



REPUBLIC OF KENYA
NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – (FOURTH SESSION)

ORDERS OF THE DAY

TUESDAY, JUNE 23, 2020 AT 9.30 A.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *COMMITTEE OF THE WHOLE ASSEMBLY

Subject: Committee of the Whole Assembly

The Nairobi City County Transport Bill, 2019 (Assembly Bill No. 10 of 2019)

(Committee of the Whole Assembly)

(Hon. Osman I. Adow, MCA)

NOTICES

I. THE NAIROBI CITY COUNTY TRANSPORT BILL, 2019 (ASSEMBLY BILL NO. 10 OF 2019)

NOTICE is given that the Chairperson of the Sectoral Committee on Transport and Public Works intends to move the following amendments to the Nairobi City County Transport Bill, 2019(Assembly Bill No. 10 of 2019) at the Committee Stage—

LONG TITLE.

THAT, the Long Title of the Bill be amended by deleting the numerical “2019” and substituting therefor the numerical “2020”.

SHORT TITLE.

THAT, the Short Title of the Bill be amended by deleting the numerical “2019” and substituting therefor the numerical “2020”.

CLAUSE 2

THAT Clause 2 of the Bill be amended-

(a) in the definition of ‘heavy commercial vehicle’ to read ‘a commercial vehicle whose tare weight exceeds six thousand seven hundred and twenty pounds’

(b) in the definition of:

‘disability’ includes any physical, sensory, mental, psychological or other impairment, condition or illness that has or is perceived by significant sectors of the community to have a substantial or long term effect on an individual’s ability to carry out ordinary day to day activities

‘persons with disabilities’ in line with Art 1 CRPD to read as:

Persons with disabilities include those who have long term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

‘People with limited mobility’ means people who have transport difficulties but might not regard themselves as being disabled. These include for example the frail elderly, expectant women, parents with young ones, passengers with luggage, visitors or tourists and people with temporary impairment such as people with broken legs

- (c) Include in the interpretations ‘persons in vulnerable situations, which include persons with disabilities, older members of society, sick persons, children of tender age, and nursing and expectant mothers.

CLAUSE 3

THAT, Clause 3 of the Bill be amended by-

- a) Adding the word ‘accessible’ as to read ‘provide for adequate, accessible, safe and efficient public transport facilities

CLAUSE 6

THAT, Clause 6 of the Bill be amended in sub clause (1) by adding the words “the National Council for Persons with Disabilities as one of the agencies to be consulted on”

CLAUSE 7

THAT, Clause 7 of the Bill be amended: -

- a) by inserting the following words in sub clause (1) to read-

(1) The Plan shall be in timing and content with the County Integrated Development Plan (CIDP), County Spatial Plan and National Transport Policy.

- b) by adding new sub clause (k) immediately after (j)-

(1) Proposals of Trade Unions and other stakeholders in addressing the unique transport challenges faced by the capital city.

CLAUSE 8

THAT, Clause 8 of the Bill be amended: -

- a) by adding sub clause 1(c) and (d) immediately after sub clause 1 (b)

(1) An Officer from the Planning department in the position not below Director from Planning

CLAUSE 9

THAT, Clause 9 of the Bill be amended by: -

- a) deleting the word “professor” in sub clause 9(2)(j)
- b) removing the phrase “The Matatu Owners Association and Matatu Welfare Association and replace with ‘A representative of Public Transport Services Operators’ sub clause 9(2)(k)
- c) The CEO of the various road authorities and the Director General of NTSA should have the power to appoint an alternate or a person nominated by them

- d) by adding new sub clause (m) immediately after (o) to include a representative from the National Council for Persons with disabilities or a person with demonstrated expertise in the disability sector.

CLAUSE 15

THAT, Clause 15 of the Bill be amended by inserting the following new sub clause (d) immediately after sub clause (c)-

- (1) Contain a specific Non-Motorized Transport Plan that will be used to develop walking and cycling infrastructure, bicycle parking, car, free days and other emerging trends in non-motorized transport.

CLAUSE 31

THAT, Clause 31 of the Bill be amended-

- a) the clause title to read ‘Seats for persons with disabilities or with limited mobility’
- b) by adding a pictorial to be annexed in the Bill

CLAUSE 33

THAT, Clause 33 (1) of the Bill be amended by inserting (e) to read “not reaching its final destination as indicated on its road Service License RSL’

CLAUSE 35

THAT, the Bill be amended by inserting a new sub clause as follows-

- a) that provides for the penalty of operating without a designated uniform and lack of proper identification

CLAUSE 36

THAT, Clause 36 of the Bill be amended in sub clause (1) by inserting the words “the use of wheel chairs by persons with physical disabilities and for cycle lane markings and no motor vehicles be allowed on such lanes.”

CLAUSE 37

THAT, Clause 37 of the Bill be amended in sub clause (3) by deleting the words “eleven (11) days of having been received in the pound may either be sold, given away painlessly, destroyed” and substituting therefor the words “fourteen (14) days of having been received in the pound may either be sold, given away or destroyed painlessly”.

CLAUSE 49

THAT, Clause 49 of the Bill be amended by-

- a) inserting the words sub clause (1) “and for persons with disabilities.”

- b) Inserting a new sub clause (5) to read- “The County Executive Committee Member shall provide clear marked designated parking slots for persons with disabilities”

CLAUSE 53

THAT, Clause 53 of the Bill be amended by adding new sub clause (3) immediately after sub clause (2) to read -

- (a) A vehicle can only be towed for purposes of this clause by tow trucks or tow pickups that are property of the Nairobi City County which are clearly marked and labeled in county colors and vehicle registration. The occupants of the tow-vehicle must be in official county uniform

NEW CLAUSE 61 (1) (2) (3)

THAT, the Bill be amended by inserting a new clause as follows-

(1)- No sign, advertisement or billboard may be erected on a road or a footway or within a road reserve except: -

- a) On approval by the County Executive Committee Member on application made through a prescribed form and
- b) Upon payment of a prescribed fee

(2)- No sign, advertisement or board may be erected on a street/public lighting pole except: -

- a) On approval by the County Executive Committee Member on application made through a prescribed form and
- b) Upon payment of a prescribed fee

NOTICES

II. The Assembly resolved on Wednesday, 19th February, 2020 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on **Bills NOT sponsored by a Committee**, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

* **Denotes Orders of the Day** *
