

LEGAL NOTICE NO. 9

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) RULES, 1975

1. These Rules may be cited as the Traffic (Amendment) Rules, 1975.

Sub. Leg.

2. Rule 2 of the Traffic Rules (hereinafter referred to as the principal Rules) is amended by the deletion of the definition of "authorization permit" and the substitution therefor of the following—

"authorization permit" means a permit issued under rules 7 (6) and 94 of these Rules;

3. The principal Rules are amended by the deletion of paragraph (2) of rule 5 and the substitution therefor of the following new paragraph—

(2) On the first licensing of any vehicle, the applicant for such licence shall apply in Form A, and thereafter every application for a licence or transfer in respect of that vehicle shall be made in Form B, in the Second Schedule to these Rules.

4. The principal Rules are amended by the deletion of rule 7 and the substitution therefor of the following—

Identification plates.

7. (1) The following provisions of this rule shall apply to identification plates carried pursuant to section 12 of the Act and to plates carried for use under a dealer's general licence—

(a) every plate shall be rectangular in shape, save that the front plate on a motor cycle may conform to the curvature of the mudguard of the front wheel, and shall be fixed in such a position that the letters and numbers are upright;

(b) every vehicle other than a motor cycle or trailer shall have fixed thereon one identification plate on the front elevation thereof and one on the back elevation thereof; in both cases, the plate shall be fixed in a horizontal position at right angles to the longitudinal axis of the vehicle;

(c) every motor cycle shall have fixed thereon one plate on the mudguard of the front wheel in the same plane as the wheel and one plate at the back in a horizontal position at right angles to the longitudinal axis of the cycle; the front plate shall bear the identification mark on both sides;

(d) every trailer shall have fixed thereon one plate at the back in a horizontal position at right angles to its longitudinal axis;

- (e) the ground of every dealer's general identification plate on a motor vehicle used under the authority of a dealer's general licence shall be white, and the distinctive letters and numbers thereon shall be red;
- (f) every letter or number on an identification plate shall be not less than three and a half inches high and every part of every such letter and number shall be at least five-eighths of an inch broad; the total width of the space taken up by every such letter or number (except in the case of the letter "I" and the number "1") shall be at least two and a half inches:

Provided that in the case of the plate for a motor cycle the letters shall be not less than one and a half inches high, every part of every letter and number shall be at least five-eighths of an inch broad and the total width of the space taken up by every letter or number (except in the case of the letter "I" and the number "1") shall be at least one and a quarter inches;

- (g) the space between adjoining letter and adjoining numbers shall be half an inch, and there shall be a margin between the nearest part of any letter or number and the top and bottom of the plate of at least half an inch, and between the nearest part of any letter or number and the sides of the plate of at least half an inch in the case of motor cycles and at least one inch in the case of all other vehicles;
- (h) the space between the last letter and the first number, or vice versa as the case may be, shall be one and a half inches, and where the letters and numbers are in separate lines the space between the upper and lower lines shall be three-quarters of an inch.

(2) (a) Every motor vehicle or trailer first registered after 31st May, 1974, shall be fitted with reflective plates unless it is being operated under the authority of a dealer's general licence;

(b) where a motor vehicle or trailer is not, on 1st June, 1974, fitted with reflective plates, the owner thereof shall, on the first occasion after that date upon which an application is made for a licence for the vehicle or trailer, inform the licensing officer accordingly and apply for the issue of reflective plates to him;

(c) notwithstanding any other provision of these Rules, any reflective identification plates fitted to a motor vehicle or trailer after 31st May, 1974, shall be deemed not to comply with the provisions of these Rules unless—

- (a) they were issued by or on behalf of the Registrar; and
- (b) they bear the mark of authorization set out in the Eleventh Schedule to these Rules.

(d) The fee for each reflective plate issued by or on behalf of the Registrar shall be twenty-seven shillings and fifty cents.

(3) Any person who—

- (a) uses on a road a motor vehicle or trailer the identification plates of which are not clearly visible or legible; or
- (b) is the owner of a motor vehicle or trailer the identification plates of which are, by reason of damage thereto, illegible or which contain any letter or number other than the identification marks assigned to the vehicle or trailer (or any letter or number other than the identification marks authorized by the Registrar), or which do not comply with the provisions of this rule; or
- (c) fails to comply with the provisions of subparagraph (b) of paragraph (2) of this rule or fails to fit to the vehicle or trailer concerned identification plates issued under that paragraph, shall be guilty of an offence and liable to a fine not exceeding one thousand shillings.

(4) In this rule, "fitted with reflective plates" means carrying a set of two identification plates, as required by subparagraph (b) of paragraph (1) of this rule, comprising distinctive letters and numbers in black on a ground of reflective material which—

- (a) in the case of the plate on the front elevation or front mudguard of the vehicle concerned, is white; and
- (b) in the case of the plate on the rear elevation of such vehicle, is yellow.

(5) Where a vehicle is registered in Burundi, Ethiopia, Rwanda, Somalia, Sudan, Tanzania, Uganda, Zaire 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.

(6) (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, Mandera, Moyale, Liboi, Keekorok, Oloitokitok, Lwakhakha 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.

(7) When removing the vehicles from Kenya, the owner shall produce to the licensing officer at the nearest point of exit the 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.

(8) Any person who contravenes or fails to comply with the provisions of paragraphs (6) and (7) 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.

(9) The provisions of paragraphs (6) and (7) 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.

5. 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 (6) 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.

6. The Second Schedule to the principal Rules is amended by the deletion of Forms B and C and the substitution therefor of the following new form—

REPUBLIC OF KENYA

THE TRAFFIC ACT

FORM B

APPLICATION FOR:—(a) Road Fund Licence (see note 1 overleaf)

(b) Transfer of Ownership (see note 2)

(c) Change of Registration Particulars (see note 3)

N.B.—SECTIONS 1 and 4 to be completed in all cases.

SECTIONS 2 and 3 to be completed as applicable.

This form to be submitted in duplicate, see Note 4.

	FOR OFFICIAL USE ONLY
<p>J. DETAILS OF THE VEHICLE:—Include any changes since the vehicle was last licensed.</p> <p>Registration Mark and Number.....</p> <p>Make.....</p> <p>Class: Private .. <input type="checkbox"/> Goods <input type="checkbox"/> P.S.V. <input type="checkbox"/></p> <p>(If not private, VIR Number) <input type="text"/></p> <p>Vehicle type (see note 5 over).....</p> <p>Tareweight..... kgs.</p> <p>Carrying capacity.....passengers/.....kgs.</p> <p>Principal colour.....</p> <p>Engine ID Number</p> <p><input type="text"/></p> <p>Normally kept at.....Street.....Town</p> <p>Note here any other changes</p>	<p>Licence Expiry date.....</p> <p><input type="text"/></p> <p>VIR</p> <p><input type="text"/></p> <p><input type="text"/></p> <p><input type="text"/></p> <p>Location</p> <p><input type="text"/></p>

2. LICENCE APPLICATION (Cap. 403, section 16)

I apply for a licence for (tick one box)

4 months or 12 months, commencing
197.....
 (month)

Amount to pay

Sh.

--	--	--	--

Licence No.

--	--	--	--	--	--	--	--

4					
---	--	--	--	--	--

3. TRANSFER OF OWNERSHIP (Cap. 403, section 9)

Certified I have transferred the vehicle described above and its registration book to:—

Name

of (Postal Address) Box..... Town.....

Signed.....

Date..... Full Name.....

of (Postal Address) Box.....

Town.....

Amount to pay

Sh. ...

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Receipt No.

4. DECLARATION

I declare that the foregoing particulars are true and complete and that the above vehicle, Registration No..... is currently insured* by.....

Certificate No. ..

--	--	--	--	--	--	--	--

Name in full..... (25)
 (Block Capitals)

of Box..... (5) Town..... (15)

Date..... Signed.....

(Owner)

Ins. Co.

Checked by

--	--

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*Delete if vehicle not in use on road.

NOTES

1. *Application for licence for motor vehicle or trailer*

Complete sections 1, 2 and 4 of this form in full. The licence may be obtained from any outstation which undertakes to issue motor vehicle licences, provided the particulars on either page 4 or 5 of the registration book are correct and have been recorded by the Registrar.

2. *Application for transfer of ownership of motor vehicle or trailer*

Complete sections 1, 3 and 4. Section 2 need not be completed if a new licence is not required at the time of transfer of ownership.

3. *Change of registration particulars*

Complete section 1 of this form to show current particulars of the vehicle. Supporting documentation should be available for inspection where applicable (e.g. showing the source of a substituted engine). Section 4 must be completed in all cases, sections 2 and 3 only if applicable.

4.

Unless this application is completed in duplicate as indicated below, delay may occur in processing. This form may be used for one vehicle only. This application must be taken or sent to a licensing officer together with:—

- (a) Fee payable.
- (b) Registration book.
- (c) Current Insurance Certificate (*not* the policy).
- (d) Vehicle inspection report (commercial vehicles only).

Only cash, postal orders, bank orders or guaranteed cheques will be accepted for payment at Nairobi, and should be made payable to the Registrar of Motor Vehicles, P.O. Box 30440, Nairobi.

5. *Vehicle type: Indicate as applicable*

- | | |
|--|-----------------------------|
| 00 Saloon | 07 Trailer |
| 01 Station Wagon | 08 Roller, grader and Crane |
| 02 Pick-up | 09 Wheeled tractor |
| 03 Lorry | 10 Crawler tractor |
| 04 Bus | 11 Motor cycle |
| 06 Special Purpose—
Ambulance, Fire
Engine, etc. | 12 Three-wheeler |

LICENCE FEES ON VEHICLES

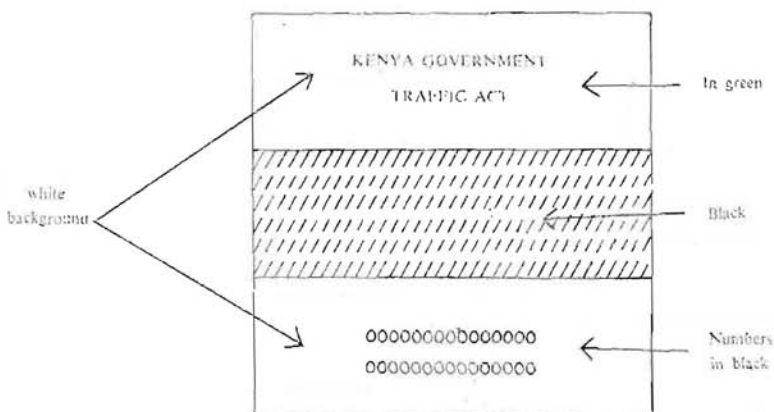
	Twelve Monthly		Four Monthly	
	Sh.	cts.	Sh.	cts.
1. For a motor-cycle without a sidecar	80	00	32	00
2. For a motor-cycle with a sidecar, and three-wheeled vehicles not exceeding 500 kg. tareweight	100	00	40	00
3. For a petrol driven motor vehicle of any kind not otherwise specified in this Schedule:—				
(a) not exceeding 1,000 kg. tareweight	200	00	80	00
(b) exceeding 1,000 kg. but not exceeding 1,250 kg. tareweight ..	250	00	100	00
(c) exceeding 1,250 kg. but not exceeding 1,500 kg. tareweight ..	350	00	140	00
(d) exceeding 1,500 kg. but not exceeding 1,750 kg. tareweight ..	400	00	160	00
(e) exceeding 1,750 kg. but not exceeding 2,000 kg. tareweight ..	450	00	180	00
(f) exceeding 2,000 kg. but not exceeding 2,500 kg. tareweight ..	500	00	200	00
(g) for every additional 500 kg. tareweight or part thereof ..	100	00	40	00
4. For a diesel driven vehicle the fee shall be twice that of a petrol driven vehicle of the same tareweight.				
5. (1) For trailers, other than trailers which are drawn exclusively by licensed land tractors:—				
(a) not exceeding 500 kg. tareweight	60	00	24	00
(b) exceeding 500 kg. but not exceeding 750 kg. tareweight ..	120	00	48	00
(c) exceeding 750 kg. but not exceeding 1,000 kg. tareweight ..	200	00	80	00
(d) exceeding 1,000 kg. but not exceeding 1,250 kg. tareweight ..	500	00	200	00
(e) exceeding 1,250 kg. but not exceeding 1,500 kg. tareweight ..	750	00	300	00
(f) exceeding 1,500 kg. but not exceeding 1,750 kg. tareweight ..	1,000	00	400	00
(g) exceeding 1,750 kg. but not exceeding 2,000 kg. tareweight ..	1,250	00	500	00
(h) exceeding 2,000 kg. but not exceeding 2,250 kg. tareweight ..	1,500	00	600	00
(i) exceeding 2,250 kg. but not exceeding 2,500 kg. tareweight ..	1,750	00	700	00
(j) exceeding 2,500 kg. but not exceeding 2,750 kg. tareweight ..	2,000	00	800	00
(k) for every additional 250 kg. tareweight or part thereof ..	100	00	40	00
(2) For trailers which are drawn exclusively by licensed land tractors	200	00	—	—
6. For a land tractor	40	00	—	—
7. For vehicles designed, constructed and used for the purpose of road construction, trench digging or any kind of excavating or shovelling work, which—				
(a) are used on public roads only for that purpose or for the purpose of proceeding to and from the place where they are to be used for that purpose; and				
(b) when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment	100	00	—	—
8. For vehicles designed and constructed as mobile cranes which—				
(a) are used on public roads only either as cranes in connection with work being carried on on a site in the immediate vicinity or for the purpose of proceeding to and from a place where they are to be used as cranes; and				
(b) when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment	100	00	—	—
9. For a public service vehicle for each passenger which the vehicle is licensed to carry, an additional fee of	10	00	—	—

7. The principal Rules are amended by the deletion of the Eleventh Schedule and the substitution therefor of the following new Schedule—

ELEVENTH SCHEDULE

AUTHORIZED MARK

(Rule 7 (2) (c))



APPLICATION FOR AUTHORIZATION PERMIT FOR
A FOREIGN VEHICLE

(Rule 7 (6) and Rule 94)

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

FEES ON FOREIGN COMMERCIAL AND PUBLIC SERVICE VEHICLES

(Rule 7 (6) (d))

<i>Vehicle tareweight</i>	<i>Fee for 14 days Amount in Shs.</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 (6) (c))

FREE

Reg. No. No.

Name of owner

Address in Kenya

.....

Locality

Colour

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

to 19..... *Issuing Officer*

Date, 19..... *Station*

AUTHORIZATION PERMIT FOR A FOREIGN COMMERCIAL
OR PUBLIC SERVICE VEHICLE

(Rule 7 (6) (d))

Reg. No. No.

Name of owner

Address in Kenya

.....

Locality

Tareweight

Make and body

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

to 19..... *Issuing Officer*

Fee: Sh. *Station*

Date, 19.....

LICENCE FOR FOREIGN PRIVATE VEHICLE

(Rule 7 (6) (c))

Licence No.

Fee: Sh. 100

Expiring

Make

Colour

Date

Collector

Station

Made this 7th day of January, 1975.

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