

(Nairobi City County Legislative Supplement No. 17)

LEGAL NOTICE NO. 17

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. 3 of 2020)

THE NAIROBI CITY COUNTY (THREE WHEELED MOTORCYCLE TAXI, TUK
TUK) REGULATIONS, 2025

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THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. 3 of 2020)

IN EXERCISE of the powers conferred by section 68 (1) (g) of the Nairobi City County Transport Act 2020, the County Executive Committee member for the time being responsible for matters relating to Transport makes the following Regulations—

THE NAIROBI CITY COUNTY (THREE WHEELED MOTORCYCLE TAXI, *TUK TUK*) REGULATIONS, 2025

PART I — PRELIMINARY

Citation

1. These Regulations may be cited as the Nairobi City County (Three Wheeled Motorcycle Taxi, Tuk Tuk) Regulations, 2025 and shall come into operation on the date of publication.

Interpretation

2. In these Regulations, unless the context otherwise requires —

“Act” means the Nairobi City County Transport Act, 2020 (No. 3 of 2020);

“authorised officer” means a public officer in the service of the Nairobi City County Government who is designated in writing by the County Executive Committee Member to perform any function or exercise any power under these Regulations;

“Central Business District” means the area bounded by Haile Selassie Avenue, Ring Road, Nairobi River, Kipande Road, Thika Road, and Uhuru Highway;

“Chief Officer” means the Chief Officer for the time being responsible for Roads within the County;

“company” means an entity registered under the Companies Act to provide transport services, including the operation or management of three-wheeled motorcycles or related passenger transport services.

“County” means the Nairobi City County;

“County Executive Committee Member” means the County Executive Committee Member for the time being responsible for matters relating to Transport;

“Director” means the Director for the time being responsible for Transport in Nairobi City County;

“Directorate” means the County Government directorate responsible for transport;

“footway” means any portion of a road reserved, constructed or designated for pedestrian use, including sidewalks and footpaths, whether paved or unpaved;

“permit” means an authorization issued by the County to a person to operate a three-wheeler motorcycle for commercial purposes, specifically for the carriage of passengers for remuneration;

“public road” shall have the same meaning assigned to it in the Act;

“ride” means to operate, manage, or otherwise have control over a three-wheeler motorcycle;

“rider” means a person who operates, manages, or is in control of a three-wheeler motorcycle;

“road” includes the carriageway, footways, verges, drains, signs, markings and all land and structures within the road reserve;

“three-wheeled motorcycle” means any mechanically propelled or electrically powered vehicle with three wheels, the unladen weight of which does not exceed eight hundred (800) kilograms, used for the carriage of passengers or goods;

“three-wheeled motorcycle taxi” means a three-wheeled motorcycle used exclusively for carrying passengers for reward or hire, and does not include the transport of goods or parcels;

“Third Party Motor Vehicle Insurance” means an insurance policy issued for a three-wheeled motorcycle in accordance with the Insurance (Motor Vehicles Third Party Risks) Act, covering liability for injury or damage caused to third parties;

“Third Party Public Service Vehicle Insurance” means an insurance policy issued for a three-wheeled motorcycle operating as a public service vehicle in accordance with the Insurance (Motor Vehicles Third Party Risks) Act, covering liability for injury or damage caused to third parties;

“tuk-tuk” means a mechanically or electrically propelled three-wheeled motor vehicle capable of carrying passengers or goods;

“transport SACCO” means a Motorcycle Taxi Transport, Savings and Credit Cooperative Society duly registered under the Cooperative Societies Act;

“sector” means the Transport, Roads and Public Works sector of the Nairobi City County;

“zone” means an area of the road network designated for motorcycle operation by the County Executive Committee Member responsible for transport.

Objects and Purpose

3. The objects and purpose of these Regulations are to —

- (a) provide a legal framework for the safe, orderly, and sustainable operation of three-wheeled motorcycle taxis within the County;
- (b) promote road safety and protect passengers, riders, and other road users;
- (c) regulate the registration, licensing, and commercial operations of three-wheeled motorcycle taxis;
- (d) establish standards for vehicles, drivers, and operators;
- (e) prescribe fares, routes, and operating conditions; and
- (f) enhance the contribution of three-wheeled motorcycle taxis to accessible, affordable, and environmentally friendly urban mobility.

Application

4. These Regulations shall apply to all three-wheeler motorcycles commonly known as tuk-tuks providing public transport services on public roads within the County, regardless of the authority responsible for the care and maintenance of the road.

PART II— OPERATIONAL STANDARD

Designated Picking and Dropping points

5. No person shall operate a three-wheeled motorcycle from any location other than a designated passenger pick-up and drop-off point. Likewise, no passenger shall be picked up or dropped off outside the allocated motorcycle pick-up point.

Transport Saccos and Companies

6. (1) All three-wheeled motorcycle (tuk-tuk) operations within Nairobi City County shall be managed and regulated through Transport SACCOs or companies that comply with the requirements specified in the First Schedule to these Regulations.

(2) No person shall operate a three-wheeled motorcycle for public transport services unless they—

- (a) are a member of a registered Transport SACCO or company; and
- (b) possess a valid permit issued by the Chief Officer responsible for transport.

Designation of Zones

7. (1) The zones where three-wheeled motorcycles (tuk-tuks) may operate shall be as specified in the Fifth Schedule to these Regulations.

(2) The Chief Officer may, periodically, limit the number of motorcycle taxi permits issued for operation within the designated zones.

(3) The limitation in regulation 7(2) shall consider mobility, safety, and security factors as outlined in a technical report prepared by the Directorate.

Application for a Zone Permit

8. (1) An application for a zone permit shall be made by a Tuk-Tuk Transport SACCO or Company.

(2) A Tuk-Tuk Transport SACCO or Company shall submit its application to the Directorate using the prescribed form, for technical assessment and preparation of a report.

(3) The Chief Officer shall, upon receipt of the Directorate's technical report, consider the application for approval. A zone permit may be issued for a term of one calendar year, which may be renewed in accordance with the Act and these Regulations.

(4) The Chief Officer shall consider the following in evaluating the application —

- (a) the current and projected transport demand for the zone;
- (b) the supporting transport infrastructure within the zone;
- (c) mobility, safety, and security considerations; and
- (d) any other factors deemed relevant.

(5) An applicant SACCO or Company shall comply with the following conditions for the issuance of a zone permit, including but not limited to —

- (a) being licensed by the National Transport and Safety Authority;
- (b) fulfilling all technical, operational, and safety requirements in accordance with applicable laws and regulations;

- (c) having no previous or current zone permit revoked; and
- (d) payment of the requisite application fee as prescribed under the Act.

(6) The Chief Officer shall consider all zone permit applications within 28 days of submission and notify the applicant in writing of the decision.

(7) The County Executive Committee Member may, from time to time, define restricted areas for Tuk-Tuk operations within city zones, taking into account safety and security considerations.

(8) The County Executive Committee Member may, from time to time, limit the number of Tuk-Tuk permits issued within city zones, taking into account safety and security.

(9) A zone permit issued under this regulation shall not be transferable.

Withdrawal or Revocation of a Zone Permit

10. (1) A zone permit may be withdrawn by the Chief Officer on any of the following grounds—

- (a) gross violation of the requirements laid down in these Regulations by a Transport SACCO or Company;
- (b) provision of false or misleading information by the applicant SACCO or Transport Company.

(2) An operator whose permit has been revoked may re-apply for a zone permit at the end of the period of revocation, subject to compliance with all applicable requirements under these Regulations.

Three Wheeled Motorcycle Taxi Permit

11. An application for the grant of a three-wheeled motorcycle taxi permit shall—

- (a) be lodged with the Directorate responsible for transport by a Transport SACCO or Company of which the rider is a member;
- (b) contain all required information and be accompanied by the documents specified in Schedule 2, together with the prescribed application fee in accordance with the Finance Act.

(2) The Directorate shall, within five (5) working days of receipt of a complete application, prepare a technical report with recommendations and forward it to the Chief Officer for consideration.

(3) The Chief Officer shall, within seven (7) working days of receipt of the Directorate's report, either approve or reject the application and shall provide written reasons in the event of rejection.

Renewal of Permit

12. (1) A Tuk-Tuk operator permit or a three-wheeled motorcycle permit may be renewed upon application by the permit holder.

(2) The application for renewal shall be submitted to the Chief Officer responsible for transport at least fifteen (15) days before the expiry date of the current permit.

(3) The Chief Officer shall, within seven (7) working days of receipt of a complete renewal application, either approve or reject the renewal and shall provide written reasons in the event of rejection.

Suspension of a Zonal Permit

13. (1) The Chief Officer may suspend a zonal permit for a maximum period of three (3) months on any of the following grounds—

- (a) the applicant SACCO or Transport Company provides false or misleading information in its application for the permit;
- (b) a rider operating under the permit contravenes any provision of these Regulations.

(2) The Chief Officer shall notify the SACCO or Transport Company in writing of the suspension, including the reasons and the duration of the suspension.

Withdrawal, Review and Reapplication of Three Wheeled Motorcycle Permit

14. (1) A three-wheeled motorcycle permit may be withdrawn by the Chief Officer upon establishment of a gross violation of the requirements set out in these Regulations.

(2) An operator whose permit has been withdrawn may submit a written request for review to the Chief Officer within fourteen (14) days of the withdrawal decision.

(3) A rider whose permit has been revoked may re-apply for a permit at the end of the period of revocation.

(4) A withdrawn permit that has been successfully appealed shall be reissued upon payment of the required registration fee.

(5) A three-wheeled motorcycle permit shall not be transferable.

Records

15. (1) The Directorate responsible for transport shall establish and maintain a database of licensed operators and three-wheeled motorcycles operating in the County, in accordance with the Data Protection Act and other applicable legislation.

(2) The database shall be updated regularly to ensure accuracy and reliability.

Penalties and Offences

16. (1) No person shall—

- (a) park or wait with a Tuk-Tuk on a footway;
- (b) obstruct the pedestrian thoroughfare with a Tuk-Tuk;
- (c) park a Tuk-Tuk on or within a carriageway regulated for parking, except in areas designated for three-wheeled motorcycle taxi parking;
- (d) park a Tuk-Tuk in any area not designated as a Tuk-Tuk parking area; or
- (e) contravene the provisions of the Traffic Act or regulations issued by the National Transport and Safety Authority (NTSA).

(2) A person who contravenes any provision of this regulation commits an offence and shall be liable, on conviction, to a fine not exceeding twenty thousand shillings, or to imprisonment for a term not exceeding six (6) months, or to both such fine and imprisonment.

FIRST SCHEDULE

Documents required to accompany application for issuance of permit for operation as a TukTuk transport Sacco/Transport Company—

- (a) Duly filled Application Form
- (b) Valid certificate of registration as a TukTuk Transport Sacco/Transport Company
- (c) Proof of Membership of at least 20 no Motor cycles operators.

SECOND SCHEDULE

Documents required to accompany application for a three wheeled motorcycle taxi permit—

- (i) Application Form;
- (ii) Valid driver's licence;
- (iii) Passport size photograph of applicant;
- (iv) Photograph of three wheeled motorcycle to be used as a three wheeled motorcycle taxi clearly showing the registration plate;
- (v) Registration document for the three wheeled motorcycle to be used as a three wheeled motorcycle taxi;
- (vi) Details of a verification document from the Chief Officer to confirm the details presented for the three wheeled motorcycle to be used as a three wheeled motorcycle taxi;
- (vii) A copy of the third party public service vehicle insurance policy in respect of the same three wheeled motorcycle.

THIRD SCHEDULE

Form for adding or deleting a three (3) wheeled motorcycle with respect to a three (3) wheeled motorcycle permit.

Name of Applicant		
Id of Applicant		
Means of propulsion (Internal Combustion Engine or Electric)		
Permit Number		
<i>Current three (3) wheeled Motorcycle's details</i>		
Details of the three wheeled motorcycle included in the permit	Registration number	Attach photograph
<i>Three (3) wheeled Motorcycles to be removed</i>		

SCHEDULE FOUR

Fees payable in Kenyan shillings in respect of a three wheeled motorcycle taxi permit :-

Means of propulsion	One Year
Internal Combustion Engine	As prescribed in the act
Electric	As prescribed in the act

SCHEDULE FIVE

Designation of Zones

S/No.	Zone
1.	CENTRAL ZONE (Makadara, Kamukunji, Starehe & Matahare) No Tuk Tuk will be allowed in Central CBD
2.	NORTHERN ZONE (Westlands, Dagoretti South, Dagoretti North)
3.	EASTERN ZONE (Kasarani, Ruaraka & Roysambu)
4.	SOUTHERN ZONE (Embakasi East, Embakasi Central, Embakasi North, Embakasi West & Embakasi south)
5.	WESTERN ZONE (Kibera, Karen, Dagoretti south Kawangware, Lavington)

Made on the 11th November, 2025.

IBRAHIM NYANGOYA AUMA,
County Executive Committee Member for Mobility and Public Works.

