

SPECIAL ISSUE

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REPUBLIC OF KENYA

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NATIONAL ASSEMBLY BILLS, 2019

NAIROBI, 5th April, 2019

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THE TRAFFIC (AMENDMENT) BILL, 2019

A Bill for

AN ACT of Parliament to amend the Traffic Act

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Traffic (Amendment) Act, 2019. Short title.

2. The Traffic Act, in this Act referred to as “the principal Act” is amended in section 2 by inserting the following new definitions in proper alphabetical sequence— Insertion of new definitions into Cap. 403.

“Class A” road has the meaning assigned to it in the Kenya Roads Act; No. 2 of 2007.

“Class B” road has the meaning assigned to it in the Kenya Roads Act; No. 2 of 2007.

“dual carriageway” means a road which has two or more lanes of traffic travelling in opposite directions and is separated by a central strip of grass or concrete down the middle to separate the two lots of traffic;

“highway” means a long road giving fast connection between two places;

“superhighway” means a dual carriageway highway, having at least four lanes, with two lanes on either side, and used by vehicles travelling at high speeds over long distances;

“slow moving vehicle” means a vehicle travelling at a speed of below seventy kilometres per hour.

3. The principal Act is amended by inserting the following new section immediately after section 94— Insertion of a new section after section 94 of Cap. 403.

94A. (1) Every superhighway shall—

(a) be classified either as Class A or Class B roads;

(b) have the lane to the extreme left reserved for slow moving vehicles;

(c) have the maximum speed limit set as follows—

- (i) one hundred kilometers per hour for public service vehicles including buses, mini-buses, coaches, motorcycles and light commercial vehicles; and
- (ii) one hundred and thirty kilometers per hour for motor -cars.

MEMORANDUM OF OBJECTS AND REASONS

Statements of the Objects and Reasons for the Bill

The principal object of this Bill is to amend the Traffic Act to make provision for the standardization of the use of all roads classified as superhighways.

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

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

Statement of how the Bill concerns county governments

The Bill does not concern county governments in terms of Article 109(3) of the Constitution as it does not contain provisions that affect the functions and powers of the county governments as set out in the Fourth Schedule to the Constitution.

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

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

Dated the 14th March, 2019.

JUDE NJOMO,
Member of Parliament.