

SPECIAL ISSUE

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LEGAL NOTICE NO. 3

THE NYANDARUA COUNTY TRAFFIC AND TRANSPORT MANAGEMENT ACT,
2017

(No. 5 of 2017)

THE NYANDARUA COUNTY DESIGNATED AREAS, BUS PARKS AND
PARKING BAYS REGULATIONS, 2024

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THE NYANDARUA COUNTY TRAFFIC AND TRANSPORT MANAGEMENT ACT,
2017

(No. 5 of 2017)

IN EXERCISE of the powers conferred by Section 29(b) of the Nyandarua County Traffic and Transport Management Act, 2017, the County Executive Committee Member in charge of Road and Transport makes the following Regulations—

THE NYANDARUA COUNTY DESIGNATED AREAS, BUS PARKS AND PARKING
BAYS REGULATIONS, 2024

PART I — PRELIMINARY

Citation and Commencement

1. These Regulations shall be cited as the Nyandarua County Designated Areas, Bus Park and Parking Bays Regulations, 2024 and shall come into force upon publication.

Interpretation

2. In these Regulations unless the context otherwise requires —

“Authorized officer” means an officer of the county authorized to enforce these regulations;

“Bus stop” means a space designated on a carriage way by a sign and/or road marking where a bus may lawfully stop to pick and drop passengers;

“Carriageway” means that portion of a highway or road improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder;

“Executive Committee Member” means the County Executive Committee Member for the time being responsible for Roads, Transport and Public Works;

“Commercial vehicle” has the meaning assigned to it under the Traffic Act;

“County” herein-after to refer to the County Government of Nyandarua;

“Driving license” means a valid license to drive and/or operate a motor vehicle issued under the Traffic Act, and any document deemed to be a driver’s license by any rules made under the Traffic Act;

“Footway” means that part of a road constructed for use of pedestrians; “Motor cycle” means a two wheeled vehicle operated by motor with no pedals;

“Motor vehicle” means any mechanical propelled vehicle, excluding any vehicle running on a specially prepared way such as railway or any vehicle deriving its power from overhead electric power cables or as may be declared not to be a motor vehicle under the Traffic Act;

“Matatu” means a public service vehicle having a seating accommodation for not more than twenty-five passengers exclusive of the driver but does not include a private car;

“Matatu Sacco” means a saving and Credit Co-operative registered under the ministry of co-operatives development and marketing and authorized to take deposits from and lend to its members;

“Owner” in relation to a vehicle which is the subject of a hire -purchase agreement or hiring agreement, includes the person in possession of the vehicle under that agreement;

“Park” means bringing a vehicle to a halt and leaving it temporarily whether occupied or not;

“Passenger” means any an individual who has exchanged money for transportation services from a bus, taxi-cab, motor cycle, bicycle, or any other public service vehicle, as well as person other than the driver seated in motor vehicle;

“Public service vehicle” means any motor vehicle which—

- (a) is licensed under the Traffic Act to ferry passengers for hire or reward
- (b) plies for hire or reward or is let out for hire or reward; and
- (c) is carrying passengers for hire or reward.

“Public road” means any public road within the meaning of the Kenya Roads Act 2007 and includes any other road or way, or car park, or footway on which vehicles are capable of travelling and to which the public has access;

“Taxi-cab” means any public service vehicle constructed or adopted to carry not more than seven passengers, exclusive of the driver, which is registered under any laws relating to the licensing and operation of taxi cabs to ply for hire from a taxi rank or mother public place within the area where such laws are in force;

“Tuk Tuk” means a motor vehicle with three wheels propelled by an engine and capable of carrying passengers or goods;

“Utility” means services offered by any company for supply of electricity, internet, gas, water, or sewage services; and

“Vehicle” includes a motor vehicle, trailer and any other conveyance used on a road.

Object and Purpose

3. (1) The object and purpose of these Regulations is to operationalize the Nyandarua County Traffic and Transport Management Act, 2017, on the coordination and management of designated areas, bus parks and parking bays in the County.

(2) Without prejudice to the generality of the foregoing, these Regulations shall—

- (a) provide for adequate, accessible, safe and efficient public transport facilities within the county;
- (b) facilitate the management, planning and development of county transport facilities and infrastructure; and
- (c) provide a legal framework for county transport in order to give effect to the Act.

Application

4. (1) These Regulations apply to Roads and Transport System within the County and shall be read in conformity with all the existing traffic laws governing road use in the country.

PART III — OPERATIONS

Consent to Operate

5. A person who wishes to operate a public transport infrastructure or services in

the county shall obtain consent from the Executive Committee Member complying all the requisite procedures as provided in the Second Schedule and payment of all required fees as per the Nyandarua County Finance Act.

Operating Hours

6. The bus park shall operate from 0800hrs to 1800hrs a day and Mondays to Sundays.

Designated Areas/Points

7. (1) There are established areas/points within the county where picking and dropping of passengers shall be done for public service vehicles on all routes which must be adhered to as earmarked in the First Schedule.

(2) Any person who while in control of a vehicle drops or picks up passengers outside the designated dropping and picking points shall be liable of an offence under this Regulations.

Parking Spaces

8. (1) The parking spaces within the county shall be marked with yellow-colored strips and or designated as a parking area.

(2) Parking shall be within the areas provided for under Section 8(1).

(3) Any person who contravenes this provision shall be liable of an offence under these Regulations.

Parking Attendants

9. Parking attendants shall be at the parking areas and shall at all times put on a uniform and a badge for ease of identification.

Parking Tickets

10. (1) Parking tickets must be displayed conspicuously on the vehicle it is issued where applicable.

(2) Non-payment of the same will be punishable as deemed fit under the general penalties.

PART IV— RESTRICTIONS

Harassment

11. (1) A person shall not by use of force, intimidation and or threats prevent—

- (a) any person from obtaining or engaging a public transport vehicle;
- (b) a driver of a duly licensed public transport vehicle from picking or dropping passengers as per the designated areas;
- (c) the operation of any public transport vehicle which is lawfully operated.

(2) A person who contravenes this regulation commits an offence.

Service Lanes

12. (1) Every driver shall observe service lanes discipline.

(2) A person who contravenes this provision commits an offence under this Regulations.

Obstruction on carriage ways

13. A person commits an offence if he/she parks on the following carriage ways—
- (a) on a bridge or approach to a bridge;
 - (b) on any space designated as a fire lane except for emergency;
 - (c) on any public road posted with the sign 'No Parking' or in such manner so as to obstruct any emergency operations;
 - (d) on a footway;
 - (e) within a Ten meters radius of a zebra crossing;
 - (f) within five meters of a fire hydrant or any emergency designated area; and
 - (g) ten meters radius at a junction of a road.

Loading and Off- loading

14. A person shall not park a vehicle on any road unless designation for parking otherwise permits, except for the following purposes—

- (a) the loading or off-loading of goods from a commercial vehicle for a period not exceeding one hour; and
- (b) the loading or off-loading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding one hour.

Vehicle breakdown

15. Any vehicle which has broken down at a place not designated for parking, shall be removed within an hour by the owner, failing to, the vehicle shall be towed by any authorized officer(s) at the owner's expense.

Business activities on road sides

16. (1) Business activities that pose a threat to road users or cause obstructions on proper road use or hinder maximum usage of the roads shall not be allowed.

(2) Motor vehicle mechanical businesses, timber sales businesses and food vender businesses will be dissuaded from operating on the road sides or street back lanes.

(3) Upon issuance of a 28 days' notice to comply with this provision, the authorized officer(s) shall cause to move any structure(s) or ware(s) within the restricted area and any person who violates this provision shall be liable to an offence under this Regulations.

Foot ways

17. (1) A footway shall only be for the use by pedestrians.

(2) Any person who contravenes this provision shall be liable to an offence under the County Finance Laws.

Taxi zones

18. (1) The Executive Committee Member may put in place such measures as to have taxi cabs operating at a certain zone identifiable.

(2) The operator of a taxi cab shall not park the taxi cab upon any roadway other than within a taxi zone, unless such taxi cab is displaying 'Not for Hire' sign and the operator is out of the taxi-cab.

(3) A person who contravenes this provision shall be liable to an offence under this Regulation.

Power to remove a utility

19. The Executive Committee Member may require any person controlling any utility on, above or below a county road to remove that utility at his or her cost, or to allow the county to remove such itself and to recover the cost from the person in control of the utility.

Rights of passengers in a defective vehicle

20. (1) If a public transport vehicle becomes defective during a journey, or for any reason is unable to proceed on with the journey to the outlined destination, the operator of such defective vehicle shall—

- (a) take reasonable steps to ensure the security of the passengers and their wares;
- (b) provide an alternative vehicle within a period not exceeding one hour; and
- (c) offer an adequate refund of fare for the remainder of the journey.

(2) Any person who contravenes this provision shall be liable to an offence under these Regulations.

Prohibitions

21. (1) The following activities are prohibited on a public transport vehicle both for the crew and the passengers—

- (a) smoking;
- (b) drinking intoxicating liquor/abuse of drugs;
- (c) offensive or excessive loud music;
- (d) obscene or offensive language;
- (e) endangering the life of the passengers (reckless driving);
- (f) not reaching the final destination as indicated on its Road Service License RSL;
- (g) showing or displaying any pornographic material; and
- (h) any other activity prohibited by law.

(2) Any person who contravenes this provision shall be liable to an offence under this Regulations

Roadside advertisements

22. No advertisements or billboard(s) shall be erected on a road or a footway or within a road reserve except—

- (a) on approval by the Executive Committee Member upon application made through a prescribed form;
- (b) approval by other relevant Road Authorities in whose jurisdiction the road falls; and
- (c) payment of a prescribed fee as guided by the Finance Laws.

PART III—CLOSURE OF ROADS

Closure of roads

23. (1) The Executive Committee Member may order a county road be closed for a certain period of time in any direction for any class of traffic for construction or maintenance of the subject road.

(2) Prior to effecting any closure, the CECM shall—

- (a) put into place such signage as are adequate for proper warning to the road users; and
- (b) provide an alternative route.

(3) Activities that require the closure of a road section will require to have approval from the relevant authorities.

PART IV —MISCELLANEOUS PROVISIONS

Guidelines

24. The Executive Committee Member in consultation with relevant stakeholders shall develop guidelines for the better implementation of these Regulations.

General penalty

25. Any person who commits an offence under these Regulations for which no penalty is provided shall be liable to the set penalty(s) under the Nyandarua County Traffic Act and Finance Laws.

SCHEDULES

FIRST SCHEDULES- PARTICULARS OF DESIGNATED AREAS

(Section 7)

OL'KALOU SUB-COUNTY DESIGNATED AREAS

OL'KALOU MUNICIPAL TOWN

- (a) Bus Park Name: Ol'kalou Main Bus Park
- (b) Location: Ol'kalou, Nyandarua County

Designated Dropping and Picking Areas:

Ol'kalou- Nyahururu Route

- (a) At the bus stop near JM hospital junction
- (b) At Shell Petrol Station (full gospel road)

Ol'kalou- Njabini Route

- (a) At water and Sanitation office

Ol'kalou- Gilgil Route

- (a) Along the highway past the County headquarters offices

Ol'kalou- Nakuru

- (a) At the bus stop near Rushmore hotel

Designated Parking Bays

At the designated parks along the main roads and all the streets within Ol'Kalou CBD with parking spaces except residential areas.

CAPTAIN TOWN

- (a) Bus Park Name: Captain Bus Park
- (b) Location: Captain, Nyandarua County

GWA KIONGO TOWN

- (a) Bus Park Name: Gwa Kiongo Bus Park
- (b) Location: Mirangine, Nyandarua County

Designated Dropping and Picking Areas

Gwa Kiongo – Nakuru Route

- (a) Mirangine dairy plant

Gwa Kiongo – Oljororok Route

- (a) Tumaini junction

KIPIPIRI SUB-COUNTY DESIGNATED AREAS

MIHARATI TOWN

- (a) Bus Park Name: Miharati Bus Park

- (b) Location: Miharati , Nyandarua County

Designated Dropping and Picking Areas

Miharati – Rironi Route

- (a) Man Ngeche Building

Miharati – Ndunyu Njeru Route

- (a) After the first bump

WANJOHI TOWN

- (a) Bus Park Name: Wanjohi Bus Park

- (b) Location: Wanjohi , Nyandarua County

KINANGOP SUB-COUNTY DESIGNATED AREAS

NDUNYU NJERU TOWN

- (a) Bus Park Name: Ndunyu Njeru Bus Park

- (b) Location: Ndunyu Njeru , Nyandarua County

ENGINEER MUNICIPAL TOWN

- (a) Bus Park Name: Engineer Bus Park Engineer, Nyandarua County

- (b) Location: Engineer Bus Park Engineer, Nyandarua County

Designated Dropping and Picking Areas

Engineer -Olkalou Route

- (a) Ngunyu Petrol Station

Engineer -Naivasha Route

- (a) After Kanyugi bridge

Engineer- Njabini Route

- (a) After the bridge to Tulaga

NJABINI TOWN

- (a) Bus Park Name: Njabini Bus Park

- (b) Location: Njabini, Nyandarua County

Designated Dropping and Picking Areas

Njabini – Magumu Route

- (a) After Sasumwa Bridge

Njabini- Engineer Route

- (a) Sasumwa river

SECOND SCHEDULES: APPLICATION FORM FOR CONSENT FORM

(Section 5)



REPUBLIC OF KENYA
 COUNTY GOVERNMENT OF NYANDARUA
 OFFICE OF EXECUTIVE COMMITTEE MEMBER
 DEPARTMENT OF PUBLIC WORKS, ROAD,
 TRANSPORT, HOUSING & ENERGY



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 Email: admin-transport@nyandarua.go.ke

P.O. Box 701-20303
 Ol'Kalou
 Kenya

APPLICATION FORM FOR CONSENT FORM

Applicant's Name:		Date:
Address:		
Purpose for the Bill Board		
Proposed Size of the Billboard In Square Meters		
Proposed Position of Erection	
For Official Use Only		
Request denied for the following reasons	
Request Approved	Signed/Stamp: Date:	

THIRD SCHEDULES: ROADSIDE ADVERTISEMENT APPLICATION FORM
Section 22



REPUBLIC OF KENYA
COUNTY GOVERNMENT OF NYANDARUA
OFFICE OF EXECUTIVE COMMITTEE MEMBER
DEPARTMENT OF PUBLIC WORKS, ROAD,
TRANSPORT, HOUSING & ENERGY

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Of Kalou

Website: www.nyandarua.go.ke

Kenya

Email: admin-transport@nyandarua.go.ke

APPLICATION FOR ERECTION OF ROAD SIDE BILLBOARD

APPLICANT'S NAME:		DATE:
ADDRESS:		
Purpose for the bill board		
Proposed size of the billboard in square meters		
Proposed position of erection	
FOR OFFICIAL USE ONLY		
request denied for the following reasons	
	