

NAIROBI CITY COUNTY ASSEMBLY

Committed to
transport Committee
on 12/12/2022



THIRD ASSEMBLY
(FIRST SESSION)



[PUBLIC PETITION PURSUANT TO STANDING ORDER 208]

BY HON. MARK MUGAMBI ON BEHALF OF DRIVERS IN TRANSPORT NETWORK TAXIS, HEREAFTER REFERRED TO AS ONLINE TAXIS, REGARDING DESIGNATION OF PASSENGER PICKING AND DROP OF SLOTS IN THE COUNTY, MORE SO IN THE CENTRAL BUSINESS DISTRICT.

WE THE UNDERSIGNED are Citizen of Kenya who ^{are} is a resident^s of Nairobi City County;

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the constitution of Kenya 2010 vests the legislative authority and oversight of the County governments in the County Assembly; and Article 46 provides that consumers have a right to goods and services of reasonable quality and have a right to protection of their health, safety and economic interests;

THAT, Part 2 of the Second Schedule of the Constitution confers the traffic and parking function to the County Governments; Section 88 of the County Governments Act, 2012 entitles the citizens the rights to petition the County Government on any matter that is within the scope of their mandates;

THAT WHEREAS, Section 27 of the Nairobi City County Transport Act, 2020 prohibits public transport vehicles from picking and dropping passengers at undesignated bus stops; and Section 46 and 47 of the Act further prohibits persons from parking on public roads in a manner that impedes traffic flow and strictly restricts parking to designated areas; the Sections particularly prohibits PSVs using undesignated areas as parking prior to obtaining authority from the County;

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THAT WHEREAS, the County Government has designated parking slots for within the CBD for *matatus* and stationery taxis and online taxis that provide equally important services lack authorized and designated slots to pick and drop off passengers;

THAT WHEREAS the County having yet to designate passenger pick and drop off points for online drivers, the County enforcement officers impounds these online taxis and arrests the drivers whenever they are providing this services to clients working in the CBD; hence, these drivers keep in motion around CBD roads in fear of arrest;

THAT WHEREAS these online drivers are compliant with all other pre-requisite statutory requirements for the provision of these services and efforts to address this matter with relevant executing authorities but the response have been unsatisfactory;

AND THAT, all the matters in respect of which the petition is raised is not pending before any court of law or constitutional body.

HEREFORE, your humble Petitioners **PRAY** that the County Assembly of Nairobi County intervenes and ensure that; -

- a. Require upon the County Executive to map out and re-organize taxi parking bays in the CBD and issue a public notice communicating designated taxi bays in the CBD in view of designating and permitting regulated access to selected pick and drop off slots for the online taxis; and
- b. Require upon the County Executive Roads, Transport and Public Works Sector to expedite the formulation of regulations pursuant to Section 68 (1) (f) of the Nairobi City County Transport Act, 2020 to provide for regulation of the operations; licensing; pick and dropping off and driver organization for both hail and online taxis in the County.

And your Petitioners will forever pray.

Presented by;

Sign:


Hon. Mark Mugambi, MCA

On behalf of;

- Organization of Online Drivers

And by extension;

- All residents of Nairobi County.

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