

## OVERVIEW OF THE PUBLIC SERVICE VEHICLE LICENSING REGIME

<b>NO.</b>	<b>ACTOR/AGENCY</b>	<b>ROLES</b>
1.	<b>National Transport and Safety Authority</b>	<ol style="list-style-type: none"> <li>1. Licensing of PSV drivers and conductors</li> <li>2. Registration of new PSV Saccos and companies</li> <li>3. Licensing of Saccos and Companies to operate PSV business</li> <li>4. Licensing and approving of new routes by issuing Road Service Licenses</li> <li>5. Licensing and approving new routes for each PSV Sacco/Company</li> <li>6. Inspection of all public service vehicles</li> <li>7. Licensing of all public service vehicles</li> <li>8. Undertaking compliance audits on PSV Saccos and Companies</li> <li>9. Enforcement of Traffic Rules by imposing fines and penalties</li> <li>10. Development of Passenger Transport Policies</li> <li>11. Regulation of driver testing and training</li> <li>12. Registration of driving schools</li> <li>13. Development and implementation of driver training curriculum</li> <li>14. Promoting road safety</li> </ol>
2.	<b>County Government</b>	<ol style="list-style-type: none"> <li>1. Issuing consent to operate to a public service vehicle operator</li> <li>2. Plan and approve all bus routes in the county</li> <li>3. Issue and approve bus routes permits for public service operators</li> <li>4. Enforcement of traffic rules by imposing fines and penalties</li> <li>5. Regulate the number of bus companies or Saccos operating on a particular routes</li> <li>6. Design, designate and build public roads</li> <li>7. Design, designate and build public service vehicle termini, and stages</li> <li>8. Designate and provide parking bays, picking and dropping areas for public service vehicles</li> <li>9. Regulate the public service vehicle business by requiring the display of fares, schedules and payment of fees</li> <li>10. Issue and license public service vehicles to park within and operate within the county.</li> <li>11. Establishment of County Transport and</li> </ol>

		Safety Committees 12. Issuance of Business Permits
3.	<b>National Police Service</b>	1. Enforcement of Traffic Rules and Regulations 2. Investigation of accidents and management of accidents scenes
4.	<b>Ministry of Transport</b>	1. Enactment of transport policies and guidelines
5.	<b>Kenya Revenue Authority</b>	1. Imposition of advance tax from PSV operators 2. Imposition of stamp duty on vehicle transfers 3. Imposition of penalties and fines on tax defaulter and evaders
6.	<b>Kenya Bureau of Standards</b>	1. Development of Motor Vehicle Standards and Specifications 2. Development of Speed Limiter Standards and Specifications
7.	<b>Directorate of Criminal Investigations</b>	1. Issuance of Police Clearance Certificates to drivers and conductors
8.	<b>Insurance Companies</b>	1. Issuance of PSV insurance covers

### CRITIQUE OF THE PSV LICENSING REGIME

1. **Duplication of roles** – multiple agencies license and regulate the public service vehicle industry. Each entity has its own rules and regulation for the sector leading to over regulation.
2. **Tedious licensing process** – acquiring a license to operate a public service vehicle is an arduous task, very lengthy and tedious.
3. **Corruption** – the licensing process is rife with corruption and bribery. Public officials have to be bribed to hasten the process and make it less tedious.
4. **Multiple fees and licenses** – a total of eleven different fees paid to different entities for license acquisition. Namely: Good conduct for drivers and conductors; PSV badge for drivers and conductors; Annual Road Service License for the Sacco/Company; Annual Road Service License for each Vehicle; Seasonal Parking Ticket for each vehicle; Annual Motor Inspection Sticker; Advance Tax; Stamp duty; Annual County Business Permit; and Sacco/Company CBD termini application fees.
5. **Driver re-testing and training** – the licensing regime does not take into account the various components of commercial driver training that improves the skills of drivers to ensure adherence to international commercial driver standards. There are no parameters to

measure the level of experience and training to ensure only qualified and competent drivers are employed in the industry.

6. **Discriminatory** – the licensing regime subjects drivers and conductors to licensing requirements and leaves out a majority of workers and investors in the sector. Subjecting the whole workforce and investor to some kind of regulation and imposition of good practices among the Saccos/Companies will enhance efficiency, safety and quality of service.
7. **Lack of accountability** – the licensing regimes has failed to put in place mechanisms for accountability for Saccos and Companies. It has made the PSV Saccos/companies to be a law unto themselves without regard to the general public.
8. **Criminal gangs** – the licensing has failed to tame criminal gangs that rule the sector. Even after acquiring all the necessary licenses one has to pay criminal gangs who control the routes, stages and termini in order operate. The payments range from lump sum initial payments to daily charges and charges for every trip made by the vehicle.
9. **Business Model** – the PSV Sacco/Company business model has achieved some of the objectives as intended. They include; the organization of the sector into identifiable entities, the adherence to passenger seating capacity per vehicle, driver and conductor uniforms, and some level self-regulation in the industry. However, a lot needs to be done to entrench workers and passenger rights in the management of paratransit saccos and companies.