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22/11/24



THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - THIRD SESSION - 2024

PUBLIC PETITIONS COMMITTEE

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 41 of 2023 REGARDING PUNITIVE CHARGES LEVIED BY THE KENYA NATIONAL HIGHWAYS AUTHORITY, BY HON. FRANCIS NGUGA, MCA

NOVEMBER 2024

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 27 NOV 2024	DAY: Wednesday
TABLED BY:	Hon. Nimrod Mbari (Chairperson)
CLERK-AT THE TABLE:	Lomale

Directorate of Legislative & Procedural Services
Clerk's Chambers
Main Parliament Buildings
NAIROBI

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CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it was my pleasant privilege and honour to present this House the Report of the Public Petitions Committee regarding Punitive Charges Levied by the Kenya National Highways Authority. The petition was conveyed to the House in accordance with Standing Order 225(2)(b) by the Speaker of the National Assembly on 14th June, 2023.

The Petitioner prayed that the National Assembly, through the Public Petitions Committee engages KENHA to; review the KENHA licensing framework for abnormal loads transportation by involving all relevant stakeholders, consider consolidating exemption licenses to be paid annually instead of quarterly, and release abnormal load transportation vehicles held at various police stations on account of non-conformity to the existing KENHA's licensing framework pending the review.

In consideration of the Petition, the Committee engaged the Petitioner, KENHA and undertook a site visit inquiry. Upon considering the petition, the Committee observed that rationale for special permits or licenses for abnormal loads is deterrence for the protection of the public road network and the provision of revenue streams for the maintenance of these roads.

The Committee recommends that the Cabinet Secretary in charge of Ministry of Roads and Transport undertakes the review of Kenya Roads (KENHA) Regulations of 2013 for the licensing of transportation of abnormal loads.

The Committee expresses appreciation to the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support during the discharge of its duties. The Chairperson extends gratitude to the Committee Members for their devotion and commitment to duty throughout the consideration of the petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.



HON. NIMROD MBITHUKA MBAI, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date.....20/11/2024.....

PART ONE

1 PREFACE

1.1 Establishment and Mandate of the Committee

The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:

- a) considering all public petitions tabled in the House;
- b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- c) recommending whether the findings arising from consideration of a petition should be debated; and
- d) advising the House and reporting on all public petitions committed to it.

1.2 Committee Membership

The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

Chairperson

Hon. Nimrod Mbithuka Mbai, M.P.
Kitui East Constituency
United Democratic Alliance (UDA)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.
Turbo Constituency
United Democratic Alliance (UDA)

Hon. Bernard Muriuki Nebart, M.P.
Mbeere South Constituency
Independent

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency
**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Bidu Mohamed Tubi, M.P.
Isiolo South
Jubilee Party (JP)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency
**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Caleb Mutiso Mule, M.P.
Machakos Town Constituency
Maendeleo Chap Chap Party (MCCP)

Hon. Ernest Kivai Ogesi Kagesi, M.P.
Vihiga Constituency
Amani National Congress (ANC)

Hon. John Bwire Okano, M.P.
Taveta Constituency
**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency
United Democratic Alliance (UDA)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency
Jubilee Party (JP)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency
United Democratic Alliance (UDA)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency
United Democratic Alliance (UDA)

Hon. John Walter Owino, M.P.
Awendo Constituency
Orange Democratic Movement (ODM)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency
**Wiper Democratic Movement-Kenya
(WDM-K)**

1.3 Committee Secretariat

The Public Petitions Committee was facilitated members of the secretariat:

Lead Clerk
Mr. Ahmed Kadhi
Principal Clerk Assistant II

Ms. Anne Shibuko
First Clerk Assistant

Ms. Miriam Modo
First Clerk Assistant

Mr. Willis Obiero
Clerk Assistant III

Mr. Isaac Nabiswa
Legal Counsel II

Ms. Patricia Gichane
Legal Counsel II

Mr. Martin Sigei
Research Officer III

Ms. Roselyne Njuki
Senior Serjeant-at-Arms

Mr. Paul Shana
Serjeant-at-Arms

Mr. Calvin Karungo
Media Relations Officer III

Mr. Peter Mutethia
Audio Officer

PART TWO

2 BACKGROUND OF THE PETITION

2.1 Introduction

1. Public Petition No. 41 of 2023 regarding Punitive Charges Levied by the Kenya National Highways Authority was conveyed by the Honourable Speaker on Tuesday, 14th June, 2023 on behalf of Hon. Francis Ngunga, the Member of County Assembly (MCA) for Mua Ward in Machakos County.
2. The Petitioner called for consolidation of licences issued by the Kenya National Highways Authority (KENHA) as well as comprehensive review of KENHA's licensing and levies regime. He was aggrieved by KENHA's issuance of exemption permits/licences for transport of abnormal loads that include road construction equipment such as excavators, bulldozers, rollers, and graders and other over-dimensional or heavy cargo. The Petitioner averred that KENHA unfairly instituted double charges that were punitive and regressive.
3. Hon. Ngunga described that KENHA charged low loaders for carrying loads that do not exceed ten tonnes but proceeded to levy additional charges if the load in question was a grader or a roller despite the grader or roller not exceeding the ten-tonne limit already paid for hence occasioning double charges and related inconveniences.

2.2 Prayers

4. The Petitioner prayed that the Committee engages KENHA to—
 - (i) Review the KENHA licensing framework for abnormal loads transportation by involving all relevant stakeholders;
 - (ii) Consider consolidating exemption licenses to be paid annually instead of quarterly; and
 - (iii) Release abnormal load transportation vehicles held at various police stations on account of non-conformity to the existing KENHA's licensing framework pending the review.

PART THREE

3 STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1 Petitioners

On Thursday, 28th September 2023, the Petitioners led by Hon. Francis Ngunga, appeared before the Committee and submitted as follows—

5. The petition was occasioned by the double charges levied by KeNHA on low loader transporters, which is punitive and regressive, thereby affecting the business operations of transporters.
6. KeNHA issued exemption licenses for transportation of abnormal loads including road construction equipment such as bulldozers, excavators, rollers and graders.
7. KeNHA charged low loaders for carrying loads not exceeding ten tonnes and proceeded to levy charges on machinery such as graders and rollers even when the set-out weight limit of ten tonnes was not exceeded.
8. A 17.5-meter low loader was being charged Kshs. 10,000 per month totalling to Kshs. 120,000 per year while a 19-meter low loader was being charged Kshs. 20,000 per machine per quarter year which was more expensive in permit payments.
9. The Traffic Act was meant for transporters carrying machinery to carry a particular weight and length and not the nature of the load carried.
10. KeNHA needed to review their licensing framework to have them issue annual consolidated licenses as opposed to quarterly ones and to release impounded low loader vehicles pending the review.

3.2 Kenya National Highways Authority

On 22nd November 2023, the Director General of KeNHA, Eng. Kungu Ndungu appeared before the Committee and submitted on the Petition as follows—

The Authority in conducting its mandate to manage, develop, rehabilitate and maintain national roads was guided by the Kenya Roads Act No. 2 of 2007, Traffic Act (Cap 403) and the East African Community Vehicle Load Control Act, 2016 and the accompanying Regulations.

11. The Authority had set up eleven (11) Static Weighbridge Stations, twenty-three (23) Virtual Weighbridge Stations on the National Trunk Road Network and twenty-three (23) mobile weighbridge teams across the country to monitor and ensure adherence to Axle Load Laws.

12. The concern of long queues at the weighbridges had been addressed by the installation of high-speed weighing motion. The system was able to flag suspected overloading which was then subjected to weighing and any violation was then prosecuted as per the provisions of the law. Further, the virtual weighbridges were able to collect and relay data hence minimizing inconveniences caused by long queues.
13. The exemption permits for movement of special vehicles were provided including weight or dimensions and were issued in writing to be carried with the vehicle in question during transportation under the authority of that permit. Additionally, various machinery had different dimensions hence the need for declaration for proper allocation of permits.
14. The transporters were allowed to apply for permits covering various equipment they were to transport. However, there was a challenge of some transporters carrying machinery that was not declared in the permit as a way of additional business which was against the law.
15. Vide Legal Notice No. 86 of 2013, the then Minister in charge of Roads gave approval for the Authority to charge levies for the issuance of exemption permits for movement of abnormal or oversized loads.
16. The charges levied were based on the weight of the cargo and not the vehicle itself as alluded to in the petition. The system would pick the higher measure between weight and dimensions and use that to generate only one invoice at a time.
17. Noting that vehicles had different configurations, and the weight of the load varied as well, licenses and permits were issued for a particular cargo or load and no double charges were therefore incurred. This curbed overload and general safety of the road is maintained.
18. Initially the permit was issued as a one-off document for a particular journey but after extensive stakeholder engagements the Authority now issues quarterly permits, that allow for an unlimited number of trips during the period, for the movement of such special loads.
19. The adoption of quarterly as opposed to annual exemption permits was after consultation with the previous stakeholder engagement which included the transporters. Additionally, the application for the permits through the KENHA portal was seamless and enabled transporters to finalize the process online. Thereafter, the applicants were able to print the permit for verification while undertaking their transportation business on the roads.
20. To facilitate trade and faster movement of vehicles, the Authority had automated the exemption permits application process where customers can access the

services from the comfort of their homes and get a permit within 24 working hours of application.

21. Oversized vehicles or protruding machinery carried on low-loaders could lead to the destruction of bridges and powerlines hence the need for the regulations to provide proper routes and timing for such kinds of transportation.
22. The regulations and administrative guidelines were aimed at protecting the expensive road assets worth about Kshs. 3 trillion and safeguard the safety of the public and structures during transportation of abnormal and special loads.
23. The Authority was cognizant of the need for review of the existing licensing framework and was in the process of drafting proposed levies for forward to the Cabinet Secretary in charge of the Ministry for Roads and Transport pursuant to section 22(d) of the Kenya Roads Act, 2007. Additionally, all stakeholders would be involved by way of public participation pursuant to the provisions of the Constitution.
24. The vehicles impounded for non-conformity with the licensing framework followed due process and the accused persons issued with notices to attend court within seven (7) days and the vehicles could only be released with leave of the court.
25. Additionally, there were only three (3) vehicles in custody awaiting prosecution in court. After impounding the vehicles in violation of the regulations, KENHA referred them to Office of the Director of Public Prosecutions (ODPP) for prosecution in court which had the discretion on the fines charged of up to Kshs. 400,000 depending on the infringement.
26. The revenue collected by KENHA through permits, levies, or fines was ploughed back into the operations of the Authority. The Authority was collecting about Kshs. 320 million to Kshs. 370 million annually from exemption permits.
27. Despite measures put in place on road safety both at the design and construction stages to reduce road accidents, vandalism of road signs and driver behaviour remained major challenges. The Authority also acknowledged the need to standardize road bumps by the Department of Road Safety as a measure of reducing road accidents. The Authority was strict on the use of auxiliary lanes and did not allow vehicles weighing more than 3.5 tonnes on the auxiliary lanes.

On 15th December 2023, the Director Policy, Strategy and Compliance, Eng. Njuguna Gatitu, on behalf of the Director General appeared before the Committee and submitted as follows—

28. There was need for harmonization of the Traffic Act with East Africa Community (EAC) Vehicle Load Control (VLC) Act, 2016 on vehicle loading, a significant policy shift which required the input of the Cabinet Secretary for the Ministry of Roads and Transport.

29. The EAC VLC Act 2016 decriminalized overloading and hence a vehicle once determined to be overloaded was required to pay overload fees and thereafter correct the offending load before exiting the weighbridge. This was meant to facilitate trade among the EAC Partner States as weighbridges were deemed to be non-tariff barriers within the region.
30. The compliant trucks could be released as soon as they complied, a process which would take an hour or days, depending on how fast the transporter moved to clear the violation. This was an alternative to the lengthy court processes when dealing with cases of overloading. The Traffic Act was applicable in other road networks not covered by the EAC VLC, Act. Whereas overloading was decriminalized under the EAC VLC, Act, the issue of excessive dimensions remained criminalized under both Acts.
31. There was also need for amendment of the Traffic Act to decriminalize overloading on all public roads to promote and entrench the alternative dispute resolution (ADR) mechanism with regard to vehicle loading. However, the issue of dimensions remained under the criminal jurisdiction as is the case under the EAC Act to deter motor vehicle owners from altering vehicle dimensions in workshops.
32. The Authority has proposed amendment to the Traffic Act as follows:
- (i) Amendment to sections 55, 56 and 58 of the Traffic Act, Cap 403 to decriminalize overloading and replace with the provisions of Section 17 of the EAC VLC Act, 2016 which decriminalized overloading to avert resolution of disputes through the court process and create a harmonious way of doing business;
 - (ii) Introduction of the provisions of section 3 of the EAC VLC Act, 2016 to the Traffic Act to be applicable to all public roads. (Section 3 under EAC VLC Act only identified the Regional Trunk Road Network as set out in the First Schedule where EAC VLC Act was applicable);
 - (iii) Introduction of the provisions of sections 4,5,6,7 and 8 of the EAC VLC Act, 2016 into the Traffic Act Cap 403 on Legal Load Limits on all public roads and overloading fees; and
 - (iv) Amendment to the Traffic (Amendment) Rules, 2013 by aligning it with the East African Community Vehicle Load Control (Enforcement Measures) Regulations, 2018 to align to the harmonized Traffic Act and EAC VLC Act, 2016.
33. The Annual Revenue collected from Exemption Permits amounted to Kshs. 363,694,474.00 in FY2021/2022 and Kshs. 386,726,418.00 in FY 2022/2023, whereas monies collected from other charges i.e. fines, overload fees, weighbridge parking fees, road cuttings, road user fees and sale of tender documents amounted to Kshs 919,976,294.00 and Kshs 756,196,843.00

respectively over the same period. The monies were factored in the Authority's operational budget and the budget to support Axle Load Operations.

34. Regarding the reduction in annual revenue collection for fine and other charges from Kshs. 910,976,2894 in FY 2021/2022 to Kshs. 756,196,843 in FY 2022/2023, the Authority indicated that a reduction of the charges on fines was an indication of improved compliance.
35. Regarding the traffic experienced at different weighbridges, KeNHA indicated that there was limited congestion of any kind in the weighbridges and invited the Committee to visit sampled weighbridges to establish. The Authority had automated its systems to allow for weighing on motion and reduced human interaction. The data was transmitted real time to the headquarters. The axle loading system in place was exemplary as even other EAC Partner States were benchmarking with Kenya.
36. Regarding the heavy transporters using roads outside the KeNHA network, the Authority indicated that it was working with other roads agencies to curb noncompliance. For instance, the other road agencies were using mobile weighbridges. That about 98 per cent of transporters interacted with the weighbridges. However, the Authority was targeting to win the transporters into compliance by arrangements such as a two-tone allowance on weight to cater for extra weight occasioned by for example rains. The Authority was also working with the SACCOs of the local transporters to ensure compliance.

3.3 Kenya Transport Association

On 15th December 2023, the Chief Executive Officer (CEO), Ms. Mercy Ireri appeared before the Committee and submitted as follows—

37. Kenya Transporters Association Limited (KTA) was a business association of road transporters whose broad objective was to provide a common voice to articulate business constraints facing its members, while also contributing towards the realization of a safe, reliable, efficient, professional and environmentally friendly road freight industry in Kenya. The KTA involved transporters across the East African Community and even those transporting up to South Africa.
38. The laws allowed for exemption permits for abnormal cargo, but the KeNHA regulations were punitive when insisting on classifying cargo by their nature and not weight.
39. Despite the provision for online application of exemption permits, the process was draining, and transporters could not establish when their cargo would be released at the port due to the delay in processing of the permits.

3.4 Site Visit

On Friday, 13th September, 2024, the Committee conducted site visit at the KENHA headquarters at Barabara Plaza to observe the operations, coordination and management of the data centre for weighbridges across the country. The Committee also visited Mlolongo Weighbridges in Machakos County to observe the operations and management.

Submissions by KENHA during the Site Visit

40. KENHA was committed to protecting and preserving the road networks despite challenges posed by long queues at weighbridges across the country. They focused on developing systems to manage the weighbridges efficiently, minimizing inconvenience to road users.



Figure 1. KENHA team undertaking the Committee through the operations of the data centre.

41. There are a total of 11 static stations equipped with physical weighing scales for trucks, and 23 virtual stations that measure weight digitally. All data from these stations is transmitted to a central data centre, reducing the need for human intervention. The system is secure and can be audited to detect any violations related to axle load control.

42. When a vehicle is weighed, the system collects data such as the registration number, origin and destination, cargo type, axle weight, and an image of the vehicle. This information is processed for ticketing purposes. The system

automatically identifies compliant vehicles and flags noncompliant ones, which are then impounded until they meet the required standards.

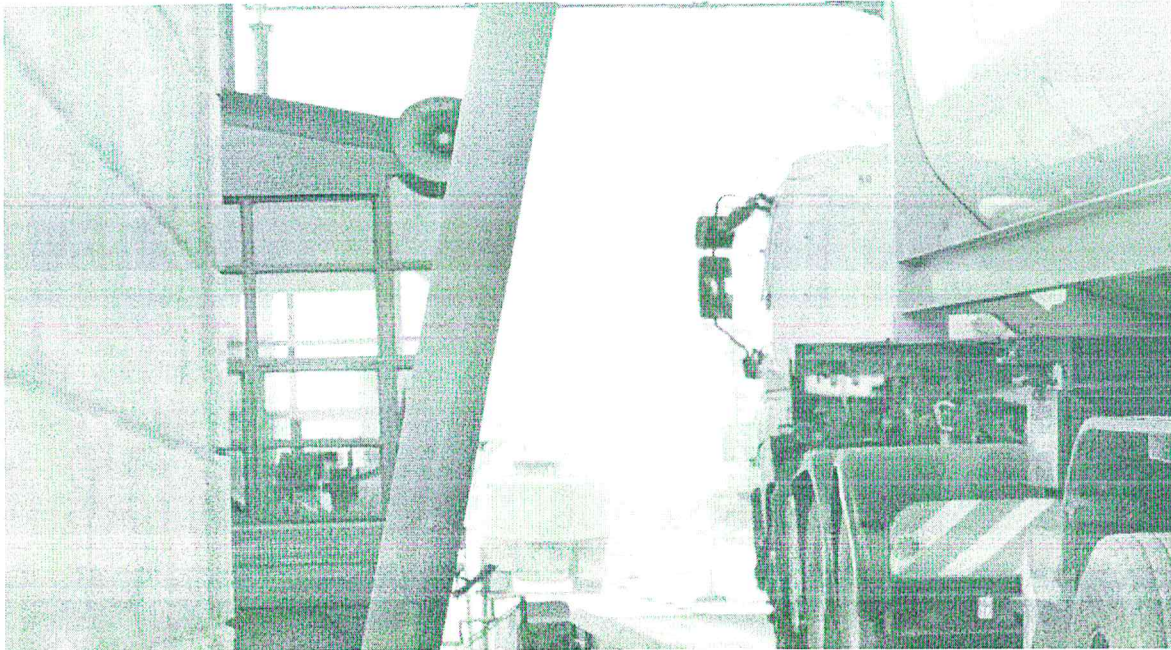


Figure 2. A vehicle undergoing axel load weight check at Mlolongo Weighbridge during the Committee's visit.

43. KENHA contracted different private companies to manage and monitor the data centre and the weighbridges.
44. The virtual system, introduced in 2018, has weighed over 251,338,000 vehicles and counting. It can also detect violations related to axle overload and gross vehicle overload, helping to assess the extent of road damage caused by these factors.
45. The data collected from the weighbridge systems also aids other government agencies, such as the Directorate of Criminal Investigations (DCI) and the Kenya Revenue Authority (KRA), in resolving cases, including fraud investigations.
46. The virtual weighbridge system, incorporated in 2018, was authorized by the East African Community Vehicle Load Control Act of 2016 and the Traffic Act of 2013. These laws allow the installation of digital devices to monitor road compliance. Additionally, the Traffic Act 2013 introduced Rule 41, which outlines the schedule of overload fines. The system was designed to comply with all existing regulations.
47. Virtual weighbridge stations do not have on-site resources to impound violators. However, both virtual and static stations are integrated, allowing overloaded vehicles detected at virtual stations to be flagged at static weighbridges. If a vehicle has a history of violations, it can still be impounded and held based on

previous offenses. Patrol vehicles are also deployed to track violators and ensure accountability.

48. The management, maintenance, and operation of weighbridge stations have been outsourced by KENHA. The management contractor is responsible for system operations, impounding violators, and imposing fines, while enforcement remains the responsibility of the police. Outsourcing has improved system efficiency by reducing internal interference, though the outsourced services remain under the supervision of KENHA, which retains overall responsibility.
49. KENHA has integrated its systems with other government agencies such as KRA to facilitate the collection of transit goods information. NTSA is also integrated into certain aspects of the system, while the DCI and Traffic Police can access information on a need basis.
50. Special goods that cannot be offloaded at a weighbridge, such as dangerous goods, incur fines that are four times higher for overloading, and repeat offenders are fined five times the standard penalty.
51. A permissible axle weight overload of 5% is allowed, as the law accounts for cargo shifting during transit. This tolerance is embedded within the system.
52. To facilitate faster trade among Partner States, the EAC Act requires transporters to clear impounded goods within three days, after which parking fees of USD 50 per day are charged.
53. In cases of overloaded vehicles, the EAC Act allows for the payment of overload fees through e-Citizen, in line with the law's schedule, and Rule 41 of the Traffic Act specifies overload charges. For example, overloading up to 1,000 kgs results in a Kshs 10,000 fine, while an overload of 10 tonnes or more is fined Kshs 400,000. Depending on the applicable road network, the violator is then cleared and released. If the overload exceeds five tonnes, a relief truck is used to offload the excess cargo before both trucks are weighed again to ensure compliance.
54. At static weighbridges, high-speed sensors filter out approximately 90% of compliant vehicles, reducing traffic on the manual weigh scales. Vehicles are only pulled in for manual weighing if noncompliance is detected by the sensors or if the sensors are not functioning. Road users have been sensitized on the use of the weighbridge lanes, but the ultimate solution is to equip every static station with a high-speed weighing sensor.
55. Revenue generated from overloading fines is automated and linked to the e-Citizen platform, where it is managed by the National Treasury. The income is then returned to KENHA as part of its budget. Automation has significantly reduced integrity concerns, as users are aware that fines can only be paid through the system.

56. The Authority has implemented measures to ensure the system's cybersecurity, including routine audits, reconfiguring access to reduce breach attempts, and enhancing firewalls for data protection.
57. The weighbridges were equipped with road sensors that detect details such as weight, length, and speed. This information is transmitted live to mini servers at the stations and then relayed to the data centre via internet connectivity. As a result, the facility can collect traffic data nationwide and ensure compliance with axle load control regulations.
58. Although the system can capture speed violations, KENHA cannot impound road users for speeding, as that falls under the mandate of the NTSA. The lack of enabling regulations prevents KENHA from enforcing speed-related violations, but the system can still assist with issuing instant fines.
59. KENHA proposed the decriminalization of overloading to enhance compliance by allowing offenders to offload excess cargo, pay the fine, and proceed without the need for court processes.
60. Since other agencies, such as KURA and KERRA, do not operate under the same EAC Act, KENHA has proposed a joint approach to ensure that all related agencies function under the same legal framework.

Observations

61. The axle load control centre receives real-time data from 11 static stations and 23 virtual stations, which are integrated to enable centralized monitoring around the clock.
62. The weighbridge is equipped with cameras to capture vehicle images. However, the road sensors were not functional at the Mlolongo Weighbridge following the interruptions occasioned by the construction of the Expressway.

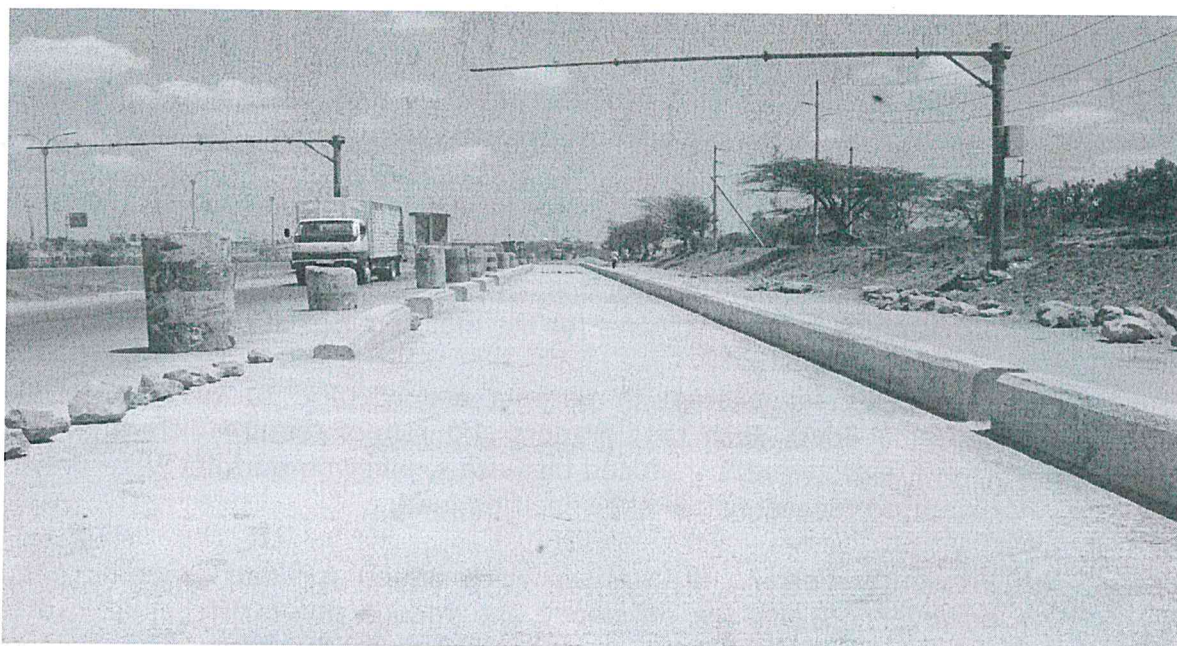


Figure 3. *High speed weighing lane at Mlolongo Weighbridge*

63. At the weighbridge station, vehicles are physically weighed on a scale, but the same data is simultaneously visible at the data centre in real time. The system categorizes vehicles in accordance with legal requirements, including passenger vehicles, trucks, buses, and others.



Figure 4. *Committee members during the site visit at Mlolongo weighbridge*

PART FOUR

4 COMMITTEE OBSERVATIONS

64. Arising from the engagement with the Petitioner and Kenya National Highways Authority (KENHA), and the site visit, the Committee made observations that—

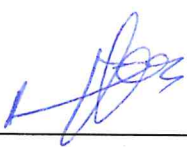
- (i) The rationale for special permits or licenses for abnormal loads is deterrence for the protection of the public road network and the provision of revenue streams for the maintenance of these roads.
- (ii) The levies for exemption permits are specific to the nature of the abnormal load, such that graders and rollers require different permits. These levies were introduced because exemption permits were previously exploited for more than one specified load.
- (iii) Previously permits or licences were issued for each specific passage, however, to improve efficiency and reduce non-tariff barriers to trade they were reviewed to apply on a quarterly basis. The process of application and renewal of the exemption permits for the transportation of abnormal loads has been made easy and accessible through the KENHA virtual portal.
- (iv) The Traffic Act, 2013 applies to all roads within the country, while the EAC Vehicle Load Control Act only applies to regional road trunk network as provided for in the First Schedule to the Act.
- (v) Under the provisions of the Traffic Act, overloading is criminalised, with recourse through the courts while in the EAC Vehicle Load Control Act, recourse on overloading is determined administratively by an authorised officer and fines are paid to the Authority.

PART FIVE


5 COMMITTEE RECOMMENDATIONS

65. Pursuant to the provisions of Standing Order 227, the Committee makes the following recommendations—

- (i) The Cabinet Secretary in charge of Ministry of Roads and Transport undertakes the review of Kenya Roads (KENHA) Regulations of 2013 for the licensing of transportation of abnormal loads and report on its findings to the House within ninety (90) days of tabling of this report.
- (ii) The Committee notes that the existing framework provides for quarterly renewal of licences was effected recently and has been made easy and accessible through the KENHA virtual portal. Therefore, the Committee rejects this prayer.
- (iii) The Committee notes that impounded vehicles are required to ensure compliance within three days as per the provisions of section 17 (6) of the East Africa Community (EAC) Vehicle Load Control (VLC) Act, 2016 and regulation 13 (2) of the EAC VLC (Enforcement) Regulations, 2018. Therefore, the Committee recommends that KENHA strictly adheres to the timelines for release of impounded vehicles.
- (iv) The Cabinet Secretary in charge of the Ministry of Roads and Transport makes legislative and policy proposals on harmonization of the relevant aspects of the Traffic Act with East Africa Community (EAC) Vehicle Load Control (VLC) Act, 2016 and present to the National Assembly within (90) days of tabling of this report.

Signed: 

THE HON. NIMROD MITHUKA MBAI, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 27 NOV 2024	DAY: Wednesday
TABLED BY: 20/11/2024	Hon. Nimrod Mbai (Chairperson)
CLERK AT THE TABLE:	Womale

ANNEXURES

- Annex 1: Adoption list
- Annex 2: Public Petition No. 41 of 2023 regarding Punitive Charges Levied by the Kenya National Highways Authority, by Hon. Francis Nguga, MCA
- Annex 3: Minutes of the 65th Sitting held on 28th September, 2023
- Annex 4: Minutes of the 83rd Sitting held of 22nd November 2023
- Annex 5: Minutes of the 92nd Sitting held on 15th December, 2023
- Annex 6: Minutes of the 58th Sitting held on 8th November, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION - 2024
PUBLIC PETITIONS COMMITTEE

ADOPTION SCHEDULE
OF THE REPORT ON CONSIDERATION OF PUBLIC PETITION NO. 41 of 2023
REGARDING PUNITIVE CHARGES LEVIED BY THE KENYA NATIONAL HIGHWAYS
AUTHORITY

DATE.....8TH NOVEMBER 2024

We, the undersigned Honourable Members of the Public Petitions Committee, do hereby affix our signatures to this Report on the consideration of **Public Petition No. 41 of 2023 regarding Punitive Charges Levied by the Kenya National Highways Authority** to confirm our approval and confirm its accuracy, validity and authenticity:

NO.	NAME	DESIGNATION	SIGNATURE
1.	Hon. Nimrod Mbithuka Mbai, M.P.	Chairperson	
2.	Hon. Janet Jepkemboi Sitienei, M.P.	Vice Chairperson	
3.	Hon. Patrick Makau King'ola, M.P.	Member	
4.	Hon. Joshua Chepyegon Kandie, M.P.	Member	
5.	Hon. John Walter Owino, M.P.	Member	
6.	Hon. Ernest Ogesi Kivai, M.P.	Member	
7.	Hon. Maisori Marwa Kitayama, M.P.	Member	
8.	Hon. Edith Vethi Nyenze, M.P.	Member	
9.	Hon. Bidu Mohamed Tubi, M.P.	Member	
10.	Hon. Caleb Mutiso Mule, M.P.	Member	
11.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	Member	
12.	Hon. Peter Mbogho Shake, M.P.	Member	
13.	Hon. Suzanne Ndunge Kiamba, M.P.	Member	
14.	Hon. John Bwire Okano, M.P.	Member	
15.	Hon. Sloya Clement Logova, M.P.	Member	

