

**PARLIAMENT OF KENYA
THE SENATE**

BILL DIGEST

**KENYA ROADS (AMENDMENT) (NO. 3) BILL, 2025, NATIONAL ASSEMBLY
BILLS NO 34 OF 2025.**

Sponsor: Senate Majority Leader

Date of Passage by National Assembly: 7th October 2025

Date of First Reading in the Senate: 29th October ,2025

Committee referred to: Standing Committee on Roads, Transportation and Housing

Type of Bill: Ordinary

1. What is the Purpose of the Bill?

The Bill is intended to amend the *Kenya Roads Act, Cap 408* (the Act) to reclassify roads in Kenya and to provide for the responsibilities of county governments in regard to county roads. The Bill further amends the manner in which the Road Maintenance Levy is apportioned under the *Kenya Roads Board Act, Cap 408 A*.

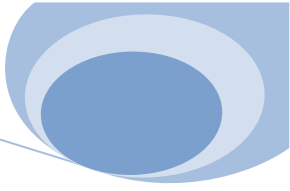
2. What informed the enactment of the Bill ?

The Bill is part of broader reforms aimed at aligning road infrastructure governance with the provisions of Constitution on devolved governance.

3. Overview of the Bill

The Bill seeks to amend the *Kenya Roads Act, Cap. 408* to reclassify public roads into two major categories:

- a) **National trunk roads; and**
- b) **County roads.**



The Bill requires that when a new road is established, the responsible authority must request its classification from the Cabinet Secretary, who must ensure the classification reflects the road's function and guarantees access across all regions.

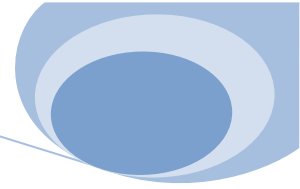
3.1 What are the responsibilities of the county governments in relation to county Roads?

County governments are tasked with the planning, development, rehabilitation, and maintenance of county roads. Their responsibilities include managing road reserves, facilitating access to roadside developments, implementing road-related policies, enforcing axle load regulations under the Traffic Act, and ensuring road works meet national standards. They also will oversee traffic management and road safety, collect and analyze data for planning, monitor road usage, and prepare investment and annual road works programs.

To ensure uniformity across the roads sector, each county government must implement national policies, standards, and guidelines issued by the Cabinet Secretary through legislation and administrative actions. The county executive committee member responsible for roads is specifically charged with overseeing all aspects of county road maintenance, rehabilitation, and development within their jurisdiction.

3.2 What other provisions are in the Bill?

The Bill provides that public roads must display signage that shows their classification, the level of government responsible for their maintenance, and the road code. The Cabinet Secretary is mandated to define the specific size and any extra details that must appear on these signs. The Bill prohibits any individual from including their name, image, or likeness on such signage, and doing so is a punishable offence with a fine of up to one million shillings, imprisonment for up to two years, or both.



3.3 How will the roads be classified?

The First Schedule provides that all Roads are classified into National Trunk Roads and County Roads. The National roads are further classified into A1 National Roads A2 Urban roads and A3 Rural Roads.

3.4 What do National Roads consist of?

The National Roads are the primary trunk roads. These roads are classified into three classes:

- a) **Class As** - highways connecting cities, cities to town or town to town.
- b) **Class A** - roads connecting international boundaries or international terminals like international ports.
- c) **Class B**- roads forming national routes linking county headquarters, and municipal headquarters to cities, to each other or to class A roads and inter county.

3.5 How are Urban Roads classified?

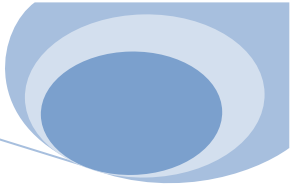
The Urban roads are grouped into three classes:

- a) **Class Au** - refers to major urban arterials that support fast, long-distance travel across cities with high safety standards.
- b) **Class Bu**- includes minor urban arterials that connect different city zones and serve central business districts and main bus routes.
- c) **Class Cu**- covers major urban collectors that link arterial roads to county roads, distributing traffic to residential and other defined areas.

3.6 What are the classification of rural roads?

Rural roads are classified into four categories-

- a) **Secondary National Trunk Roads (C)** roads connect major towns and form a continuous network with Class A and B roads;
- b) **Special Purpose (SP)** roads provide direct access to key national institutions and economic zones like schools, hospitals, and industrial areas;

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- c) **Security Roads (SR)** are designated for national security purposes by the Ministry responsible for Internal Security; and
 - d) **Last Mile City Roads (LM)** link arterial road to residential areas, completing urban traffic networks.

3.7 How are County Roads classified ?

County roads are classified into four categories-

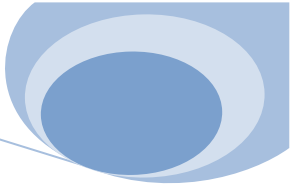
- a) **Class D** includes inter-ward roads linking wards and minor towns to sub-county centers and higher networks;
- b) **Class E** covers roads providing last-mile access to villages, markets, and homes, forming the bulk of Kenya's road network;
- c) **Class Du** refers to shopping and business streets in urban CBDs and suburbs with high pedestrian access; and
- d) **Class Eu** consists of local residential streets offering direct access to homes and supporting motorized transport.

3.8 Will the amendments affect any other Laws ?

Yes, the Bill proposes to amend Section 6(2) of the Kenya Roads Board Act, to change how the Road Maintenance Levy will be apportioned.

The allocation to the **Constituency Roads Fund** has been increased **from 22% to 25%**, enhancing direct funding to constituencies. While the **allocation for link roads between constituencies** has been reduced **from 10% to 7%**, and the **share for national roads administered by the National Highways Authority** has been adjusted **from 40% to 38%**. **Urban roads** funding has also been **reduced from 15% to 14%**.

Additional changes include a revision of the allocation for roads in national parks, which remains at 1%, but now includes a new provision of up to 1.5% for the Board's recurrent expenditure (previously capped at 2%).



Two new allocations have been introduced: **1.5%** to the department responsible for **road-related constitutional functions**, and **5% to county governments** under Article 202(2) of the Constitution.

3.9 What is the purpose of the funds allocated to the department responsible for roads

Funds allocated shall be used by the Cabinet Secretary to promote equity in road maintenance, respond to road-related emergencies, and cover oversight and administrative expenses.

3.10 Are there conditions attached to the funds allocated to county governments?

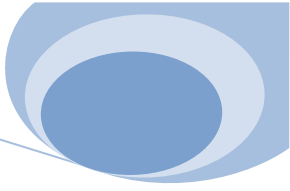
The Board is prohibited from disbursing funds to county governments unless the counties have designated a department for road works and opened a special account at the Central Bank of Kenya for these funds. Counties must also comply with national road standards and submit an annual road programme at least six months before the financial year begins.

The Board is tasked with defining the format and content of the annual road programme and must monitor and evaluate all projects funded. Additionally, the Board is empowered to take corrective or alternative actions to ensure compliance with the law and funding conditions.

4. Consequences of the Bill

The proposed amendments in the Bill, which introduce a new classification system that includes county roads and also allocates 5% of the road levy to counties, mark a significant shift toward strengthening devolution. Formally recognizing county roads, ensures counties have direct financial support for road projects, potentially improving rural connectivity, boosting local economies, and enhancing service delivery.

5. What next?



Pursuant to standing order 145(5) of the Senate Standing Orders, the Standing Committee on Roads, Transportation and Housing shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee submits its report to the Senate.

The Bill was read a First Time in the Senate on 29th October, 2025. Pursuant to standing order 148(1) of the Senate Standing Orders, the Committee is required to submit its report to the Senate within thirty (30) calendar days of the committal of the Bill to the Committee, therefore, by 28th November, 2025.

What is expected of the members of public?

The members of the public are expected to present their views to the Standing Committee on Roads, Transportation and Housing for its consideration.

Any comments on the Bill may be submitted to the Office of the Clerk of the Senate, 1st Floor, Main Parliament Buildings, Nairobi, Kenya, through P.O. Box 41842-00100, Nairobi, Kenya or email: clerk.senate@parliament.go.ke

Note:

1. The Digest reflects the Bill as published and does not cover any subsequent amendments to the Bill.
2. The Digest does not have any official legal status.