

SUMMARY OF THE TRAFFIC (AMENDMENT) BILL, 2014

Overview of the Bill

The Traffic (Amendment) Bill, 2014 focuses on four main issues;

- Introduction of 30 km/h speed limits on roads close to schools.
- Installation of speed calming measures on roads near schools.
- Regulation of school transport safety standards.
- Introduction of statutory penalties for exceeding speed limits.

• Reduction of speed;

Clause 1 of the Bill sets a speed limit of 30 km/h for roads near or at the boundaries of schools and sections of roads ordinarily used by children when crossing to and from school.

• Speed calming measures;

Clause 2 of the Bill obligates the Highway Authority to–

- a. Erect and maintain traffic signs near schools indicating the 30 km/h speed limits.
- b. Erect, construct and maintain speed limiting road design features such as speed bumps or rumble strips, and traffic circles on the roads near schools.
- c. Ensure roads in the vicinity of schools have safety features such as wide pavements, footpaths, cycle-tracks, barriers, pedestrian crossings, underpasses and footbridges.

• Statutory penalties for enforcing speed;

Clause 3 introduces statutory penalties upon contravention of set speed limits. Incidental to this clause, the First Schedule sets the limit of fines to be paid upon violation of the speed limits. The fines range from Kshs 10,000 to Kshs 25,000 depending on the magnitude of contravention.

• Regulation of school transport for child safety;

Clause 4 of the Bill stipulates that vehicles used for transporting children to and from school conform to prescribed safety standards. The clause further stipulates that school transport vehicles shall be fitted with child safety equipment, design safety features.



BENEFITS OF PASSING THE TRAFFIC (AMENDMENT) BILL, 2014

Too many of our children are being killed and maimed because our roads are too dangerous. This loss of innocent children is destroying families and damaging our economy. The Traffic (Amendment) Bill, 2014 seeks to reverse this dangerous trend.

- As a society, we have always treated children as small versions of adults and therefore exposed them to risks related to crashes. The Bill places a duty of care and responsibility on the different levels of government, authorities, school transport providers, school administrations and drivers to ensure the safety of children.
- Children have limitations in size, vision, hearing and attention which impairs their judgment to risks and their consequent response therefore exposing them. The reduction of speed to 30km/h will go a long way in reducing child crashes and fatalities in the event of crashes.
- School transport system in Kenya has largely remained unregulated; this has led to the school transport vehicle becoming a preserve of old public service vehicles and the enforcers are helpless to respond. The Bill stipulates that transport vehicles shall be fitted with child safety equipment, designed safety features or structures and shall conform to the prescribed safety standards.
- The responsibility of guaranteeing the safety of our children on the roads has been left to the children who we are supposed to protect. In the event of crashes, only drivers are blamed yet school administrations could have reduced the risk. The Bill places liability on school administrations in the event of failure to ensure the vehicles are safe for child transport.
- The violation of traffic rules is a rampant behaviour among Kenyan drivers. The Bill seeks to deter this behaviour by pegging penalties on the severity of the speed contravention. This will differentiate between intentional, reckless and negligent driving from inadvertence and the two would be punished accordingly.

The loss of one child to the society is immeasurable when we know the causes of crashes are predictable and can be prevented. Members of Parliament have a unique opportunity to safeguard the future generation by supporting the **Traffic (Amendment) Bill, 2014**.