

CITY COUNCIL OF NAIROBI

**(TRAFFIC MANAGEMENT) BY-LAWS
2009**

LOCAL GOVERNMENT ACT
(CAP 265)

IN EXERCISE of the powers conferred by Section 201 of the Local Government Act, Cap 265 the City Council of Nairobi hereby makes the following By-Laws:

THE CITY OF NAIROBI (TRAFFIC MANAGEMENT) BY-LAWS, 2009

PART I – PRELIMINARY

Citation: 1. These By-laws may be cited as the City of Nairobi (Traffic Management) By-laws, 2009.

Interpretation: 2. In these By-laws, except where the context otherwise indicates

“City” means the City of Nairobi;

“Goods Vehicle” means a motor vehicle other than a motor car or bus, designed or adapted for the conveyance of goods on a public road and includes a truck-tractor, motor cycle or motor tricycle;

“Heavy Motor Vehicle” means a motor vehicle or a combination of motor vehicles the gross vehicle mass of which vehicle or combination of vehicles exceeds 3,500kg;

“The Act” means the Traffic Act time;

The words and phrases defined in the Act and the Regulations shall, when used in these By-laws bear the same meanings, unless inconsistent with the context.

PART II -USE OF ROADS DEMARCATED INTO TRAFFIC LANES:

- (1) When any roadway has been demarcated into traffic lanes, a driver of a vehicle shall drive so as to be entirely within a single traffic lane and shall not cause or permit his vehicle to encroach over any lane line demarcating such traffic lane, except when moving from one lane into or across another.
- (2) All vehicles proceeding along any public road demarcated into traffic lanes at less than the normal speed of traffic at the time and place and under the conditions then existing, all bicycles and all heavy motor vehicles shall be driven in the left-hand traffic lane then available for traffic or as close as practicable to the left edge of the roadway, except when overtaking another vehicle proceeding in the same direction or when making a right-hand turn in the manner prescribed by the Traffic Act at an intersection or into a private driveway.

Vehicle not to

Driven on sidewalks: (3) No person shall drive, draw or propel any vehicle (other than a perambulator, invalid's chair or the like) upon any footpath or sidewalk designed for use by pedestrians, except when it is necessary to do so to cross (by the shortest route) any such sidewalk or footpath for the purpose of entering or leaving any property abutting thereon.

Roller skating

Prohibited: (4) No person shall use roller skates or a board or any similar article to which rollers or wheels are fixed and which are commonly known as "Skateboards" or cause or permit them to be used upon a public road or sidewalk.

Use of push

Carts: (a) No person shall use or drive or cause or permit to be used or driven in or upon any public road or sidewalk any cart of the type known as the "Mkokoteni" or any other cart of a like nature otherwise than in the course of or for the purpose of business: provided that the City Engineer may in his discretion authorize the use of any such cart in connection with any organized sports, games or races.

Control of parking
place:

(5) Whenever the public or any number of persons are entitled or allowed to use, as a parking place, any area of land, including land which is not part of a public road or public place, the police shall, in cases of emergency or when it is desirable in the public interest, have authority to direct and regulate traffic thereon, and no person shall disregard the instructions of any police officer while so engaged.

Repair of motor vehicle
on public roads
prohibited:

(6) No person shall repair any motor vehicle in any public street or place within the City: provided that this Bylaw shall not prohibit the carrying out of minor repairs necessitated by a temporary or sudden stoppage of such vehicle for the purpose of setting such vehicle in motion.

Excessive noise:

(7) No person shall operate a motor vehicle upon a public road in such a manner as to cause any excess noise which can be avoided by the exercise of reasonable care on his part.

Parking

Restrictions: (8) (1) No person operating or in charge of a vehicle on a public road shall:

- (a) Allow such vehicle to remain stationary in a loading zone between the hours of 07:00 and 17:00 Mondays to Fridays and 07:00 to 12:00 Saturdays except where any such day is a Public Holiday or during such other restricted hours as may be specified in respect of any particular loading zone by a road traffic sign or marking.
- (i) In the case of a vehicle other than a goods vehicle, for more than five minutes continuously and only while actually loading or off-loading persons or goods and while a licensed driver is in attendance at such vehicle; or
- (ii) In the case of a goods vehicle for more than thirty minutes continuously and only while the vehicle is being actually loaded or unloaded; and no person shall keep any vehicle stationary in a loading zone for any other purpose. The driver of a vehicle, other than a vehicle, stationary in a loading zone shall remove such vehicle there from immediately upon being directed to do so by a City Askari, notwithstanding that it has been stationary therein for longer than the maximum period allowed in respect of a vehicle of that class.
- (b) In the case of a vehicle other than a bus, allow such vehicle to remain stationary in a bus stop between the hours of 06:00hrs and 18; 00 hrs.
- (c) Park such vehicle in any public road within the City for a period beyond that indicated on any road traffic sign duly erected in terms of the Regulations.
- (2) No driver or other person in charge of any vehicle which has been parked in a parking area defined as such by road traffic signs shall move such vehicle from the position in which it was parked and again park that vehicle within a distance of 22.9 meters of the place where it was so parked until an interval of thirty minutes shall have elapsed after so moving such vehicle.

Pedestrians
Duties of:

- (9) (1) (a) Where marked pedestrian crossing are in existence within an intersection, no pedestrian shall cross or attempt to cross such intersection except within any such marked pedestrian crossing.
- (b) Wherever a (traffic control light signal) embodying pedestrian signals is in operation at an intersection, no pedestrian shall commence to cross the roadway in any pedestrian crossing at such intersection while the red light of a pedestrian signal is displayed in the direction opposite to that in which he is proceeding; provided that where no pedestrian signals are in operation at an intersection, but such intersection is controlled by (or traffic control signal), no pedestrian shall commence to cross the roadway in any pedestrian crossing at such intersection while the red light of such traffic control light signal is displayed in the direction opposite to that in which he is proceeding.

- (c) Whenever a (traffic control light signal) embodying pedestrian signals is in operation at a pedestrian crossing elsewhere than at an intersection, no pedestrian shall commence to cross the roadway in such pedestrian crossing when the red light or a pedestrian signal is displayed in the direction opposite to that in which he is proceeding.
- (2) A pedestrian crossing the roadway within a demarcated pedestrian crossing, whether at an intersection or otherwise, shall walk on the left of such pedestrian crossing.
- (3) No person or persons shall sit or lie on any sidewalk, footpath or public road, neither shall any persons stand, congregate or walk so as to obstruct the movement of traffic or to the annoyance or inconvenience of the public after being requested by a City Askari to move on or disperse.
- (4) No pedestrian, when in or upon a public road, shall carelessly, negligently or recklessly disregard or endanger his own safety or the safety of any person or vehicle using the public road.

Motor vehicle attendants:

- (10).(a)No person in a public street or public place make an offer to provide care for or supervision of vehicle whilst it is parked in such street or place.
- (b)No person shall in a public street or public place-
 - i)Clean or wash any motor-vehicle: or
 - ii) Offer to clean or to wash any motor-vehicle.
- (11) No person shall in a public street or public place inform or threaten the driver or person in charge of a motor-vehicle that such vehicle will or may suffer damage or be stolen unless it is left in his care or under his supervision.
- (12)If on a charge of contravening any of the provisions of this section the accused person avers that the driver or person in charge of a motor-vehicle made a request of him concerning the motor vehicle, the onus of proof in respect thereof shall rest upon the accused person.

Penalties:

- (13) Any person who contravenes any of the provisions of these By-laws shall be guilty of and shall be liable on conviction to a fine not exceeding Kshs.3, 000/= in the case of a second or subsequent conviction, for the same offence, a fine not exceeding Kshs.6, 000/= or in default of payment of any fine imposed in either case, imprisonment for any period not exceeding three months.

Made this----- day of ----- 2009

By order of the City Council of Nairobi.

TOWN CLERK

Approved this -----day of ----- 2009

MINISTER FOR LOCAL GOVERNMENT

DATED OF PUBLICATION IN KENYA GAZETTE: ----- 2009