider
8. Letter of introduction from affiliated sacco/Company
9. Contact details
10. Details of next of kin</td><td></td></tr>
</table>

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 34 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

10. THE NAIROBI CITY COUNTY (THREE WHEELED MOTORCYCLE TAXI (TUK TUK)) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County Three Wheeled Motorcycle (Tuk Tuk) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Authorised person" means a traffic police officer or traffic marshall

"CBD" means the central business district of Nairobi as envisaged in the Act.

"Committee Member" means the County Executive Committee Member responsible for transport

"Director" means the head of the directorate of transport.

"Sector" means the Transport, Roads & Public Works sector of the Nairobi City County Government

"Permit" means a permit to operate a three wheeler motorcycle for commercial gain through the carriage of a passenger

"public road" has the meaning assigned to it under the Act

"ride" means to operate, manage or be in control of a three wheeled motorcycle;

"rider" means the person operating or person in control of a three wheeled motorcycle;

"three wheeled motorcycle" means any mechanically propelled vehicle with three wheels the weight of which unladen does not exceed eight hundred kilograms; "

"Three wheeled motorcycle Taxi" means a three wheeled motorcycle used for the purpose of carrying or ferrying of a passenger for reward or hire excluding delivery of goods and parcels;

"Third Party Motor Vehicle Insurance" means an insurance policy by that name issued in respect to a three wheeled motorcycle pursuant to the provisions of the Insurance (Motor Vehicles Third Party Risks) Act;

DRAFT

"Third Party Public Service Vehicle Insurance" means an insurance policy by that name issued in respect to a three wheeled motorcycle pursuant to the provisions of the Insurance (Motor Vehicles Third Party Risks) Act

“tuk tuk” means a motor vehicle with three wheels propelled by an engine, and capable of carrying passengers or goods;

“Transport Sacco” means a Motorcycle taxi Transport, Savings and Credit Co-operative Society registered under the Cooperative Societies Act.

“Company” means an organization registered under the companies act to offer transport services

“Zone” an area of road network for Motorcycle operation as defined by the Committee Member.

3. These regulations apply to all tuk tuk offering public transport on public roads in Nairobi City County, irrespective of the authority that is responsible for the care and maintenance of that road.

4. No person shall operate a tuk tuk for commercial gain without a permit issued by the county.

5. All tuktuk operations in the city will be managed and regulated through Transport saccos/companies that have met requirements under schedule 1.

6. The director shall determine the maximum number of saccos/companies that will be permitted in each zone depending on demand.

7. No person shall operate a tuk tuk for public transport services unless he or she is a member of a registered tuk tuk Transport Sacco/Company and a permit has been issued by the Chief Officer.

8. In granting the permit the Chief Officer shall consider the technical report from the Director on the zone requested, demand analysis and the allowable noise levels for the zone.

9. No person shall operate a tuk tuk from a non-designated picking and dropping point and shall not pick passengers outside the allocated tuk tuk picking point.

10. Application of a Zone permit to be done only by tuk tuk Transport Sacco/Company.

11. A Zone Permit may be issued to any applicant: -

(a)That has been licenced by National Transport and Safety Authority (NTSA)

(b)That fulfils all technical, operational and safety conditions in accordance with applicable laws and regulations;

(c)Whose operator zone permit is not currently revoked

12. Zone permits applications shall be considered within 28 days upon submission and the applicant shall be notified of the outcome in writing.
13. An operator whose zone permit has been approved will be issued upon payment of the required fees as per the finance act.

DRAFT

14. An applicant whose application has been rejected may appeal in writing to the CECM within 14 days.
15. An operator whose permit has been revoked may re-apply for a permit at the end of the period of revocation.
16. A zone permit may be withdrawn on establishment of gross violation of laid down requirements by a transport sacco/Company.

17. A zone permit shall be issued for a period of one calendar year renewable.
18. A zone permit shall not be transferable.

19. A Zone Permit may be issued by the Chief Officer to any applicant: -

    (a) That has been registered by National Transport and Safety Authority (NTSA)

    (b) that fulfils all technical, operational and safety conditions in accordance with applicable laws and regulations;

    (c) whose tuk tuk transport Sacco/Company zone permit is not currently revoked

    (d) Depending on the director's assessment on Zone tuk tuk demand analysis.

20. An application for the grant of tuk tuk sacco/ Company permit shall –

(a) be lodged with the Chief Officer by a transport sacco/Company to which a rider is a member.

(b) contain such information and be accompanied by such documents as are required by the approved form as listed in Schedule 1;

(c) be accompanied by the prescribed fee as per the finance act.

(d) be made in an electronic format approved by the Director.

21. An applicant whose application has been rejected may appeal in writing to the CECM within 14 days.
22. A tuk tuk permit may be withdrawn on establishment of gross violation of laid down requirements.
23. A rider whose permit has been revoked may re-apply for a permit at the end of the period of revocation.
24. A rider whose permit has been withdrawn may appeal through the transport Sacco/Company in writing to CECM within 14 days,
25. A withdrawn tuk tuk sacco permit that has been successfully appealed will be issued upon payment of required registration fee.
26. A tuk tuk permit shall not be transferable.
27. Database for the operators and three wheeled motorcycles will be established and updated regularly.
28. A tuk tuk operator permit may be renewed upon an application for renewal which shall be made within fifteen days of the expiry date of the current permit.
29. A tuk tuk Transport Sacco/company permit may be suspended for three months if a rider contravenes any parts of these regulations.
30. The Committee Member may from time to time limit the number of tuk tuk permits issued for the city zones taking into account mobility, safety and security.

DRAFT

31. The operator of the tuktuk shall carry his permit at all times and show it to any authorised person if requested.
32. No tuk tuk shall –
    a) park or wait on a footway
    b) Obstruct pedestrian thoroughfare
    c) park on or within a carriageway that is regulated for parking except where designated for tuk tuk parking.
    d) Park in an area not designated as tuk tuk parking
    e) Contravene the traffic act or NTSA regulations
33. No tuk tuk shall enter the CBD.
34. The rider of a tuk tuk shall carry his permit at all times and show it to any authorised person if requested.
35. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or, both.
36. The Approval Process
    i. An application is submitted to the Chief Officer
    ii. The Director shall prepare a Technical Report with recommendations
    iii. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

Schedule One

Documents required to accompany application for issuance of permit for operation as a TukTuk transport Sacco/Transport Company.:

(a) Duly filled Application Form

(b) Valid certificate of registration as a TukTuk Transport Sacco/Transport Company

(c) Proof of Membership of at least 20 no tuk tuk operators.

DRAFT

Schedule Two

Documents required to accompany application for a tuk tuk permit:

(a) Application Form
(b) Valid driver's licence
(c) Passport size photograph of applicant
(d) Photograph of tuk tuk to be used as a three wheeled motorcycle taxi should clearly show the registration plate
(e) Registration document for the tuk tuk to be used as a three wheeled motorcycle taxi
(f) Details of a verification document from the directorate to confirm the details presented for the tuk tuk to be used as a three wheeled motorcycle taxi
(g) A copy of the third party public service vehicle insurance policy in respect of the same three wheeled motorcycle

DRAFT

Schedule Three

Form for adding or removal of a tuk tuk with respect to a three (3) wheeled motorcycle permit.

Name of Applicant		
Id of Applicant		
Means of propulsion (Internal Combustion Engine or Electric)		
Permit Number		
Current three wheeled (3) Motorcycle's details		
Details of the three wheeled motorcycle included in the permit	Registration number	Attach photograph
Three (3) wheeled Motorcycles to be removed		
Details of any three (3) wheeled motorcycles to be removed from the permit	Registration number	
Three (3) wheeled Motorcycles permit to be added/renewed		
Details of any three (3) wheeled motorcycles to be added to the permit	Registration number	Attach photograph
	Details' verification document from the Sector	Attach
	Third party public service vehicle insurance policy	Attach

DRAFT

Schedule Four

Fees payable in Kenyan shillings in respect of a three wheeled motorcycle taxi permit :-

Means of propulsion	**One Year**
Internal Combustion Engine	As prescribed in the finance act
Electric	As prescribed in the finance act

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 51 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

11. THE NAIROBI CITY COUNTY (CAR PARK LICENSING) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Car Park Licensing) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Central Business District" means the area bounded by Haile Selassie Avenue, Ring Road Pumwani, Ring Road Ngara, Nairobi River and Uhuru Highway.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government;

"County" means the Nairobi City County;

"Chief Officer" means the chief officer responsible for transport within the Nairobi City County Government;

"Director" means the head of the Directorate of Traffic & Parking Management.

"footway" means that part of a road constructed for the use of pedestrians;

"public road" has the meaning assigned to it under the Act;

"road" includes footways, signs, markings and the road reserve;

"Upper Hill" means the area bounded by Uhuru Highway, Bunyala Road, Upper Hill Road, Elgon Road, Hospital Road, Ngong Road, Ragati Road, and Upper Hill.

"Westlands" means the area bounded by Prof. Wangari Mathai Road, Parklands Road and Waiyaki Way

3. The provisions of these regulations shall apply to any area in the County which the Committee Member may designate as a controlled area for the purposes of these regulations, and-

DRAFT

(*a*) in addition to including any such provision as is authorised by section (7) of these regulations, may prescribe forms to be used for the purposes of this section and any other matters which under these regulations or the Act are to be prescribed;

(*b*) may include such supplementary, incidental and consequential provision as appears to the Committee Member to be necessary or expedient for the purposes of these regulations; and

(*c*) may make different provision as respects like matters in different circumstances; but the provisions of section 51 of the Act shall apply to the making of any such regulations.

4. In a controlled area no person other than the County shall operate a public off-street parking place for commercial gain except under and in accordance with the terms and conditions of a licence granted to that person by the County.

5. (1) An applicant for a licence in respect of any premises may apply either for a licence for such limited period not exceeding five years as the applicant may specify, and any application to the County for a licence shall be accompanied by the prescribed fee in Schedule Two appropriate to the type of licence applied for towards the administrative expenses of the County under this section;

(2) Subject to regulation (7) of this regulation, on any such application the County may at their discretion either grant the applicant a licence of the type applied for or refuse the application.

6. Subject to regulation (7) of this regulation, every licence shall specify—

(*a*) the period of its duration;

(*b*) the maximum number of parking spaces to be provided at the licensed parking place and if the Committee Member deems fit, for any of the following descriptions of parking namely short-term parking, long-term parking, casual parking and regular parking or any particular category of parking;

(*c*) any conditions in addition to those specified in regulation (7) of this regulation subject to which the licence is granted, being such conditions, if any, as the County may deem fit with respect to all or any of the following matters, namely—

(i) the scale of charges, or the minimum or the maximum charges, to be made for the use of all the parking spaces at the licensed parking place or for any spaces of the aforesaid descriptions of parking;

(ii) the proportion of parking spaces to be available respectively for casual parking and for, or for any specified category of, regular parking;

(iii) the operation times of the licensed parking;

(iv) the manner in which users of the licensed parking place are to be informed of the effect of the terms and conditions of the license;

7. It shall be a condition of every licence holder —

DRAFT

(*a*) that any person authorised in writing by the County may at all reasonable hours enter upon and inspect the licensed parking place; and

(*b*) that the holder of the licence shall, on being given reasonable notice for the purpose by any such authorised person, produce to that person and permit him to examine and make copies of, or take extracts from, the license in connection with the operation of that parking place.

8. In granting any licence the Committee Member may determine—

(*a)* the maximum number of parking spaces to be made available at licensed parking places for all, or for any respectively, of the descriptions of parking referred to in section (6)(*b*) of these regulations in, or in any specified part of, any controlled area comprised within the County;

(b) that, in the case of licensed parking places in a particular controlled area or part of a controlled area, all or any of the matters referred to in section (6)(*c*) of this section shall or as the case may be shall not be the subject of conditions specified in the licence;

(c) the opening hours of the car park;

(d) the charges for parking;

(e) the duration of effect of the licence; or

(f) number of spaces for vehicles transporting drivers or passengers living with disabilities.

(g) conditions which may be imposed with respect to any of the matters aforesaid.

9. Where a licence has been granted—

(*a*) the County shall, if so requested by a successor in title to the business (so far as it consists of the operation of the licensed parking place) of the person to whom the licence was granted, transfer the licence to that successor in title, but a licence shall not otherwise be transferable;

(*b*) the holder of the licence may at any time surrender it;

(*c*) the County may at any time on the application or with the agreement of the holder of the licence vary any of the terms and conditions specified in the licence under sections (6)(*b*) and (*c*) of these regulations.

(d) the licence holder must comply with all other relevant laws of the county and national laws.

10. (1) An applicant who-

(a) is denied a license; or
(b) disagrees with the conditions of a licence granted by the County -

may appeal to the Transport Planning Advisory Committee established under section 9 of the Act.

DRAFT

(2) In determining the merits of any appeal the Transport Planning Advisory Committee shall take into account-

(a) The benefits of the car park with regard to the economy of the County
(b) The impacts of the car park on traffic congestion.

(3) A recommendation made by the Transport Planning Advisory Committee shall be the final decision.

11. Any holder of a licence who, on the evidence of an authorised officer of the County, contravenes or fails to comply with any of the terms and conditions of the licence shall be liable -

(*a*) in the case of a term imposed under section (6)(*b*) or a condition with respect to any of the matters referred to in regulation (6)(*c*)(i), (ii), (iii) or (iv) of this regulation, to a fee payable to the County of ten thousand shillings

(*b*) in the case that it appears to the County, by reason of the extent to which, or the period over which, or the frequency with which, the holder of the licence has contravened or failed to comply with the terms and conditions of the licence or by reason of the wilfulness of the offence, to have that licence revoked.

12. These regulations shall not apply to car parks operated within the curtilages of-
    a) government offices
    b) parks;
    c) schools;
    d) universities; or
    e) vocational training colleges or institutes

13. The Approval Process

    i. An application is submitted to the Chief Officer
    ii. The Director shall prepare a Technical Report with recommendations
    iii. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

DRAFT

Scheduler One: Controlled Areas

No.	Area
1	Central Business District
2	Westlands
3	Upper Hill

Scheduler Two: Fees payable on application for a Car Park Licence

KShs 3,000 per year per car parking space

Schedule 3: Prescribed form of application for a car park licence

As determined by the Chief Officer

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 59 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

12. THE NAIROBI CITY COUNTY (CAR PARKING STANDARDS) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Car Parking Standards) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Central Business District" means the area bounded by Halie Selassie Avenue, Ring Road Pumwani, Nairobi River and Uhuru Highway.

"Committee Member" means the County Executive Committee Member responsible for roads of the Nairobi City County Government;

"County" means the Nairobi City County

"Chief Officer" means the chief officer responsible for transport within the Nairobi City County Government

"Director" means the head of the Directorate of Traffic & Parking Management.

"footway" means that part of a road constructed for the use of pedestrians;

"high density area" means the areas designated in Section 4(1)

"public road" has the meaning assigned to it under the Act

"Railway City" means the area bounded by Haile Selassie Avenue, Uhuru Highway, Bunyala Road, and Ladhies Road

"road" includes footways, signs, markings and the road reserve

"Westlands" means the area bounded by Prof. Wangari Mathai Road, Parklands Road and Waiyaki Way

"Upper Hill" means the area bounded by Uhuru Highway, Bunyala Road, , Upper Hill Road, Elgon Road, Hospital Road, Ngong Road, Ragati Road, and Upper Hill.

DRAFT

3. These regulations set out the required amount of car parking to be provided within the curtilage of any new development which requires planning consent.

4. (1) The following areas are designated as areas where the standards for the provision of car parking with new developments are maxima shown in Schedule One and no more than the number of spaces indicated in the standard shall be provided –

   (a) Central Business District
   (b) Westlands
   (c) Upper Hill
   (d) Railway City

   (2) In all other areas of the County the standards for the provision of car parking with new developments are minima as shown in Schedule One and no less than the number of spaces indicated in the standard shall be provided.

5. The dimensions of parking bays and their layout within the curtilage of a building are prescribed in Schedule 2.

DRAFT

SCHEDULE ONE: PARKING REQUIREMENTS AS PER LAND USE

	OUTSIDE DESIGNATED AREAS	**WITHIN DESIGNATED AREAS**
Permissible Land Uses	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Required**
Banks and financial services	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Child day care	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Construction contractors	1 per 150m^2 of use area	1 per 500m^2 of use area
Medical services - Doctors' offices and clinics	1 per 17.5m^2 of floor area	1 per 50m^2 of floor area
Medical services - Laboratories	1 per 20m^2 of floor area	1 per 100m^2 of floor area
Medical services - Hospitals and extended care	1 per bed	0.5 per bed
Medical services - Veterinary clinics and hospitals	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Offices (Commercial & Professional)	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Public utility facilities	1 per 150m^2 of use area	1 per 500m^2 of use area
Repair and maintenance - Vehicle	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Repair and maintenance - Consumer products	1 per 30m^2 of floor area	1 per 1000m^2 of floor area
Storage yards and sales lots	1 per 150m^2 of site area	1 per 500m^2 of site area
Warehousing/mini-storage facilities	1 per 150m^2 of use area	1 per 500m^2 of use area
Transportation and Communications Land Uses	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Required**
Broadcasting studios	1 per 50m^2 of floor area	1 per 200m^2 of floor area
Communications facilities	1 per full-time employee	0.5 per full-time employee
Heliports	1 per 150m^2 of use area	1 per 150m^2 of use area
Truck stops	1 per 150 m^2 of use area	Not permitted
Vehicle and freight terminals	2 per approved loading bay	Not permitted
Wholesaling and distribution	1 per 150m^2 of use area	1 per 500m^2 of use area
Retail Trade Land Uses	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Required**
Auto, mobile home, vehicle and parts sales	1 per 150 m^2 of use area	1 per 500 m^2 of use area
Building material and hardware stores	1 per 150 m^2 of use area	1 per 500 m^2 of use area
Farm equipment and supplies sales	1 per 70m^2 of use area	1 per 250m^2 of use area
Fuel and ice dealers	1 per 150 m^2 of use area	1 per 500 m^2 of use area
Furniture, furnishings and equipment stores	1 per 150m^2 of use area	1 per 500m^2 of use area
Grocery and liquor stores	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Mail order and vending	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Restaurants and bars	1 per 10m^2 of floor area	1 per 100m^2 of floor area
Restaurants, fast food	1 per 10m^2 of floor area	1 per 100m^2 of floor area

DRAFT

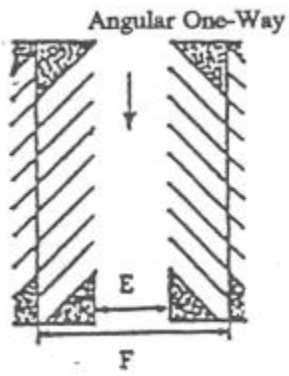
Permissible Land Uses	OUTSIDE DESIGNATED AREAS Minimum Number of Parking Spaces Required	WITHIN DESIGNATED AREAS Maximum Number of Parking Spaces Required
Restaurants, outdoor eating areas	1 per 10m^2 of outdoor eating area, or 1 per 4 seats within an outdoor eating area, whichever is more restrictive*	1 per 100m^2 of outdoor eating area, or 1 per 10 seats within an outdoor eating area, whichever is the least
Retail stores, general merchandise	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Secondhand stores	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Shopping centres	1 per 20m^2 of floor area	1 per 100m^2 of floor area
Residential Land Uses	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Required**
Residential homes (High income)	1 space per unit	1 space per unit
Residential (Low income)	10 percent of plinth area	5 percent of plinth area
Residential Apartment	1.5 spaces per apartment	1 spaces per apartment
Manufacturing & Processing Land Uses	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Required**
Petrol Service stations (Ancillary facilities limited to 5percent of total ground coverage)	1 per 150m^2 of use area	1 per 500m^2 of use area
Clothing products	1 per 50m^2 of use area	1 per 150m^2 of use area
Food products	1 per 50m^2 of use area	1 per 150m^2 of use area
Furniture and fixtures manufacturing	1 per 50m^2 of use area	1 per 150m^2 of use area
Glass products	1 per 50m^2 of use area	1 per 150m^2 of use area
Lumber and wood products	1 per 150m^2 of use area	1 per 500m^2 of use area
Machinery manufacturing	1 per 150m^2 of use area	1 per 500m^2 of use area
Metal products fabrication	1 per 150m^2 of use area	1 per 500m^2 of use area
Motor vehicles & transportation equipment	1 per 150m^2 of use area	1 per 500m^2 of use area
Paper products	1 per 150m^2 of use area	1 per 500m^2 of use area
Paving materials (not on road reserve)	1 per 150m^2 of use area	1 per 500m^2 of use area
Petroleum refining and related industries	1 per 150m^2 of use area	1 per 500m^2 of use area
Plastics and rubber products	1 per 150m^2 of use area	1 per 500m^2 of use area
Printing and publishing	1 per 50m^2 of use area	1 per 200m^2 of use area
Recycling, scrap and wrecking yards	1 per 50m^2 of use area	1 per 200m^2 of use area
Slaughterhouses and rendering plants	1 per 150m^2 of use area	1 per 500m^2 of use area
Small scale manufacturing	1 per 150m^2 of use area	1 per 500m^2 of use area
Textile and leather products	1 per 150m^2 of use area	1 per 500m^2 of use area
Wholesaling and distribution	1 per 150m^2 of use area	1 per 500m^2 of use area

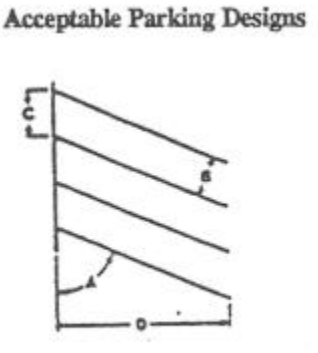
DRAFT

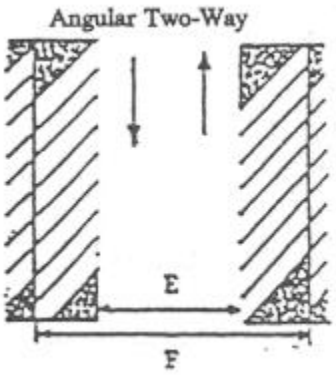
Permissible Land Uses	OUTSIDE DESIGNATED AREAS Minimum Number of Parking Spaces Required	WITHIN DESIGNATED AREAS Maximum Number of Parking Spaces Required
Recreation, Education and Public Assembly Land Uses	**Number of Parking Spaces Required**	
Camping grounds	1 per 30m^2 of floor area	Not applicable
Community centres	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Commercial event centres	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Small agricultural event centre	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Intermediate agricultural event centre	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Large agricultural event centre	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Houses of worship	1 per 4 fixed seats; 1 per 4.0 m^2 of multi-use floor area if no fixed seats; 1 per office or classroom	1 per 4 fixed seats; 1 per 4.0 m^2 of multi-use floor area if no fixed seats; 1 per office or classroom
Libraries	1 per 50 m^2 of public use area	1 per 200 m^2 of public use area
Membership organization facilities	1 per 10m^2 of building area	1 per 50m^2 of building area
Mortuaries	1 per 150m^2 of building area, 1 per 4 seats of assembly area	1 per 500m^2 of building area, 1 per 4 seats of assembly area
Museums	1 per 40m^2 of use area	1 per 100m^2 of use area
Golf driving range separate from course	1 per Tee	4 per tee
Parks and playgrounds	1 per 1000m^2 of use area	1 per 10,000m^2 of use area
Golf courses	4 per hole	Not applicable
Recreation and fitness centres	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Bowling alleys	4 per bowling lane	1 per bowling lane
Health and athletic clubs	1 per 2 exercise machines, 1 per game court, 1 per 5.0m^2 of open exercise area	1 per 3 exercise machines, 1 per game court, 1 per 25m^2 of open exercise area
Schools - College and university	1 per 30m^2 of floor area	1 per 300m^2 of floor area
Schools – Elementary	1 per classroom and office, 1 per 10 assembly seats	0.5 per classroom and office, 1 per 30 assembly seats
Schools – Secondary	1 per classroom and office, 1 per 10 assembly seats	0.5 per classroom and office, 1 per 30 assembly seats
Schools - Specialized education and training	1 per 30.0m^2 of floor area	1 per 100 m^2 of floor area
Sport facilities and outdoor public assembly	1 per 4 seats	1 per 10 seats
Temporary events	1 per 30m^2 of floor area	1 per 100m^2 of floor area
Theatres and meeting halls	1 per 4 seats	1 per 10 seats

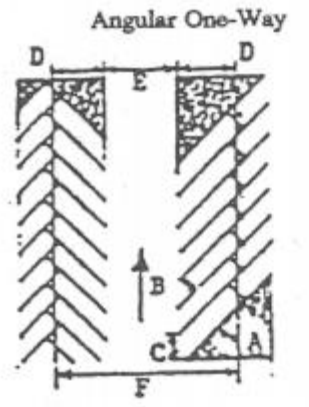
SCHEDULE TWO: STANDARDS FOR OFF-STREET PARKING

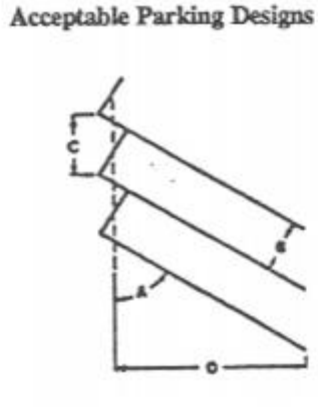
DRAFT

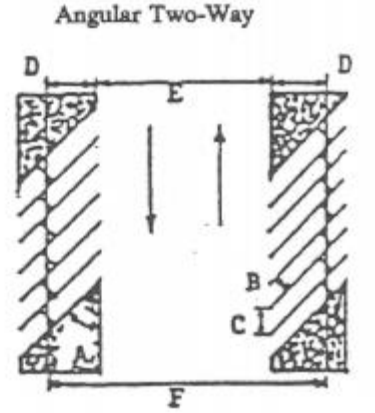












Conventional Car Stall and Aisle Specifications								
Parking Layout		**Dimensions**			**One Way**		**Two Way**	
See Diagram	**Parking Angle A**	**Stall Width B(m)**	**Curb Length C(m)**	**Stall Depth D(m)**	**Aisle Width E(m)**	**Parking Section Width F(m)**	Aisle Width E(m)	Parking Section Width F(m)
Parallel:								
One Side	0°	2.5	6.3	2.5	3.6	6.0	6.6	9.0
Two Sides	0°	2.5	6.3	2.5	6.6	11.4	7.2	12.0
Angular	20	2.6	7.5	4.4	3.3	12.0	6.0	15.0
	30	2.6	5.1	5.1	3.3	4.0	6.0	27.0
	40	2.6	4.0	5.6	3.6	15.0	6.0	17.2

	45	2.6	3.6	6.0	4.1	16.0	6.0	18.0
	50	2.6	3.3	6.0	4.7	17.0	6.0	18.0
	60	2.6	3.0	6.2	5.6	18.0	6.6	19.0
	70	2.6	3.0	6.2	6.0	18.0	6.6	19.0
	80	2.6	2.6	6.1	7.2	19.3	7.2	19.0
Perpendicular	90	2.6	2.6	6.0	7.5	20.0	8.0	20.0

Compact Car Stall and Aisle Specifications

Parking Layout	**Parking Angle**	**Dimensions**			**One Way**		**Two Way**	
	A	**Stall Width B(m)**	**Curb Length C(m)**	**Stall Depth D(m)**	**Aisle Width E(m)**	**Parking Section Width F(m)**	**Aisle Width E(m)**	**Parking Section Width F(m)**
Parallel	0°	2.4	6.0	2.4	3.6	8.5	6.0	11.0
Angular	45	2.4	3.4	5.0	4.0	12.75	6.0	15.0
	60	2.4	2.8	5.0	5.0	15.0	6.6	17.0
Perpendicular	90	2.4	2.4	5.0	6.6	16.2	7.5	17.1

Parking Layout	**Parking Angle**	**Dimensions**			**One Way**		**Two Way**	
See Diagram	**A**	**Stall Width B(m)**	**Curb Length C(m)**	**Stall Depth D(m)**	**Aisle Width E(m)**	**Parking Section Width F(m)**	**Aisle Width E(m)**	**Parking Section Width F(m)**
Parallel	0°	2.4	6.3	2.4	6.6	11.4	7.2	12.0
Angular	20	2.6	7.5	3.2	3.3	9.6	6.0	12.3
	30	2.6	5.0	4.0	3.3	11.2	6.0	14.0
	40	2.6	4.0	4.8	3.6	13.0	6.0	15.3
	45	2.6	3.6	5.0	4.10	14.0	6.0	16.0
	50	2.6	3.3	5.2	4.70	15.0	6.0	16.0
	60	2.6	3.0	6.0	5.6	17.0	6.6	18.0
	70	2.6	3.0	6.0	6.0	17.4	6.6	18.2
	80	2.6	2.6	6.0	7.2	19.0	7.2	19.0

DRAFT

Perpendicular	90	2.6	2.6	6.0	7.5	19.0	7.5	19.0

Interlocking – Compact Cars								
Parking Layout	**Parking Angle**	**Dimensions**			**One Way**		**Two Way**	
		Stall Width	**Curb Length**	**Stall Depth**	**Aisle Width**	**Parking Section Width**	**Aisle Width**	**Parking Section Width**
	A	**B(m)**	**C(m)**	**D(m)**	**E(m)**	**F(m)**	**E(m)**	**F(m)**
Parallel	0°	2.4	6.0	2.4	3.6	8.4	6.0	11.0
Angular	45	2.4	3.4	4.0	3.8	12.0	6.0	15.0
	60	2.4	2.8	4.8	5.1	15.0	6.6	16.0
Perpendicular	90	2.4	2.4	15.0	22	16.2	7.5	17.0

DRAFT

Legal Notice No….

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 46 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

13. THE NAIROBI CITY COUNTY (DESIGNATED AREAS PARKING FEES) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Designated Areas Parking Fees) Regulations and shall come into force upon publication in the Gazette.

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

   “Act” means the Nairobi City County Transport Act, 2020

   “automatic charging’ means the use of any electronic or telecommunication device by which a user may make a payment for car parking to the County

   “Committee Member” means the County Executive Committee Member responsible for transport of the Nairobi City County Government;

   “County” means the Nairobi City County Government

   "Parking slots" means designated areas for parking of vehicles either on-street or off-street

   "Loading/ offloading zones" means areas approved by Chief Officer for loading and/ or offloading goods

   "Reserved parkings" means areas approved by Chief Officer for private parking

   “Chief Officer” means the chief officer responsible for transport within the Nairobi City County Government

   “Director” means the head of the Directorate of Traffic & Parking Management.

   “footway” means that part of a road constructed for the use of pedestrians;

   “PWD parkings” means parkings reserved for people with disability

   “public road” has the meaning assigned to it under the Act

   “parking fees” means fees collected either manually or electronically as per finance act as charges for parking

   “road” includes footways, signs, markings and the road reserve

3. Parking designated as County paid parking areas (daily, hourly or seasonal) shall be at prescribed fees as described in the Finance Act

DRAFT

4. (a) In the areas designated under section 3, the county shall indicate by signs or road markings the roads or parts of roads where on street parking shall be permitted

   (b) Where parking is permitted there shall be a fee payable to the county and this shall be indicated on signs or notices at such roads or parts of roads.

   (c) The county may put up signs and road markings within the parking designated areas under regulation 4 indicating that such places will not be used for parking.

5. (1) For each designated area the Chief Officer shall prepare plan showing the roads and parts of roads where car parking on the street is permitted at a fee.

   (2) The plan referred to in subsection (1) shall be approved by the Executive Committee Member

   (3) Any person may inspect the plan referred to in subsection (1)

6. (i) No person shall park a vehicle on a road in an area designated for parking and indicated as such without paying the prescribed parking fee or obtaining permit from the Chief Officer.
   (ii) Where a vehicle is parked on designated parking place with no payment of prescribed parking fee shall be clamped after which the motor vehicle shall be towed by an enforcement officer for safe custody
   (iii) Where the vehicle has been clamped or towed in pursuance of these regulation, the owner of such vehicle shall pay or cause to be paid to the county the fees specified in the Finance act
   (iv) Where the owner of the vehicle which has been towed according to the provisions of this regulation does not pay the fees and expenses due within a period of sixty days from the day on which the vehicle was towed, the County shall sell or otherwise dispose such vehicle by public auction
   (v) Notice of intended auction shall be placed in public media and the proceeds of such sale or disposal shall be used to recover the cost incurred by the county in towing, storage, unpaid parking fees and disposing of the vehicle
7. The Chief Officer may vary the parking charges as determined in the Finance Act from time to time.
8. Parking fee paid for particular vehicle shall not be transferable to another vehicle other than the one whose registration number is registered
9. PWD parkings shall only be used by vehicles with PWD stickers
10. Loading/offloading zones and reserved parking shall be designated by the Chief Officer upon approval of applications
11. The application requirements are as shown in Schedule 1
12. The application for loading zones may be declined or revoked if:-
    a. it is used for other purposes other than loading and offloading of goods
    b. used for trading purposes
    c. the applied loading zone is not within the property boundaries
13. Non-compliance with section 10, 11 &12 above, shall result to revocation of the authority to use of the facility.
14. Parking fee applicable under section 8 above, shall be as prescribed in the Finance Act
15. Exemptions for payment of parking fees shall be as contained in Traffic Act Cap 403 Part 6A
16. The Approval Process
    iv. An application is submitted to the Chief Officer
    v. The Director shall prepare a Technical Report with recommendations using the application form in Schedule 1

DRAFT

vi. The Chief Officer shall take consideration of the Technical Report to approve or reject the application.

Schedule 1

Application form for Loading Zones/ Reserved Parking

Attach the following information to the request letter: -

1. Details of applicant
   i) Name:…….
   ii) Address:……
   iii) Phone no……
   iv) Email ……
   v) Date:……
   vi) Type of Business:-……
   vii) Single business permit:-……
2. Description of the requested location of loading zone/ reserved parking
   i) Name of the street/ lane:-……..
   ii) Building Name:-……..
   iii) Plot No:-…….
   iv) Type of parking – Flush or angle parking: -……
3. Availability of the loading zone/ reserved parking requested
   i) The loading zone/ reserved parking applied for is available Yes No
   ii) If No, who has occupied the loading zone/ reserved parking

   Name of the occupier: -……

   - Approval ref. No……...Date:……..
4. Attachments required: -
   i) Lease agreement or property ownership documents
   ii) Copy of business permit
   iii) Copy of business registration documents

I certify that the above information is correct

Comments from County's inspecting officer……

……

DRAFT

Name:……...Signatures:……..Date:……

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 51 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations: -

14. THE NAIROBI CITY COUNTY (PUBLIC SERVICE VEHICLE TERMINAL) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Public Service Vehicle Terminal) Regulations and shall come into force upon publication in the Gazette.

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

"Act" means the Nairobi City County Transport Act, 2020

"Authorised officer" means the traffic police or a traffic marshal authorised by the Nairobi City County Government.

"bus station" means a place where public service vehicle routes converge and where passengers may interchange between routes and includes a place where routes may also terminate;

"Committee Member" means the County Executive Committee Member responsible for transport of the Nairobi City County Government

"Director" means the head of the directorate of transport.

"depot" means a place where public service vehicles begin and end their daily operations, may be parked when not in use and where vehicles may be maintained, cleaned and washed.

"Nairobi Metropolitan Area" means the counties of Nairobi, Kiambu, Murang'a, Machakos and Kajiado

"public service vehicle" has the meaning assigned to it under the Act, and excludes any vehicle designated as a bus rapid transit vehicle.

"public transport" has the meaning assigned to it under the Act;

"reward" means a payment made by any passenger for travelling in a public service vehicle"

"Route" means any of the bus routes contained in the Bus Route Network

"station" means an off-road location with at least basic facilities for passengers

"terminal" means a place at the start or end of a public service vehicle route at which a vehicle may stand for the purposes of the driver or for vehicle scheduling. In these regulations "station" and "terminal" means the same

DRAFT

"urban public transport service" means a service with an origin and destination in the Nairobi Metropolitan Area

"up country public service vehicle" means any public service vehicle that has a route originating or terminating outside the Nairobi Metropolitan Area

3. These regulations apply to all public service vehicles operating on a public road in Nairobi City County, irrespective of the authority that is responsible for the care and maintenance of that road.

4. The Committee Member shall designate the public service terminals for urban public transport routes and up-country public service vehicles and publish these in the Gazette.

5. Public service vehicle terminals thus designated under section 4 are listed in Schedules One and Two.

6. Any driver of a public service vehicle that enters a designated terminal shall abide by the rules of that terminal and shall obey the instructions of any authorised officer with regard to where: -

   a) passengers may alight;
   b) the vehicle may wait; and
   c) passengers may board

7. No person shall, except with written authority of the Committee Member
   a) establish or manage a public service vehicle terminus within the city;
   b) allow or authorize any land, car park or petrol station to be used as a terminal for the purpose of dropping off or picking up passengers.
   c) Operate a terminal within the Central Business District (CBD) for urban routes
8. Every Public Service Operator shall
   a. be required to have a depot
   b. Not pick and drop passengers on areas not designated as bus stops along a route
   c. Not operate a route that is not a designated bus route
9. For greater effectiveness of the implementation of these regulations the Committee Member will encourage private sector entities to partner with the county in the operation of public transport vehicle terminals.
10. No person shall park a public service vehicle at a terminal for more than forty minutes for urban routes
11. The driver of a public service vehicle when operating in any terminus shall: -
    d) proceed with speed of not more than 10km/hr into the terminal;
    e) not have the door open before the vehicle comes to a complete stop
    f) obey instructions issued by any authorised officer

12. No public service vehicle driver, conductor or any other person when plying for hire or passengers reward within any terminal shall importune any person to enter his public service vehicle by calling out, or otherwise employ any other person for that purpose.

13. When six or more persons are waiting to enter any public service vehicle at the designated stopping place or terminus, they shall form a queue and no person shall enter a public service vehicle or attempt to enter a public service vehicle ahead of any person in front of the queue.

DRAFT

14. Within a public service vehicle terminal, retailing activities shall be allowed as long as such activities take place in areas separated from the points where passengers are picked and dropped.

15. All public service vehicles entering a terminal shall display the route number and destination of the route that is being plied on the front side of the vehicle of at least 250mm wide.
16. (1) The operator of any public service vehicle that contravenes any of regulations 6 or 7, of these regulations shall: -
    a) On the first offence pay a charge to the County of fifty thousand shillings;
    b) On the second offence pay a charge to the County of one hundred thousand shillings;

(2) Any operator that fails to pay a charge in sub-regulation (1) shall have his operating permit revoked.

17. (1) A person who contravenes any of regulations 9, 10, 11, or 12 of these regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings.
18. The regulations repeal any other regulations or by laws in respect of public service vehicle terminals that may be in place.
19. For clarity, existing bus stations are listed in Schedule three.

DRAFT

Schedule 1 The following places are designated as Public Service Vehicle Terminals for urban public service routes

Name of terminus	Location
Kamulu	Ngundu/Kangundo Road
Kangemi	Muratha Road
Kenyatta National Hospital	Upper hill
Kibera	Ayani
Kibera	Olympic
Mwiki	Mwiki
Otiende	Otiende Estate
Outer Ring Road	Buru Buru
Riruta Satellite	Riruta
Westlands	Westlands

DRAFT

Schedule 2 The following places shall be designated as Up Country Public Service Vehicle Terminals

Name of terminus
Machakos Country Bus
Ngara

DRAFT

Schedule 3 The following places are determined as bus stations

Name of terminus
Central Bus Station
Hakati
Desai Road
Muthurwa
Muranga “A”
Muranga “B”

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Sections 13 and 14 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

15. THE NAIROBI CITY COUNTY (PERMIT TO OPERATE PUBLIC TRANSPORT SERVICE) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Permit to Operate Public Transport Service) Regulations and shall come into force upon publication in the Gazette.

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

"county" means the Nairobi city county

"Act" means the Nairobi City County Transport Act, 2020

"Authorised officer" means the traffic police or a traffic marshal authorised by the Nairobi City County Government.

"Authority" means the National Transport and Safety Authority

"Bus Route Network" means a plan gazetted by the CECM showing the public service vehicle routes

"Committee Member" means the Committee Member responsible for transport of the Nairobi City County Government

"Operator" means a sacco or a company authorised by NTSA to provide public transport services

"Public service vehicle" has the meaning assigned to it under the Act, and excludes any vehicle designated as a bus rapid transit vehicle.

"Public transport" has the meaning assigned to it under the Act

"Permit" has the meaning assigned to it under the Act

"Route" means any of the bus routes contained in the Bus Route Network

3. These regulations apply to all public service vehicles operating on a public road in Nairobi City County, irrespective of the authority that is responsible for the care and management of that road.

DRAFT

4. (i) No operator shall operate a public service vehicle unless a valid permit has been obtained from the County Government.

   (ii)A permit is required for every operator operating in the County

   (i) Any application for operating permit must be accompanied by the no of vehicles and capacities
   (ii) The CEC to publish guidelines and requirements for application of the permit

5. No person shall apply for a route service licence from the NTSA until an operating permit has been granted by the County.
6. (i) The Committee Member may place a limit on the numbers of operating permits granted on any route.

   (ii) In placing any limit, the Committee Member shall be guided by the route capacity demand and the need to minimise congestion on that public service route.

7. (i) An application for operating permit for a public service vehicle shall be made to the Committee Member by the operator

(ii) The application shall be on a form prescribed by the County Executive Committee Member and on payment of such fee as may be determined by the County from time to time.

(iii) The County Executive Committee Member may refuse to accept an application form, which does not meet the requirements of the act.

(iv) An application form shall be delivered to the County Executive Committee Member at least two calendar months before the date on which the operating permit is intended to take effect:

(v) Provided that the Committee Member may accept an application and issue an operating permit at any time upon payment of a late application fee in such sum as the County may determine.

8. (i) An application being made in accordance with the provisions of this act and on payment of an operating permit fee as stipulated by the county, the CEC shall issue an operating permit in the form set out in the First Schedule.

(ii) An operating permit issued under these regulations shall be for 5 years minimum as may be prescribed by the County.

(iii) An operating permit shall contain conditions relating to: -

(a) the specified route

(b) any other conditions as the CEC may determine

9. (i) The County Executive Committee Member shall establish an ad hoc technical committee to vet and advise on permit applications. The CEC on advise of the ad hoc committee may refuse to issue or renew a permit if-
   a) The applicant has been declared bankrupt or
   b) The public service vehicle to which the application relates is not licensed under part XI of the Traffic Act.
   c) the route capacity demand has already been met
   d) the addition of new operator would impact negatively on the existing operators
   e) the existing infrastructure is inadequate.

DRAFT

f) The requested route is not designated bus route network

10. A copy of the operating permit issued under the provisions of these regulations shall be displayed in a prominent and conspicuous place on all the public service vehicles operating under that permit.
11. Any operator shall be allowed to vary the number of vehicles up to a variance of 10% of the authorised route capacity. Any variation beyond 10% must be authorised by the CEC.
12. The CEC shall publish the capacity demands for every route annually. In case it is not published the population growth rate shall be used the calculate demand.
13. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding ten thousand shillings or a jail term not exceeding six months or both.

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2022)

IN EXERCISE of the powers conferred by Section 42 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

16. THE NAIROBI CITY COUNTY (COUNTY ROAD RESERVES) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (County Road Reserves) Regulations and shall come into force upon publication in the Gazette.

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

“Act” means the Nairobi City County Transport Act, 2020

“centre line” means an imaginary line running along the centre of road parallel to the edges of the road as shall be determined by the approved County sub-division;

“Committee Member” means the County Executive Committee Member for responsible for roads of the Nairobi City County Government;

“Director of Surveys” means the person employed by the Government responsible for mapping and surveying;

"encroachment" means occupation of a road or part thereof including in, on, above and below the road, for purposes other than traffic or any act approved by the County Executive Committee Member responsible for roads and includes, -

(i) Unauthorized erection of a building or any other permanent or temporary structure, balcony, porches, facades or projections on, over or overhanging the road;

(ii) Occupation of road, for storing building materials or goods of any other description, for parking automobiles for maintenance and repair, for exhibiting articles for sale, for erecting poles, awnings, tents, rostrums, hoardings, display boards statues, monuments of all kinds, steps, ramps and other similar structures or stabling domestic animals and poultry and cultivation of any kind including horticulture or for any other purpose;

(iii) Excavation or embankment of any sort made or extended on any road;

(iv) Dumping of solid waste and any materials which may cause hygienic and environmental hazards, letting of waste and polluted water or other effluents onto the road and using the road for bathing, washing, watering and defecating;

(v) Blocking, closing, choking or restricting water flow along the sides of the road or across it, either free flow or guided flow through drains, channels, conduits, sewers, cross drainage works such as culverts, weirs, or bridges; and

DRAFT

(vi) Blocking or closing of channels, streams or any water course which passes through any property, either private or public, and forming part of a natural water course which may result in accumulation of water on a highway causing damage to the road.

"Road reserve" means the area between two boundaries resulting from an approved subdivision by the Nairobi City County and should be fixed lines at either side of the Centre Line of the road;

"Public road" has the meaning assigned to it under Act

3. (1) Where a road has been classified as a county road under any applicable law, the County Executive Committee Member shall by order classify such road a county road.

(2) The County Executive Committee Member responsible for County Roads may by order-

(a) Designate particular roads for particular purpose taking into account an existing numbering system;

(b) divide a particular class of roads into subclasses

4. (1) A road reserve should have lines fixed at either side of the Centre Line of the road as may be determined by the Director of Surveys;

(2) The Committee Member may by order designate the distance in subsection (1) for each class of road;

(3) Where no designation has been made for a County Road the road reserve for that road shall be defined as a minimum of four and half mitres (4.5m) each side of the centre line of the road.

(4) Road reserves on county roads shall be demarcated by erection of approved beacons or other suitable marks of a durable nature at intervals all along the road in such a manner that the imaginary line joining, such stones or marks shall show the road reserve correctly.

(5) Where there are bends or links in the road boundary, the beacons or marks shall be so located as to give the correct configuration of the boundary when they are joined by straight lines.

(6) The beacons or marks shall be maintained on the ground as if they constitute part of the County Road.

(7) For the purposes of these regulations any land within the road reserve shall be deemed to be part of the road.

(8) For purposes of ensuring road safety at intersections the Committee Member can order for surrender of land at no cost to allow truncation in line with the sub-division guidelines.

(9) Any person who interferes or moves the beacons or marks is liable on conviction to a fine not exceeding Two hundred thousand shillings (Kshs 200,000) or to imprisonment for a term not exceeding six months or, both.

10. No person shall cause any encroachment on, in above or below a road reserve.

DRAFT

11. No Temporary Occupation Licence may be granted on, in above or below a road reserve

12 (i) If the Committee Member is satisfied that an encroachment has taken-place on a county road he shall serve a notice on the person responsible for the encroachment to remove the encroachment within such time as may be specified in the notice.

(ii) If the person fails to comply with the notice under subsection (1) the Committee Member or any officer authorised by him shall cause the encroachment to be removed, with the assistance of police, if required.

(ii) Whenever an encroachment is made for the purpose of exposing articles for sale or for opening temporary booth for vending or publicity or for other like purposes, the highway authority shall with the help of police, if necessary, have such encroachment summarily removed.

7. Where the Committee Member or any officer authorised by him remove or cause to be removed any encroachment or carry out any protective work in respect of such encroachment, the actual expenditure incurred for such removal or protective work together with fifteen per cent of such amount as overhead charges, shall be recovered from the person responsible for the encroachment, in the manner as may be prescribed.

8. (1) The Committee Member may permit limited use of land within a road reserve.

(2) Any permitted use under subsection (1) shall be deemed not be encroachment.

(3) Any permitted use under subsection (1) shall -

(a) Be of a nature that is temporary;
(b) Be for less than six months which can be renewed upon application.
(c) Shall not be assigned to any other person than the applicant
(d) Not be permitted if road maintenance or improvement works are or will be carried out at any time that coincides with the use of land within the road reserve.

9. Any approval granted hereto under section 7:-

(a) shall not be prejudicial to the powers of Nairobi City County to order amendment or revision or revoke the approval during the limited use without giving reasons thereto
(b) does not absolve the user or his agent from any mistakes, misrepresentation of facts or any other adverse conditions found on site.

10. The user shall indemnify Nairobi City County against any litigation that may arise during and after the limited use.
11. The user shall provide reflective traffic control warning signs displayed on both sides to warn the road user of the limited use and allow safety and traffic flow.

12. At any time when the road reserve is required for development, the limited use will cease with immediate effect and the user shall reinstate to such condition as it was in prior to the limited use being affected.

DRAFT

13. At the end of the time of any permitted limited use the land within the road reserve where that limited use has occurred shall be reinstated to such condition as it was in prior to the limited use being effected.

14. Any application for limited use of land in road reserve shall-

    (a) Be made in writing to the Committee Member
    (b) Be accompanied by the prescribed fee

16. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding six months or, both.

DRAFT

Scheduler One: Fees payable in respect of a limited use permit on land within a road reserve

Area covered by permit	Up to 3 months	Up to 6 months
Less than 10 sq.m.	KShs 5,000	KShs 10,000
10 sq.m to 1,999 sq.m	KShs 25,000	KShs 50,000
Over 2,000 sq. m.	Not permissible	Not permissible

DRAFT

Legal Notice No….

THE NAIROBI CTY COUNTY TRANSPORT ACT

(No. x of 2025)

IN EXERCISE of the powers conferred by Section 25 of the Nairobi City County Transport Act, the County Executive Committee Member for Transport makes the following regulations:-

17. THE NAIROBI CITY COUNTY (TAXICAB PERMIT) REGULATIONS, 2025

1. These regulations may be cited as the Nairobi City County (Taxi Cab Permit) Regulations and shall come into force upon publication in the Gazette.

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

“Act” means the Nairobi City County Transport Act, 2020

“Authorised person” means a traffic police officer or traffic marshal

“CBD” means the central business district of Nairobi as envisaged in the Act

“Committee Member” means the County Executive Committee Member responsible for transport.

“Sector” means the Transport, Roads & Public Works sector of the Nairobi City County Government

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

“permit” means a permit to operate a motor vehicle for commercial gain through the carriage of a passenger

“driver” means the person operating or person in control of a motor vehicle;

"Third Party Public Service Vehicle Insurance" means an insurance policy by that name issued in respect to a motor vehicle pursuant to the provisions of the Insurance (Motor Vehicles Third Party Risks) Act.

“public service vehicle” means any motor vehicle which—

(a) is licensed under Part XI to carry passengers for hire or reward; or

(b) plies for hire or reward or is let out for hire or reward; or

(c) is carrying passengers for hire or reward;

DRAFT

"taxicab Transport Sacco" means a taxicab Transport, Savings and Credit Co-operative Society registered under the Cooperative Societies Act.

3. These regulations apply to all motor vehicles operating for commercial gain on a public road in Nairobi City County, irrespective of the authority that is responsible for the care and maintenance of that road.

4. All taxicab operations in the city will be manage and regulated through Transport saccos or a Company that have met requirements under schedule 1

5. No person shall operate a taxicab for public transport services unless he or she is a member of a registered taxi cab Transport Sacco or a registered taxicab transport company.
6. No person shall operate a taxicab for public transport services unless he or she holds a permit issued by the Committee Member.

7. Application of a permit to be done only through Transport Sacco/Company under which the member is registered.

8. A Permit may be issued to any applicant: -

   (a) that fulfils all technical, operational and safety conditions in accordance with applicable laws and regulations;
   (b) whose motor vehicle permit is not currently revoked
   (c) Depending on Committee Member assessment on taxicab demand analysis.
   (d) Upon payment of non-refundable application fee as prescribed in the finance act

9. A permit will be accompanied by a compliance sticker with QR code or any other digital identifier as may be approved by the Committee Member

10. (1) An application for the grant of motor vehicle taxi permit shall –

   (a) be lodged with Committee Member
   (b) contain such information and be accompanied by such documents as are required by the approved form as listed in Schedule 1; and
   (c) be accompanied by the prescribed fee as shown in Schedule 3.

11. For the purpose of the list of documents listed in schedule one, the Committee Member will require verification of details to ensure-
   i. Safety standards are maintained
   ii. A database for the operators and motor vehicles is established and updated regularly.
12. An application for a permit may be made in an electronic format approved by the Committee Member.
13. The Directorate shall keep and maintain an updated database of all permit holders
14. A taxicab permit may be issued –

   (a) for a period of one year, renewable annually;

   (b) for any part of the city designated by the Committee Member.

DRAFT

15. Permit payment at the county to be facilitated though respective transport sacco
16. An application for renewal shall be made within fifteen days of the expiry date of the current permit.

17. A taxicab permit issued to a taxi cab may not to be transferred to any other vehicle.

18. (1) The taxicab transport sacco permit, taxicab(s) for which a permit is issued under this regulation may not be changed without the approval of the Committee Member

(2) An application for an approval under subsection (1) shall be made in the prescribed form as listed in Schedule 4 and 5.

19. (1) A taxicab transport Sacco operational permit or taxicab permit may be revoked for one year if half of the members of a Sacco or a driver for isolated taxicab, contravenes any parts of the applicable laws and regulations.

(2) A taxi cab, Sacco or a company whose permit has been revoked may re-apply for a permit at the end of the period of revocation.

20. A company, transport sacco or taxicab permit may be suspended for three months if it contravenes any parts of these regulations.

21. The Committee Member may from time to time limit the number of taxicabs permits issued for the CBD taking into account mobility, safety and security.

22. The driver of a taxicab shall carry his permit at all times and show it to any authorised person if requested.

23. No taxicab shall –

(a) park or wait on a footway or junction in such a manner that it causes an obstruction to pedestrians

(b) park on or within a carriageway that is regulated for parking except where designated for taxicab picking and dropping.

24. A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to a fine not exceeding twenty thousand shillings for a first offence and a fine not exceeding thirty thousand shillings for every subsequent offence or a prison term not exceeding 6 months or both.

DRAFT

Schedule One

Documents required to accompany application for issuance of permit for operation as a taxicab transport Sacco.:

(a) Application Form

(b) Valid certificate of registration as a taxi Transport Sacco/Company

(c) Proof of Membership of at least 50 no taxicab operators

Schedule Two

Documents required to accompany application for a taxicab permit:

(a) Application Form
(b) Valid driver's licence
(c) Passport size photograph of applicant
(d) Registration document for the motor vehicle to be used as a taxicab
(e) Detailed verification document from the Committee Member to confirm the details presented for the taxicab
(f) A copy of the third-party public service vehicle insurance policy in respect of the same motor vehicle
(g) Valid inspection sticker

DRAFT

Schedule Three

Fees payable in Kenyan shillings in respect of a motor vehicle taxi permit or its renewal:- the charges are subject to change as per finance act

		One off /Re –admission (Ksh)	
1.0	**Transport Sacco/company**	50,000	
		One Year	
2.0	**App based taxicabs**	**Application fee(Ksh)**	**New/Renewal Permit fee(Ksh)**
	Means of propulsion		
a	Internal Combustion Engine	1000	8000
b	Electric	1000	**4000**

Schedule 4

Application Form with respect to taxicab Transport Sacco company Registration

Name of Applicant		
Certificate No. of Registration		
Membership		
Zone		
Current Membership details		
Members Name	Taxicab Registration number	Members driving Licence Details

DRAFT

Schedule 5

Application Form with respect to taxicab permit.

Name of Applicant		
Id of Applicant		
Means of propulsion (Internal Combustion Engine or Electric)		
zone		
Current taxicab details		
Drivers name(s)	Registration number	Drivers license details

DRAFT