

LEGAL NOTICE No. 63

## THE TRAFFIC ACT

(Cap. 403)

IN EXERCISE of the powers conferred by section 119 of the Traffic Act, the Minister for Power and Communications hereby makes the following Rules:—

## THE TRAFFIC (AMENDMENT) (No. 2) RULES, 1974

1. These Rules may be cited as the Traffic (Amendment) (No. 2) Rules, 1974.

Sub. Leg.

2. Rule 2 of the Traffic Rules (hereinafter referred to as the principal Rules) is amended by inserting between the definitions of "articulated vehicle" and "laden weight" the following new definitions—

"authorization permit" means a permit issued under rules 7 (5) and 94 of these Rules;

"foreign" in relation to any vehicle means a vehicle registered in a country outside Kenya;

3. Rule 7 of the principal Rules is amended—

(i) by the deletion of paragraph (4) and the substitution thereof of the following—

(4) Where a vehicle is registered in Burundi, Ethiopia, Rwanda, Somalia, Tanzania, Uganda or Zambia in addition to being registered under the Act, nothing in this rule shall be construed so as to prohibit the simultaneous exhibition of identification plates carried pursuant to the law of any such country and identification plates carried pursuant to section 12 of the Act.

(ii) by the addition of the following new paragraphs—

(5) (a) Any person who brings a foreign vehicle to Kenya by road or by other means shall report the presence of such vehicle to a licensing officer at the nearest point of entry or at any Government office where vehicle licences are normally issued and shall submit an application in the prescribed form for an authorization permit which shall be accompanied by the foreign vehicle registration book.

(b) For the purpose of this rule, the points of entry and exit shall be Lunga Lunga, Taveta, Namanga, Isebania, Busia, Malaba, Moyale, Liboi and Lamu.

(c) In the case of a private vehicle the licensing officer may issue to the applicant free of charge an authorization permit in the prescribed form valid for a period of seven days. If the owner of such vehicle desires to keep the vehicle in Kenya for a period exceeding seven days but not exceeding three months and there is not then in force in respect

of such vehicle an international certificate the Registrar may issue to the owner a licence for such vehicle on production of the authorization permit and on payment of a fee of one hundred shillings.

No such fee or any part thereof shall be refundable to the owner if the owner takes or sends the vehicle out of Kenya before expiry of the licence. On expiry of the licence the vehicle shall, on application by the owner, be registered and licensed in Kenya, or shall be removed from Kenya.

(d) In the case of a foreign commercial or public service vehicle in respect of which there is not in force an international certificate the licensing officer may, on payment of the appropriate fee set out in the Eleventh Schedule to these Rules, issue an authorization permit in the prescribed form valid for a period not exceeding fourteen days. On expiration of the authorization permit the owner shall apply for the registration and licensing of the vehicle in Kenya or shall remove it from or send it out of Kenya.

Provided that the Registrar may, on payment of the appropriate fee, issue a further authorization permit for a further period of fourteen days if the owner of the vehicle has not finalized arrangements for inspection of the vehicle or for removal of the vehicle from Kenya, or has not completed Customs formalities.

(6) When removing the vehicle from Kenya, the owner shall produce to the licensing officer at the nearest point of exit the expiring authorization permit or licence and if such permit or licence has expired a fee proportionate to the initial fee paid for such permit or licence shall be payable for each day the vehicle has been in Kenya after expiry of the permit or licence.

(7) Any person who contravenes or fails to comply with the provisions of paragraphs (5) and (6) of this rule shall be guilty of an offence and liable to a fine not exceeding six hundred shillings or, in default of payment, to imprisonment for a term not exceeding two months.

(8) The provisions of paragraphs (5) and (6) of this rule shall not apply to—

(a) foreign vehicles the property of the Community;  
and

(b) foreign vehicles owned or operated by Kenatco Transport Company Limited.

4. Rule 94 of the principal Rules is amended by inserting immediately after paragraph (2) the following new paragraphs—

(3) The owner of a motor vehicle referred to in paragraph (2) of this rule shall, on entering Kenya, obtain an authorization permit valid for a period not exceeding seven days in accordance with rule 7 (5) of these Rules and shall on expiry of such permit obtain an international circulation permit.

(4) Upon the expiry of the period or periods referred to in paragraph (2) of this rule the motor vehicle shall either be registered and licensed in accordance with Parts II and III of the Act or removed from Kenya.

5. The Principal Rules are amended by the insertion immediately after the Tenth Schedule of the following new Schedule—

ELEVENTH SCHEDULE

REPUBLIC OF KENYA

THE TRAFFIC RULES

(Sub Leg., rule 7 (5) and rule 94)

APPLICATION FOR AUTHORIZATION PERMIT  
FOR A FOREIGN VEHICLE

*Important.*—This form must be completed in BLOCK CAPITALS and sent to a licensing officer together with:—

- (a) Fee payable.
- (b) Foreign vehicle registration book.
- (c) Current certificate of insurance or cover note.

The form must be used for one vehicle only.

Full Name of owner .....

Occupation .....

Nationality .....

Postal address in Kenya .....

Telephone No. in Kenya (if any) .....

Locality where vehicle is to be kept .....

I/We hereby apply for a licence for the following:—

1. Registration Number
2. Is it private or commercial .....
3. Make and type of body .....
4. Colour .....
5. Year of manufacture .....
6. Chassis/Frame No. ....
7. Engine No. ....
8. Cubic capacity .....

9. Tare weight .....

10. Registration Book No. ....

I/We declare that the foregoing particulars are true and complete to the best of my/our knowledge.

Date ....., 19.....

Signature of applicant(s)

FOR OFFICIAL USE ONLY

FEE PAYABLE

**FEEES ON FOREIGN COMMERCIAL AND PUBLIC SERVICE VEHICLES**

(Rule 7 (5) (d))

<i>Vehicle tareweight</i>	<i>Fee for 14 days Amount in Sh.</i>
(a) Not exceeding 1,120 lb. ....	20
(b) Not exceeding 2,240 lb. ....	25
(c) Not exceeding 3,360 lb. ....	30
(d) Not exceeding 4,480 lb. ....	35
(e) Not exceeding 5,600 lb. ....	40
(f) Not exceeding 6,720 lb. ....	45
(g) Not exceeding 7,840 lb. ....	55
(h) Not exceeding 8,960 lb. ....	70
(i) Not exceeding 10,080 lb. ....	85
(j) Not exceeding 11,200 lb. ....	100
(k) Not exceeding 12,320 lb. ....	115
(l) Not exceeding 13,440 lb. ....	130
(m) Not exceeding 14,560 lb. ....	145
(n) For every additional 1,120 lb. tareweight or part thereof .....	20

**AUTHORIZATION PERMIT FOR A PRIVATE VEHICLE AND A VEHICLE CARRYING INTERNATIONAL CERTIFICATE**

(Rule 7 (5) (c))

**FREE**

Reg. No. .... No. ....

Name of owner .....

Address in Kenya .....

.....

Locality .....

Colour .....

Authorized to be in Kenya from ..... 19.....  
to ..... 19.....

Date ....., 19..... Issuing Officer  
Station

**AUTHORIZATION PERMIT FOR A FOREIGN COMMERCIAL  
OR PUBLIC SERVICE VEHICLE**

*(Rule 7 (5) (d))*

Reg. No. .... No. ....

Name of owner .....

Address in Kenya .....

Locality .....

Tareweight .....

Make and body .....

Authorized to be in Kenya from ..... 19.....  
to ..... 19.....

Fee: Sh. .... Issuing Officer  
Date ..... 19..... Station

**LICENCE FOR FOREIGN PRIVATE VEHICLE**

*(Rule 7 (5) (c))*

Licence No. ....

Fee: Sh. 100

Expiring .....

Make .....

Colour .....

Date .....

Collector .....

Station .....

Made this 22nd day of March, 1974.

I. E. OMOLO OKERO,  
*Minister for Power and Communications.*