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*26/6/25*

**REPUBLIC OF KENYA**  
**THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT – FOURTH SESSION - 2025**

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**DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE**


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**REPORT ON;**  
**THE CONSIDERATION OF THE KENYA ROADS (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 31 OF 2024)**

**Published by:-**

**Clerk's Chambers**  
**The Directorate of Departmental Committees**  
**Parliament Buildings**  
**NAIROBI**

**JUNE, 2025**

 <b>THE NATIONAL ASSEMBLY</b> <b>PAPERS LAID</b>	
<b>DATE:</b> 26 JUN 2025 <b>DAY:</b> Thursday	
<b>TABLED BY:</b>	CHAPPELSON, SEPT
<b>CLERK-AT</b>	ON TRANSPORT & INFRASTRUCTURE
<b>TABLED AT</b>	WILLIS OBIERO

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## ABBREVIATIONS

ESIA - Environmental and Social Impact Assessment

IRAP - International Road Assessment Programme

KNBS - Kenya National Bureau of Statistics

KURA - Kenya Urban Roads Authority

NMT - Non-motorized Transport

WHO - World Health Organization

UNEP - United Nations Environment Programme

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SEA - Strategic Environmental Assessments

## **CHAIRPERSON'S FOREWORD**

The Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) was read a First Time on 19<sup>th</sup> June, 2024 and subsequently committed to the Departmental Committee on Transport and Infrastructure for consideration and reporting to the House pursuant to National Assembly Standing Order 127.

The principal objective of the Bill is to amend the Kenya Roads Act, (2007) to provide for designing and construction of designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways, which shall be separated from tracks for motorized transport. The Bill also provides that the enactment of the amendments shall take effect in 15 years' time to cater for already existing infrastructure.

Following the call for memoranda from the public through the placement of advertisements in the print media on 16<sup>th</sup> June, 2024, the Committee also invited relevant stakeholders to make submissions on the Kenya Roads (Amendment) Bill, 2024 vide a letter Ref: NA/DDC/TI/2025/002 dated 5<sup>th</sup> February, 2025. The Committee received submissions from the Ministry of Roads and Transport; Kenya Urban Roads Authority (KURA), Kenya Red Cross and the Environmental Civil Society Organizations and Advocates of non-motorized transport (NMT).

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during the consideration of the Bill. I wish to express my appreciation to the Committee Members and the Committee Secretariat for their resilience and devotion to duty, which made the consideration of the Bill successful. Finally, I wish to express gratitude to the Members of the public who submitted their views and comments on the Bill during public participation. Their views and comments indeed were vital in the consideration of the Bill.

On behalf of the Committee and pursuant to the provisions of Standing Order 199 (6), it is my pleasant privilege and honor to present to this House the report of the Committee on its consideration of the Kenya Roads (Amendment) Bill, 2024.

**Hon. GK George Kariuki, CBS, MP**

**Chairperson, Departmental Committee on Transport and Infrastructure**

## CHAPTER ONE

### 1.0 PREFACE

#### 1.1 Introduction and Committee Mandate

1. The Departmental Committee on Transport and Infrastructure is established under the National Assembly Standing Orders No. 216 (1). The functions and mandate of the Committee as per Standing Orders, No. 216(5) include: -
  - a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
  - b) To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;
  - c) To study and review all the legislation referred to it;
  - d) To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
  - e) To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - f) To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No.204 (Committee on appointments);
  - g) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - h) To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
  - i) To examine any questions raised by Members on a matter within its mandate.
  - j) To examine treaties, agreements and conventions;
2. The subject matter of the Departmental Committee on Transport and Infrastructure are stated in the Second Schedule of the National Assembly Standing Orders as follows: Transport, including non- motorized transport and maintenance of Roads, rails, air and marine transport, seaports and national integrated infrastructure policies and programmes and transport safety.

## **I.2 Committee Subjects and Oversight**

3. The Committee is mandated to consider the following subjects as per the second schedule of the Standing Orders:

- (i) Transport, including non-motorized transport;
- (ii) Construction and maintenance of roads;
- (iii) Rails, air and marine transport; Seaports and national integrated infrastructure
- (iv) policies and
- (v) programmes; and
- (vi) Transport safety.

### **Oversight**

4. The Committee oversees the Ministry of Roads and Transport, which has three (3) state departments namely:

- i. The State Department for Roads
- ii. The Department for Transport
- iii. The State Department for Aviation and Aerospace Development

5. Further, Committee oversees the State Department for Shipping and Maritime Affairs which is under the Ministry of Mining, Blue Economy, and Maritime Affairs.

### 1.3 Committee Membership

6. The Committee comprises the following Members

The Hon. G.K George Kariuki, CBS, M.P - **Chairperson**  
Ndia Constituency  
**United Democratic Alliance Party**

The Hon. Mutua Didmus Wekesa Barasa, M.P- **Vice- Chairperson**  
Kimilili Constituency  
**United Democratic Alliance Party**

The Hon. Arama Samuel. M.P  
Nakuru Town West Constituency  
**Jubilee Party**

The Hon. Abdul Rahim Dawood, M.P.  
North Imenti Constituency  
**Independent**

The Hon. Naicca, Johnson Many, CBS, M.P  
Mumias West Constituency  
**Orange Democratic Movement Party**

The Hon. Elsie Muhanda, M.P.  
Kakamega County  
**Orange Democratic Movement Party**

The Hon. Francis, Kajwang' Tom Joseph,  
CBS, MP  
Ruaraka Constituency  
**Orange Democratic Movement Party**

The Hon. Chege John Kiragu, M.P.  
Limuru Constituency  
**United Democratic Alliance Party**

The Hon. Kiaraho, David Njuguna, M.P. OI  
Kalao Constituency

The Hon. Kiunjuri Festus Mwangi, M.P.  
Laikipia East Constituency  
**The Service Party**

The Hon. Bady, Bady Twalib, M.P  
Jomvu Constituency  
**Orange Democratic Movement Party**

The Hon. Abdirahman, Husseinweytan  
Mohamed, M.P.  
Mandera East Constituency  
**Orange Democratic Movement Party**

The Hon. Komingoi Kibet Kirui, M.P.  
Bureti Constituency  
**United Democratic Alliance Party**

The Hon. Saney Ibrahim Abdi, M.P  
Wajir North Constituency  
**United Democratic Alliance Party**

The Hon. Jhanda Zaheer, M.P  
Nyaribari Chache Constituency  
**United Democratic Alliance**



## **Jubilee Party**

### **I.4 Committee Secretariat**

7. The following Members of Staff service the Committee:

Ms. Tracy Chebet Koskei  
Principal Clerk Assistant II  
**Lead Clerk**

Mr. Mohamednur Mohamud Abdullahi  
**Clerk Assistant III**

Mr. Abdinasir Moge  
**Fiscal Analyst**

Mr. Eric Kariuki  
**Research Officer**

Mr. Clinton Sindiga  
**Legal Counsel II**

Ms. Clare Choper Doye  
**Clerk Assistant III**

Ms. Rihna Saineye  
**Media Relations Officer**

Mr. Danton Kimutai  
**Audio Officer**

Ms. Faith Makena  
**Serjeant at-Arms**

## CHAPTER TWO

### 2.0 BACKGROUND INFORMATION

#### 2.1 Introduction

8. The Kenya Roads (Amendment) Bill, 2024 seeks to ensure that the three Road Agencies, namely: Kenya National Highways Authority; Kenya Urban Roads Authority; and Kenya Rural Roads Authority and County Governments in Construction of roads, the Agencies and County Governments “design and construct designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.

#### 2.2 Situational Analysis

9. Kenya Vision 2030 is the Country’s development blueprint, aiming to transform Kenya into a newly industrializing “middle income Country providing a high quality life to all its citizens by the year 2030.”
  10. On Infrastructural development, Vision 2030 aspires for a Country firmly interconnected through a network of roads, railways, ports, airports, water and sanitation facilities and telecommunications. Further, the vision anticipates that it will become impossible to refer to any region of our Country as “**remote**”.
- 
11. Since 2009, Kenya has registered improvement in demographic indicators. From 1897, when the population was 2.5 million, the current population size is increasing by almost one million per year, from 37.7 million in 2009 to 47.6 million in 2019. Kenya’s population is projected to reach 57.8 million by 2030, 84.7 million by 2050, and 112.4 million by 2100.
  12. Kenya is urbanizing rapidly, with the percentage of urban population to total population having increased from 5.3 per cent in 1948 to 31.2 per cent, representing 14.8 million people in 2019. Additionally, the number of urban centres increased from 47 in 1969 to 372 in 2019. Kenya currently has five cities: Nairobi, Kisumu, Mombasa, Nakuru, and Eldoret.
  13. According to U.N. Habitat, by 2050, Kenya’s urban population is projected to reach 44 million people, which is close to half (46%) of the total country population, from an estimated current urban population of 13.8 million people.

### 2.2.1 Key Statistics on Road Infrastructure

14. The number of registered motor vehicles in Kenya in 2022 was 4,588,770 units, and 2.2 million motorcycles.
15. The WHO report on global status on road safety 2023 indicates that the African Region has the highest fatality rate at **19.4 deaths per 100,000** population, and the European Region has the lowest fatality rate at **7 deaths per 100,000 population**. In Kenya, the report indicates that the fatality rate is at **28.3 deaths per 100,000 population** with Kenya having the **fifth highest road fatality rate in the African Region** at 28.3, Comoros 29, Zimbabwe 29.8, Guinea-Bissau 30, Guinea 37 deaths per 100,000
16. The most vulnerable road users consisting of pedestrians, cyclists, motorcyclist and pillion passengers have faced a rising and acute risk of death on the roads. According to the Economic Survey 2024 by the KNBS there were 9,960 reported traffic accidents, 4,324 people lost their lives, 76.1% of the people who lost their lives being the vulnerable road users.

Table 1: Road Traffic Fatalities, 2023 (KNBS)

Category	Number of victims	Percentage
Pedestrians	1,591	36.8%
Motor Cyclists	1,133	26.2%
Passengers	739	17.1%
Drivers	382	8.8%
Pillion Passengers	393	9.1%
Pedal Cyclists	86	2.0%

### 2.2.2 Non-motorized transport

17. A report by United Nations Environment programme titled “walking and cycling in Africa” notes the following;
  - Africa is **the least safe place to walk and cycle in the world** - 261 pedestrians and 18 cyclists are killed every day.
  - The consistent **lack of essential infrastructure** makes the experience of walking and cycling difficult, unpleasant, and incredibly dangerous.

- Action for **road safety** includes the promotion of sustainable modes of transport, in particular safe walking and cycling. There is an urgent need for safer street designs to protect all individuals who walk and cycle.
- Walkable access to public transport is critical, especially for women, children, persons with disabilities and older persons who can only be guaranteed access if the walking environment is safe
- It is important to implement **sustainable multimodal** public transport systems – for which the inclusion of non-motorized connectivity and catchment zones is a key element.
- Of the roads in Africa assessed using the International Road Assessment Programme (IRAP) 5 star rating system, **95% fail** to provide an acceptable level of service for pedestrians and **93% fail** to provide an acceptable level for cyclists. Most roads are 1 star meaning that they have no cycle paths, no safe crossings and high vehicle speeds.
- Many of the people who walk and cycle in Africa feel that they are overlooked and undervalued by **traditional transport decision makers**.
- Taking action for people that walk and cycle is an urgent priority. Investment in walking and cycling has numerous environmental and health benefits. It reduces air pollution and encourages healthier, more active lifestyles

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18. WHO Global plan on decade of action for road safety 2021–2030 Safe road infrastructure is essential to reduce road trauma. Road infrastructure must be planned, designed, built and operated to enable multimodal mobility, including shared/public transport, and walking and cycling. The WHO action plan recommends the following actions to improve the safety of road infrastructure:

- Develop functional classifications and desired safety performance standards for each road user group at the geographic land-use and road corridor level
- **Review and update legislation** and local design standards that consider road function and the needs of all road users, and for specific zones
- Specify a technical standard and star rating target for all designs linked to each road user, and the desired safety performance standard at that location.
- Undertake road safety audits on all sections of new roads (pre-feasibility through to detailed design) and complete assessments using independent and accredited experts to ensure a minimum standard of three stars or better for all road users.

## CHAPTER THREE

### 3.0 OVERVIEW OF THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2024)

#### 3.1 Introduction

19. The Kenya Roads (Amendment) Bill, 2024 seeks to amend the Kenya Road Act, (Cap. 408), to provide for designing and construction of designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.
20. The object of this amendment is to ensure that the three Road Agencies, namely: Kenya National Highways Authority; Kenya Urban Roads Authority; and Kenya Rural Roads Authority and County Governments in Construction of roads, the Agencies and County Governments“ design and construct designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport

#### 3.2 Analysis of the Bill

21. The Bill contains eight (8) clauses for consideration:

- i. *Clause 1* of the Bill is the short title.
- ii. *Clause 2* of the Bill seeks to amend section 2 of the Act to provide for the definitions of the new terms introduced by the proposed amendments.
- iii. *Clause 3* of the Bill seeks to amend section 4 of the Act to make provision for the Kenya National Highways Authority to design and construct lanes for non-motorized transport in designated roads under its control.
- iv. *Clause 4* of the Bill seeks to amend section 7 of the Act to make provision for the Kenya Rural Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control.
- v. *Clause 5* of the Bill seeks to amend section 10 of the Act to make provision for the Kenya Urban Roads Authority to design and construct lanes for non-motorized transport in designated roads under its control. Further to make provision for county governments in the implementation of non-motorized transport infrastructure provision, such as side-walks, pedestrian crossings and cycle lanes, as part of its responsibilities.
- vi. *Clause 6* of the Bill seeks to amend section 22 of the Act to empower the road agencies to design and construct lanes for non-motorized transport.

- vii. *Clause 7* of the Bill seeks to amend section 46 of the Act to empower the Cabinet Secretary to make Regulations relating to the design and construction of lanes for non-motorised transport users.
- viii. *Clause 8* of the Bill seeks to amend Section 50 of the Act to introduce police enforcement powers on non-motorized transport infrastructure use, such as dedicated lanes for pedestrians and cyclists and ensuring the safety for non-motorized transport users.

#### Transitional Clause

- 22. A transitional Clause in the Bill provides that the enactment of the proposed amendments shall take effect in 15 years' time to cater for already existing infrastructure.

## CHAPTER FOUR

### 4.0 PUBLIC PARTICIPATION/STAKEHOLDER ENGAGEMENT

23. Following the call for memoranda from the public through the placement of advertisements in the print media on 16th June, 2024, and request to stakeholders to make comments on the Bill vide a letters, Ref. NA/DDC/ TI/ 2024 058 dated 24<sup>th</sup> September, 2024 and Ref: NA/DDC/TI/2025/002 dated 5<sup>th</sup> February, 2025; The Committee received submissions from various stakeholders among them;

1. The Attorney General
2. The Ministry of Roads and Transport;
3. Kenya Roads Board
4. Kenya Urban Roads Authority
5. Environmental Civil Society Organisations and Advocates Of Non-Motorized Transport (NMT)
6. Institution of Engineers of Kenya
7. Ms. Nazleen Gitonga
8. Mr. Dennis Munene
9. Mr. Brian Kinyua
10. Mr. Kevin Gesora

23. The comments by stakeholders are outlined below:

#### 4.1 Submission by the Attorney General

24. The Attorney General, vide a letter dated 12<sup>th</sup> November, 2024 while confirming that no Constitutional or legal issues arise from the Bill, proposed the following amendments:

##### Clause 5

25. That the Clause be redrafted as follows: *“County governments shall be responsible for the design, construction, and maintenance of non-motorized transport infrastructure, including cycling lanes and pedestrian walkways, on all existing and new roads under their control”.*

##### Observation

26. The Committee adopted the proposal as it would ensure that there is clarity on the role of County governments in the management of roads under their jurisdiction.

##### New Sub clause 11 (2)

27. Insert a new sub-clause 11A(2) to provide that non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

#### Committee observation

28. The Committee agreed with this amendment as it will enhance the safety of all road users.

#### Clause 6

29. **Insert a new sub-clause** “(aa)consult county governments on matters relating to non-motorized transport infrastructure on designated roads”

#### Committee observation

30. The Committee adopted this amendment as it specifies the modality of the intended cooperation between road agencies and county governments.

#### Clause 7

31. Proposed that the Clause be redrafted to read “*the Cabinet Secretary may make regulations for the design and construction of designated tracks for non-motorized transport , including but not limited to..*”

#### Committee observation

32. The Committee adopted the amendment as it is meant to maintain consistency of language used in the Bill.

### 4.2 SUBMISSIONS BY THE MINISTRY OF ROADS AND TRANSPORT

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33. The Cabinet Secretary for the Ministry of Roads and Transport, Mr. Davis Chirchir, accompanied by other Ministry officials appeared before the Committee on 10th April, 2025, and made submissions on the Bill. In his submission, he stated that the Ministry supports the amendments as the same is provided for in the Integrated National Transport Policy, Sessional Paper No.1 of 2012 which provides for non-motorized modes of transport.
34. The Cabinet Secretary noted that the amendments are in line with applicable Road Design Manuals. The Policy states that: "Steps will be taken to harmonize the non-motorized modes of transport and their concomitant infrastructure into the technical, legal and institutional mandates of existing Road Agencies, County Governments and relevant Ministries so that they can effectively play a complementary role to other transport modes."
35. The Cabinet Secretary proposed that the amendments be drafted to ensure compliance of the provisions within five (5) years as the same requires sufficient budgetary allocation and would affect ongoing implementation of road projects.
36. The Cabinet Secretary further urged Parliament to ensure there is sufficient budgetary allocation for the implementation of the amendments.



#### Committee observation

37. The Committee rejected the proposal to have the amendments to come into effect after five years and resolved that the amendments should come into effect immediately the Bill is assented to in order to guide the design of all projects going forward.

### **4.3 SUBMISSION BY THE KENYA ROADS BOARD**

38. The Kenya Roads Board in a submission dated 14th October 2024 supported the proposed amendments, noting that the implementation of the amendments will enhance road safety.
39. The Board also submitted that due to the high cost of road development and the preservation of assets through maintenance, the amendments should take a scientific approach to determining the optimal allocation of road investments, such as facilities for non-motorised transport. Further, the investments should target priority areas of the road network that would give maximum economic benefits to society at large.

### **4.4 SUBMISSION BY THE KENYA URBAN ROADS AUTHORITY**

40. The Kenya Urban Roads Authority in its submission dated 14<sup>th</sup> October, 2024 supported all the Clauses in the Bill indicating that the proposed amendments were apt and noted that the amendment to introduce police enforcement powers on non-motorised transport infrastructure use, such as dedicated lanes for pedestrians and cyclists and ensuring the safety of non-motorised transport users would ensure compliance by road users.

### **4.5 Submission by the Institution of Engineers of Kenya**

41. The Institution of Engineers of Kenya made their submissions on the Bill on 30<sup>th</sup> July, 2024 and proposed the following amendments

#### Clause 4

42. Insert a new paragraph ...that the Rural Roads Authority shall have the following functions and duties ...“(ab) *designing and constructing designated tracks for people living with disability*”

#### Committee observation

43. *The Committee adopted this amendment to requiring that one the road authorities function to include designing and constructing designated tracks for people living with disability to ensure that needs of people living with disability are provided for when designing and constructing roads.*

## Clause 5

44. Insert a new paragraph ...that the Urban Roads Authority shall have the following functions and duties ....“(ab) *designing and constructing designated tracks for people living with disability*”

### Committee observation

45. *The Committee adopted this amendment to requiring that one the road authorities function to include designing and constructing designated tracks for people living with disability to ensure that needs of people living with disability are provided for when designing and constructing roads.*

## Clause 6

46. Insert the words “cycling track” be included part of the designs and construction of non-motorised lanes by road agencies.

### Committee observation

47. The Committee adopted this proposal, which is meant to ensure consistency as per the definitions provided.

## Clause 7

48. Insert new paragraphs (e) and (f) that the Cabinet Secretary may make to make Regulations relating to“(e) *sustainable road principles (green infrastructure) and environmental considerations*”
- 

### Committee observation

49. The Committee adopted this amendment as it was meant to integrate environmental and social principles in road developments.

## **4.6 SUBMISSIONS FROM ENVIRONMENTAL CIVIL SOCIETY ORGANISATIONS AND ADVOCATES OF NON-MOTORISED TRANSPORT (NMT)**

50. The Environmental Civil Society Organizations and Advocates Of Non-Motorised Transport (NMT) submitted their views on 30<sup>th</sup> July, 2024 and indicated that it incorporated views from the following;

- 1) The Kenya National Water Resource Users Association;
- 2) National Environmental Civil Society Alliance of Kenya;
- 3) Stand Out Shout-Bonga na Gava Youth Network;
- 4) World Wide Fund for Nature Kenya (WWF Kenya);
- 5) Drylands Learning & Capacity Building Initiative;
- 6) East Africa Wildlife Society;

- 7) International Fund for Animal Welfare;
- 8) Mama Cycling;
- 9) Kenya Cycling Federation;
- 10) Flone Initiatives; and
- 11) The National Council for Persons with Disabilities.

51. The Civil Society proposed the following amendments

#### Clause 2

52. Include a definition of “*mobility assistance devices*” to refer to technological mechanical devices that help individuals with mobility impairments to walk or improve their overall mobility.

#### Committee observation

53. The amendment was adopted to provide clear definitions of mobility assistance devices not provided for in the Bill.

54. Include ‘tricycle’ in the definition of non-motorised vehicle

#### Committee observation

55. This proposal was adopted as “tricycles” are omitted in the definition of ‘non-motorised vehicles’.

#### Transitional Clause

56. Proposed that the enactment period for the amendments be shortened from 15 years to 5 years.

#### Committee observation

57. The Committee rejected this proposal as it noted that 5 years was too long and resolved that the amendments should come into effect when the Bill was assented to.

#### 4.7 SUBMISSION BY MS. NAZLEEN GITONGA

58. **Ms. Nazleen Gitonga**, a cyclist, submitted that the proposed amendments to the Kenya Roads Act of 2007 are crucial for enhancing the safety, inclusivity, and sustainability of our road infrastructure. She urged the Members of the National Assembly to support this Bill and facilitate its swift passage.

#### 4.8 SUBMISSION BY MR. DENNIS MUNENE

59. **Mr. Dennis Munene** thanked the involved parties that have helped in the progress of road development specifically, the bike lanes and pedestrian walkways. He stated that some students use bicycles as a means of transport to and from schools. He submitted

that cycling improves health and allows one to be alert which both are beneficial to a student. He suggested improving some of the roads that lead to various schools that allow students to cycle to and from school.

#### 4.9 SUBMISSION BY MR. BRIAN KINYUA

60. **Mr. Brian Kinyua** submitted that the proposed amendments to the Kenya Roads Act of 207 are crucial for enhancing the safety, inclusivity, and sustainability of our road infrastructure. He urged the Members of the National Assembly to support this bill and facilitate its swift passage.

#### 4.10 Submission by Mr. Kevin Gesora

61. **Mr. Kevin Gesora**, a cyclist, made his submission on 26<sup>th</sup> July, 2024 and indicated that he supported the Bill for the following reasons:

- i) Safety - dedicated NMT lanes will reduce accidents involving non-motorised road users and motor vehicles, thus enhancing road safety;
  - ii) Environmental benefits- promoting non-motorised transport can reduce carbon emissions and contribute to environmental sustainability;
  - iii) Health benefits – encouraging cycling and walking can improve public health by promoting physical activity; and
  - iv) Inclusivity—providing infrastructure for NMT ensures that all road users, regardless of their mode of transport, have safe and accessible roads.
-

## CHAPTER FIVE

### 5.0 COMMITTEE OBSERVATIONS

62. The Committee, having considered submissions received and analysed documents presented on the Bill, made the following observations:

- 1) The amendments proposed in the Bill are very progressive whose time has come as it seeks to enhance the safety of all road users and to promote sustainable road development;
- 2) The most vulnerable road users in Kenya, consisting of pedestrians, cyclists, motorcyclists and pillion passengers, have faced a rising and acute risk of death on the roads. According to the Economic Survey 2024 by the Kenya National Bureau of Statistics (KNBS), there were 9,960 reported traffic accidents, 4,324 people lost their lives, 76.1% of the people who lost their lives being the vulnerable road users. Additionally, according to a report by the National Transport and Safety Authority (NTSA) on fatalities from road accidents in 2025, as at 18<sup>th</sup> June, 2025, there were 2177 road crash fatalities reported; vulnerable road users account for 1990 (73%) of the road crash fatalities;
- 3) With the growth in population and the increased rate of urbanization, planning for non-motorised transport is essential during designing and construction of roads to provide cycling lanes and pedestrian walkways; and
- 4) The Bill is laudable as it provides for penalties for motorists and other road users who fail to use the roads as designed, which will help to enhance compliance.

## CHAPTER SIX

### 6.0 COMMITTEE RECOMMENDATION

63. Having considered the submissions, and analyzed documents presented, the Committee recommends that the House **approves** the Kenya Roads (Amendment) Bill (National Assembly Bill No. 31 of 2024) with amendments as per the schedule of amendments forming Chapter 7 of this report.

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## CHAPTER SEVEN

### 7.0 SCHEDULE OF AMENDMENTS

#### CLAUSE 2

(a) **THAT**, Clause 2 of the Bill be amended by—

inserting the following new definitions in their proper alphabetical order

“disability” has the same meaning assigned to it under section 2 of the Persons with Disabilities Act, No. 4 of 2025

“mobility assistance devices” means technological mechanical devices that help individuals with mobility impairments to walk or improve their overall mobility;

“pedestrian” means a person travelling on foot, by wheelchair or other mobility aids; and

### **Justification**

To provide new definitions relevant to the Bill-

(b) in the definition of “non-motorized vehicle” by inserting the word “tri-cycle” immediately after the word bicycle

### **Justification**

To include tri-cycle as a non-motorized vehicle.

### **CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph(aa)—

(ab) designing and constructing designated tracks for persons living with disability.

### **Justification**

To ensure that people living with disability are provided for.

### **CLAUSE 4**

**THAT**, Clause 4 of the Bill be amended in sub-clause (I) by inserting the following new paragraph immediately after paragraph (aa)—

(ab) designing and constructing designated tracks for persons living with disability.

### **Justification**

To ensure that people living with disability are provided for.

### **CLAUSE 5**

**THAT**, the Bill be amended by deleting Clause 5 and substituting therefor the following new clause:

1. Section 10 of the principal Act is amended in— (1) subsection (2) by inserting the following new paragraph immediately after paragraph (a)—	Amendment of section 10 of Cap.408.
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(aa) designing and constructing designated tracks for non-motorized transport for existing roads and new roads under its control, including cycling lanes and pedestrian walkways which shall be separated from tracks for motorized transport.	
(ab) designing and constructing designated tracks for people living with disability	

### **Justification**

To ensure that people living with disability are provided for.

### **NEW CLAUSE 5A**

**THAT** the principal Act is amended by inserting a new section immediately after Section 11:

11A. (1) The County governments shall be responsible for:

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(a) the design, construction, and maintenance of non-motorized transport infrastructure, including cycling lanes and pedestrian walkways, on all existing and new roads under their control; and

(b) The non-motorized transport infrastructure shall be separated from motorized transport tracks to ensure user safety.

### **Justification**

For clarity on the role of County governments in the management of roads under their jurisdiction.

### **CLAUSE 6**

**THAT** the Bill be amended by

(a) deleting (aa) and substituting therefor the following new clause—

(aa) consult county governments on matters relating to non-motorized transport infrastructure on designated roads.

(b) by inserting the words “cycling track” immediately after “cycling lane”

**THAT** CLAUSE 7 of the Bill be amended by:



(a) deleting the words “relating to” appearing in the proposed new section 46A and substituting therefor the words “including but not limited to—

### Justification

To maintain consistency of language used in the Bill

(b) by inserting the following new paragraphs immediately after paragraph (d)

(e) sustainable road principles and environmental considerations.

(f) promotion of technological innovation and advancements.

### Justification

To integrate environmental and social principles in road development

### CLAUSE 9

**THAT**, the Bill be amended by deleting clause 9

### Justification

That the law come into action soon after its assented to.

SIGNED.....  
DATE.....

**HON. GEORGE KARIUKI, CBS, MP**

**CHAIRPERSON**

**DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE**

