

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Wednesday, 8<sup>th</sup> August, 2018**

The House met at 2.46 p.m.

*[The Deputy Speaker (Hon. Museku) in the Chair]*

**PRAYERS**

**Hon. Deputy Speaker:** Mr. Clerk, proceed.

**COMMUNICATIONS FROM THE CHAIR**  
**REGISTRATION FOR CASA GAMES DISCIPLINES**

**Hon. Deputy Speaker:** Good afternoon Members, under that order number I have two communications to make. The first one is a reminder on CASA games, good afternoon Hon. Members, on 1st August, 2018 while informing you that the County Assemblies Sports Association (CASA) games will be held from 26th August to 1st September, 2018 in Nairobi at Kasarani Sports Centre, I did request you Hon. Members to register for two games with the team leader Ms. Loise Kithuka. Few Hon. Members have registered to participate so far and I urge you to register for the disciplines which you will participate in by close of business today the 8th of August, 2018.

Each member is to register for at least two disciplines; the CASA regulations require the Assembly to pay Ksh. 2,000 per discipline which its members and staff will participate in and that a minimum of three teams is required for a discipline to be allowed in the competitions.

In addition to this, all participants are requested to provide measurements or size for their games uniform to the procurement office as soon as possible. Further, I urge the participants to intensify their training so as to be able to win trophies for the County Assembly. Training days are Mondays, Wednesdays and Fridays as from 3.30 p.m. as communicated earlier. Thank you, Hon. Members.

**ATTENDANCE TO PLENARY SITTINGS**

The other issue which I wanted to touch on is again on attendance of the House. This morning the House had to be adjourned because of lack of quorum having started very late at 10.30 a.m; we still rung the bell for 15 minutes. After that, we did not have quorum, we again rung the bell for an additional five minutes and we still did not have quorum and therefore that

means that the motion which were supposed to be done in the morning or the reports have now to be rescheduled to a further date in the future.

I urge you Hon. Members to take plenary sittings with the seriousness they deserve because this is where you represent your people and if you do not turn up in the plenary on time and participate on the deliberations on the plenary then things maybe passed in this House affecting your people and you will have nobody else to blame apart from yourselves.

Secondly, if things are not being done or being passed because we are adjourning the House because of lack of quorum, then obviously we are not doing what our people brought us here to do. So, I urge everybody to take the plenary serious and ensure we have smooth running as always. Thank you, Mr. Clerk, proceed.

### **NOTICE OF MOTION** REGULATION OF BODABODA BUSINESS

**Hon. Deputy Speaker:** Hon. Members under this Order, we have one notice of motion to be tabled by the Hon. Pauline.

**Hon. (Ms.) Mene:** Thank you, Mr. Speaker.

Hon. Speaker, that aware that section three of the National Transport and Safety Authority Act 2012 establishes the National Transport and Safety Authority (NTSA) whose mandate amongst others is to plan, manage and regulate the road transport sector and to ensure the provision of safe reliable and efficient road transport services;

Aware that introduction of the motor bikes that is the *boda bodas* has created job opportunities for our youth;

Further aware most of the *boda boda* riders have not pursued the driving test and therefore not licensed;

Informed that these unlicensed *boda boda* riders have been the major cause of road accidents in our roads where lives have been lost and major injuries sustained;

Hon. Speaker, acknowledging that the County Government controls the issuance of business permits to the *boda boda* riders;

Aware that the issuance of these permits can be regulated by ensuring that the driving licenses are availed prior;

Cognizant of the fact that there is need to educate the general public on road safety;

Hon. Speaker, I wish to give notice of motion that this House discusses and approves that the County Government of Machakos collaborates with National Transport and Safety Authority to regulate the issuance of *boda boda* riders licenses and permits, conduct civil education on road safety.

Thank you, Hon. Speaker.

(Applause)

**Hon. Deputy Speaker:** Thank you, Hon. Pauline. Mr. Clerk, proceed.

### **STATEMENT REPLY**

**Hon. Deputy Speaker:** Under this Order, we have one Statement by Hon. Robert Kisini.

**Hon. Kisini:** Good afternoon, Hon. Members. Today on 8th August, 2018, I want to give a Statement response. Hon. Speaker, I rise to respond to a Statement sought by Hon. Stephen Mwanthi on 18<sup>th</sup> July, 2018 on the Urban Development Grants (UDG) of Ksh. 1,018,320,500 allocated to the Machakos County Government on the following issues:

1. Whether public participation was conducted and if it was advertised.
2. Which criteria was used to identify the projects in different wards in the municipalities.

Hon. Speaker, I therefore want to state that the Department of Lands and Urban Development responded as follows:

The grant is under Kenya Urban Support Program (KUSP) for Ksh. 1,018,320,500 which is included in the budget for financial year 2018/2019. As part of the budget process, the KUSP grant was subjected to public participation under the CIDP between 30th January, 2018 and 2nd February, 2018. During the public participation, projects were prioritized and this informed us in developing our annual investment plan under KUSP.

The projects have been further validated during public participation forums held as follows:

- Machakos - 13th July, 2018
- Kangundo/Tala - 16th July, 2018
- Mavoko - 17th July, 2018

Members of County Assembly representing wards that fall within the respective Municipalities were invited and all of them actively participated.

However, as indicated in the appraisal report for conferment of municipalities forwarded to the Assembly together with the Municipal Charters by the Governor ref: MCG/OOG/MKSCA/7/18, dated 18<sup>th</sup> June, 2018, the Municipal charters for the various Municipalities indicated that due to stringent timelines it was not possible to organize formal public consultation forums for the charters. We recommended that the Charters be subjected to public participation upon approval by the County Assembly so as to give it more legitimacy and validity. The executive is planning on holding public participation for the Charters in the various municipalities.

The projects were informed by the public during the CIDP public participation and further guided by:

- a) The World Bank Urban Development Grant (UDG) menu on eligible projects that limited our projects.
- b) World Bank Programme appraisal document page 20 under 'economic evaluation' states that 'the chosen investment should be consistent with CIDP priorities.'
- c) Letter ref: MTIHU/UD/5/14/1/VOL.II/(24) dated 4th July, 2018 from Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works informing us on KUSP County visits to establish the readiness of County urban infrastructure proposals for 2018/2019. The areas of assessment included details that confirmed that the projects came from the CIDP.

Hon. Speaker, the committee deliberated on the submissions given and came up with the following recommendations:

1. That meeting with stakeholders cannot be equated to public participation and therefore it is mandatory for proper public participation to be done in all the wards affected by these charters.
2. That CIDP for the period 2018-2023 is yet to be tabled and approved by the Assembly. Therefore, the Executive needs to urgently present this report before the House for approval.
3. The Department of Lands and Urban development to organize for a joint meeting comprising of MCAs representing the affected areas that is Kangundo/Tala, Machakos and Mavoko and Committee Members for Environment and Trade to go through the charter requirements and come up with a step by step guideline on how these charters will be implemented in these areas.

Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kisini for that Statement. Members, a Statement of this nature is a Statement which has far-reaching implications on the development in the county and as far as the charter is concerned and therefore I am going to allow for members to ventilate a bit on this and come up with suggestions which they have in as far as this report is concerned. Members, you may ventilate on the same. Hon. King'ori.

**Hon. King'ori:** Thank you, Mr. Speaker for giving me this opportunity. It is important to note that this Statement response was well-collected and recommendations given here are adequate because I happen to come from those areas which are affected and the concern of the people of Muthwani were not even recognized in what they are calling public participation in Mavoko.

I was there but what was there was just a show; not public participation. It was a matter of might. So it is important for us to have proper public participation in Muthwani ward because those people are also eligible for the cake of Mavoko and they are stakeholders in this municipality. In fact, I would say now they are the most affected people because of marginalization.

So, they need to be upgraded because Muthwani has no tarmac roads anywhere, there is no sewerage, there is clean drinking water and there is small working hospital. So if need be, the people of Muthwani should be consulted fully and they should be allowed to air their views of what they need to be first put on their development in their area. Those people were not consulted.

In fact, they did not even know because there was no advertisement; there was nothing that they could know that there was something going on in Mavoko. In fact, the distance between Mavoko and Muthwani is a long distance; it is almost 50 kilometers and so how do you expect somebody from Muthwani to know that there is a meeting somewhere in Mavoko.

*(Applause)*

Therefore, I think proper public participation should be held and should be advertised in local radios and in National Newspapers. The reason is that everybody has a right to information. Like this one of the municipality that affects them it should be the first item to be there so that

those people of Muthwani and other remote areas in Mavoko should know very well that there is a public participation somewhere that will change their lives so they must be the biggest stakeholders. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. King'ori. Hon. Peter Mutiso?

**Hon. P.J. Mutiso:** Thank you, Mr. Speaker, and members. Mine is I rise to support the Statement and also to correct some areas. Now Mr. Speaker, I am happy because of this report as it has been captured by environment and trade committees. Mr. Speaker, I was amazed when I saw this message which was given by the executive whereby they are saying in the first one, all members participated in the meeting that they had called which is a total lie because being a member of Machakos Central, I was not involved. Even the Speaker himself who is seated there now was not involved but it is very clear that all members participated; members from those areas.

That is a total lie; so thank you members for you have seen what is happening on the other side. We must be serious and all of us; there are two parties here but we must join together and work for our people. If it is not some members like the Majority Leader and others this could not have happened because they had said that it is clear and we can proceed and when I was collecting this some members said I was doing politics which I was not. What was done there was clearly a stakeholders meeting whereby I can call my people who are in my contacts in this phone.

That is what happened there but public participation must be put in local media; that is the vernacular used in that region and also it must be published in the media, the papers that is Standard and Nation but not Citizen. It is very clear. So, members I am very happy and I also support this Statement as it is recommended by the committees and members who were present there. I urge these members that all of us must be there, members who are affected here we must be in that meeting and even all members of this County Assembly.

All members of this County Assembly are representing the whole county. For example, the chairman of environment committee, you are serving the same people who are being served by the Governor of this County because you must tell us what is happening in that far east area and also on the other side. So, you are representing the same area; I too and even all members. Even Mheshimiwa Kamitu; so we must be serious on these members. Thank you, Members. I rest my case.

**Hon. Deputy Speaker:** Thank you, Hon. Peter Mutiso. Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Hon. Speaker. First, I would like to thank the chairman of environment because actually he listened to our voices. I was one of the members who were breathing the fire when we were told the participation was done. Hon. Speaker, let me say devolution came, people fought for devolution because they wanted public participation; people to be told, people to say what they want and what is supposed to be done in their areas.

I want Hon. Speaker, to say the executive of Machakos when we come to public participation they are taking us for a ride. I do not know what they hide because you cannot say you are doing public participation at sub-county level; it cannot. Hon. King'ori is talking about 50 kilometers from Muthwani; I have my ward goes up to Kaseve and you cannot say people to go from Kaseve all the way to Athi River then you say you have done public participation.

Secondly, Mr. Speaker, this World Bank programmes are guided by the people. When you talk about Mavoko municipal charter, we are not talking about Mlolongo alone, we are not talking about Athi River town alone we must talk about the entire Mavoko sub-county.

The needs of Mlolongo are not the needs of Muthwani, the needs of Athi River are not the needs of Kinanie. Some of our wards are touching rural areas, extending from towns to rural areas. Therefore, Hon. Speaker, this participation must be done and before we go even to do the participation, we know most of the Hon. Members who are affected by this.

This is Kangundo/Tala, Mavoko and Machakos. We must sit down see the programmes and maybe we readdress them to cover Muthwani and Kinanie. We cannot say Mlolongo is going to have sewerage works and then we say that has been done. These projects are guided by CIDP; what does our CIDP say in Kyumbi? What does our CIDP say of Muthwani? We cannot do things the way we want.

The First Assembly never used to conduct this; let me say, devolution means the people, that is why we are saying, everything must originate from the people and I propose before we go to this public participation because now we agreed it must be done in the ward level, I want to see the people of Kinanie saying what they want out of this Ksh. 1 billion which is not little money by any language, because this is money given by World Bank and it doesn't belong to the county, we must know in Kinanie what we are getting out of this because we belong to Mavoko Municipality.

So, it is not something to be rushed although sometimes issues are brought to this Assembly when it is a bit too late; we are asking for the CIDP of 2018/2023 because it has not been in this House and these projects are guided by this CIDP. World Bank don't know Machakos, they don't know Tala where Hon. Kamitu comes from and it is us to say because it is a grant; here we have problem, we need this and this in this area. For example, in Mlolongo we need a sewer very seriously because that is where the county's bread is buttered.

Sincerely speaking, Mavoko is the one feeding this county; we need a serious sewer like yesterday. In Athi River EPZ has at least helped and done a lot but in Mlolongo it is a disaster. When we meet, this is my proposal; we must also see this money if it Ksh. 400 million in Mavoko, we cannot get equal share with Mlolongo, Mlolongo needs a lot because sewer needs a lot of money. Muthwani we need something, Athi River needs something; when we agree on that we say; Mlolongo needs a sewer, let this go there, it is not a must we get a lot. I can even say, let us have Ksh. 50 million in our side because for me and Hon. King'ori that is enough.

The two gentlemen from Mavoko can now get the balance but when you don't involve the people, they will start a sewer in Mlolongo, what is happening in Kinanie. With that, I think it is a good idea, thank you chair for environment committee for listening to what we said because I and Hon. Mutiso were almost going to blows when we were told the participation had been done.

Let me say, the Machakos Executive should not take us for a ride; I don't see a participation were the DG and the CEC finance going for participation in Tala, in Athi River; that is too political, it is not public participation. What is the DG doing there? I think things have to change in this House. Therefore, I support and say immediately we are ready, Mr. Speaker, our chairman calls us with the Executive, we meet and then we iron out these issues because we need these billions like yesterday. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Cosmus Masesi.

**Hon. Masesi:** Thank you, Mr. Speaker. I want to appreciate the report by the chairman of environment committee Hon. Kisini. I am from Matungulu and we need some clear guidelines in the wording of Kangundo/Tala; does it capture the whole sub-county or its just Tala town or Tala ward alone?

Mr. Speaker, I want to believe that if my ward is within Tala, the monies that are coming for Matungulu Sub-County, each ward should at least have something to take home at the end of the day.

What happened that day is that I saw some writing on the media whereby it was said there will be some participation in Kangundo sub-county, not even Matungulu. Hon. Members from Matungulu who attended had to travel all the way to Kangundo but not in Matungulu. I want to appreciate the recommendation that there has to be fresh public participation and the Executive always has the intent to do the right thing but through the wrong way; this is worrying when Mr. Speaker that when we have some monies, how I wish that what we are discussing here will be felt and has the effect on how the monies will be used.

Mr. Speaker, my prayer is that these monies will benefit all the residents of the named sub-counties that is Machakos, Mavoko and Matungulu in the case of Tala. We need some clear guidelines; I want to repeat on that, if that is all wards within those named areas have to benefit at the end of the day. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Cosmus. Hon. Steve Mwanthi.

**Hon. Mwanthi:** Thank you, Mr. Speaker. I think it will come a time when we will all agree that this Assembly represents the whole county; one million people in Machakos County and that is the time when we will realize that even some of the grants that we are getting, we are not getting them for the purposes of the rich ones or the Executive or the Assembly. When we get these grants we need to involve our people because the money is meant for them.

So, I think it is good we be serious when we are calling for public participation, things like CIDP; as World Bank had said that the chosen investment should be consistent with CIDP priorities. Up to now we have never gotten the CIDP from the Executive so I don't know where they derived the projects from because I think it is also good we follow the law and do as it requires.

If law requires you to submit the CIDP to the Assembly, that is what you are supposed to be doing so that things may be simple and for the county to move on. I think the report is good and we need to support it that the Executive should table the CIDP to the Assembly so that we may adopt it and use the same CIDP to identify some of those projects that are in that manner.

Otherwise, we will keep on dragging ourselves on issues every time and we might be disadvantaged later because there is no way this House we can sit here and deceive ourselves that we considered the CIDP which we do not have or we have never seen up to now. I support the report, Mr. Speaker. Thank you.

**Hon. Deputy Speaker:** Thank you.

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker. Mine is to support the words of the Majority Leader and it is very important to educate our people to understand that this is not money from the Kenya; it is from outside and not from the Executive because when they are working, our old women think the government is doing something when the money is coming

from outside and they cheat them we are working, we are doing this...that is why they don't give the right education to our people.

These monies came the time of the late Mutula, may he rest in peace and that time I was not even in politics and I can remember he was wearing a *kabuti* ya white and it is---

**Hon. Kamitu:** Point of order.

**Hon. (Ms.) Mueni:** Mheshimiwa, I have not said anything about anybody; I am telling the people the truth so Mr. Speaker you can protect me---

*(Laughter)*

**Hon. Deputy Speaker:** Hon. Kamitu, I have allowed the statement *Kabuti* so let her continue please.

*(Laughter)*

**Hon. (Ms.) Mueni:** Yes. I am not going to repeat about Mheshimiwa Kamitu. Everybody can now see the black and white, so when they go to Mlolongo, they say the Governor is working, when they go to Matungulu they say the Governor is working, when they come to Machakos they also say the same.

So, let our people know the truth about the whole issue and know that this is money from outside and those people fail to eat and sacrifice the money to come to Kenya and when they come, the money is pocketed by our people and it is very shameful. It is only that when you eat money for the people Hiv/Aids, you will get the disease. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Mueni. Hon. Mutinda.

**Hon. Mutinda:** Thank you, Mr. Speaker. I would wish to say this Statement response is good and initially it should have been done in every ward because it is the policy of this House that any public participation should be done in every ward and when you consider Machakos Municipality has several wards, Mavoko has several and Tala too has several wards; public participation should have been conducted in every ward so that everyone around those areas knows what is happening and that they are funds of this nature.

It is important that it is done afresh so that the people, the owners who are intended to be assisted by these funds get the real development which they wish to have. On the issue of the CIDP, it is just a proposal, so far. This House cannot talk of a CIDP and if it can talk about a CIDP, it is the previous one which I think has expired.

So far we have no CIDP and it has to come to this House for approval; any other thing is a proposal and this House must approve it so that when we refer to that document it is a document which is real. Donor funding is not taken for granted; if we deal with them that way, we will never get any other funding. We will get this one and forget about them. I have worked with the European Union and this World Bank and you don't miss any document and you don't over step any process.

So, I think it is important we continue doing the relevant way, through the real process so that we encourage them to continue funding this county government because funding here is of



dire need. So, Mr. Speaker, it is good the process is done so that our people may benefit from that assistance. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Mutinda. Hon. Jeremiah.

**Hon. Munguti:** Thank you, Mr. Speaker. Before I give my submissions, I would like to know from you Mr. Speaker or I need your guidance; we need clarification on this money which has been given to our county by World Bank because the project, only three sub-counties have benefited but I want some clarification because I see we have Machakos Sub-county, Mavoko sub-County but when it comes to Matungulu-Kangundo, what we have is Kangundo and Tala which does not belong to any of the Sub-counties apart from Kangundo. Tala itself is a ward but Kangundo is a sub-county. What of Matungulu sub-county?

**Hon. Deputy Speaker:** Point of information from Hon. Kamitu.

**Hon. Kamitu:** Thank you, Mr. Speaker. My brother in-law; Tala-Kangundo is the old designation. These were the old terms of the municipalities, so it used to be called Tala and Kangundo Municipality and it is on this regard the Hon. Jeremiah is asking a very valid question. It is on this sense that during the 2009 population census that the three municipalities; Machakos, Mavoko and Kangundo qualified and that is the information. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** I think the Hon. Member is guided accordingly. Thank you.

**Hon. Munguti:** Thank you, Mr. Speaker and thank you, Hon. Kamitu for that clarification; now we are in the limelight. Mine is to support the Statement from the chairman of Environment committee because these grants we need them like yesterday. We know as a county we have lugged behind and our people need some assistance from donor funding.

I see it, it is worth it and I am requesting those Members who their sub-counties have been involved should ensure that all steps have been followed. As Hon. Mutinda is saying, donor funding is not a joke and when you over step any step that is necessary through this funding, it will be cut or it will be stopped and that will be the end of it all.

How I wish that as the sub counties within the municipalities are benefitting, also those which were called the county councils could also benefit like the Yatta-Mwala and get their share as the peri-urban areas so that our county can grow as one county in terms of development. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Jeremiah. Hon. Moffat Maitha.

**Hon. Maitha:** Thank you, Mr. Speaker. I want to support this report and say according to the recommendations of the committee that it is evident that public participation was not done or what was done was bringing people together in a hall and discussing something which came from the Executive.

What I can say, there should be a thorough public participation throughout those areas. If it is Machakos, it goes to all the wards making Machakos Municipality and if it Kangundo/Tala, public participation is done throughout the wards represented in Tala/ Kangundo. Mr. Speaker, in

Tala/Kangundo we have nine wards and it is very unfortunate that if this money can only be used in Tala and Kangundo wards, what about the other wards?

At least, those other wards would wish to have some money allocated to them for development. If it a small road, let some money be gotten from this huge amount of money and be invested in the wards so that all the people in the municipality can enjoy this donation from the foreign country. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Moffat Maitha. Hon. Johana.

**Hon. Muniyao:** Thank you, Mr. Speaker. I support this Statement given that the grant is meant for urban support program for the named municipalities and again going by what entails Machakos Municipality, Mavoko Municipality; it will be wise if the funds are used to do the works for the entire not Machakos Municipality and it doesn't actually mean Machakos town and even as per the Charter which we approved, where there were maps defining the jurisdiction of such municipalities, the money would have been used properly if it catered for the area.

Then again the element of bringing in the CIDP will also inform the allocation of the funds for the same program in phases running from 2018-2023 such that if there are some programs which are to be done in phases, it is prudent or people to even be able to plan and see how the funds are going to fit in the given phases for the said programs.

I wish to support and say that, just as we normally do for the part of the budget formation process where we have public participation from the Executive and the Assembly, we follow the same so that we are able to harmonize and see how it also tallies with the CIDP although we are saying we never approved.

Even if for a start it was able to tally with the current ADP, at least people will be able to appreciate to what extent it has been able to cater for the works prescribed in the various wards for this years' ADP. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kamitu.

**Hon. Kamitu:** Thank you, Mr. Speaker. My contribution would be that, what has been captured here are areas that Members were not satisfied or they had no such information, but on a sincere note, Members of Environment and Trade, we were taken through and I remember stating the same sentiments here; that what the Members have noted here is valid and relevant to what the Members are asking and on this note Hon. Speaker, those areas that were not captured in public participation, that is the area, through the secretariat and the committee, we should sit down and engage the Executive so that the move of this Charter maybe realized as early as possible because there is a timeline and everybody is aware that this is a very important grant so it on that note that we should not waste time now because those areas that were overlooked have been noted.

For us to move, I would also say that all Members involved in the three municipalities, I wish they were there when we were being taken through by the members whose requirements of the Charter would have been very easy for us; we would not be wasting a lot of time because, information to those who were there came out freely, the flow was very okay but my surprise is that some of the sentiments is like there was a dispute.

There is no dispute sincerely; we are all Hon. Members and it is true that.....as I said, some of the areas that Members were not informed have realized where we went wrong. So,

without wasting much ado or without wasting a lot of time, let us move forward through a secretariat to engage the executive---

**Hon. Deputy Speaker:** I think the Hon. Member was concluding or you want to give him some information?

**Hon. Masesi:** Yes, Mr. Speaker.

**Hon. Deputy Speaker:** Okay, go ahead.

**Hon. Masesi:** Thank you, Mr. Speaker. I just want to inform the Hon. Member, of course there is some dispute when our Wards are not captured on the issue of the monies. So, I want to strongly ascertain that there is a lot of dispute when I am not within the monies of the Municipalities.

**Hon. Deputy Speaker:** Hon. Kamitu, you may continue.

**Hon. Kamitu:** Yes, let me continue. It is a very good question Hon. Speaker from my young brother Hon. Cosmus. It is true that, I said, I wish they there when we were taken through the Charter and he comes from Matungulu and being his elder brother, Matungulu East is entirely involved, it is captured. In brief, that is in Tala/Kangundo Municipality, the nine Wards and he knows the names, are well captured. So, Matungulu East is inclusive on a very sincere note.

**Hon. Deputy Speaker:** Point of information from Hon. Mulatya.

**Hon. Mulatya:** Thank you, Mr. Speaker. We are told to inform the Hon. Member that, Hon. Masesi is not talking about Matungulu East, he is talking about even Masinga. It is not involved there. Thank you.

**Hon. Deputy Speaker:** Okay, let me ---

*(Loud consultations)*

Order in the House please! I need to make some clarification here so that we try and guide our debate. We are discussing about Municipalities and funds meant for specific Municipalities. When grants come from the either the National Government or from donors, they go for specific areas. For example, Nairobi as a City, they get numerous grants as a City which will never come to Machakos, which will never go to Mombasa, which will never go anywhere else.

So, the current specific grants are for Machakos, Mavoko, Tala and Kangundo. So, it is only those areas which are being affected on this and I want us to restrict our debate to this. I know when I am making my recommendations; I know where I will be able to handle what you are talking about. Don't to worry, Hon. Member.

*(Laughter)*

Conclude, Hon. Kamitu.

**Hon. Kamitu:** I will conclude---

**Hon. Deputy Speaker:** Because Members remember, this is just a Statement, we have a Motion to go. So, let him conclude please. Hon. Member.....

**Hon. Kamitu:** Thank you, Hon. Speaker. I will just conclude and tell Members that, because as I said I was there when we were being taken through this Charter, I am only adding that, Members are Hon. Members on those three Municipalities for your information is that, you will get all the information and in that regard Hon. Speaker, the grant specifically is for a period of six years.

So, for example, for the first year, there are those areas the projections will be directed and then the following five years, we shall be coming up with the same Charter and on that regard, we are not going to give the Ksh. 1.6 billion at one go. It will be taken (??) and again the most important thing Hon. Speaker is that, the World Bank has a team, they will be monitoring, evaluating projects as we continue that team is there.

So, Hon. Speaker what I will say is that, our Members of the three Municipalities should be very careful that, anything under the guidance and under the requirements of the Charter, if we will be out of that it will be stopped. So, it is important as we said, we shall sit down with the Members of the three Municipalities and we shall come up with very good ideas or priorities in regard to the World Bank requires.

Otherwise, once again, thank you Hon. Speaker and that is the way forward. Thank you, Hon. Members.

**Hon. Deputy Speaker:** Thank you, Hon. Kamitu and thank you Members for your participation on this. I give direction on this that, the joint Committee on Environment and Trade need to write to the Executive on these recommendations which have been resolved here and all other relevant agencies to ensure that the recommendations which have been made here that is public participation is done, CIDP is presented and, of course, there is a consultative meeting between the two parties, the executive and the Assembly on agreeing on the way forward in as far as these things are concerned.

One important thing about this is, it has been pointed out by a few Members here; when it comes to donor funding remember donor funding are funds which another Government is giving to us and there are so many priorities, there are so many competing forces looking for the same money. That when they give you funds and you do not follow what they told you to do, then the next time there are a million people waiting to be able to offer exactly what they are being told for them to get the money.

So, we need to do it very well as Machakos County and ensure all the technicalities are resolved, all the key issues which were raised by the World Bank are resolved. When you look at item number 2(b) World Bank program appraisal document page 20 under economic evaluation, states that, the chosen investment should be consistent with CIDP priorities and you go and you take to them a document with projects, that is why I am saying it is important for them to be told not to do it because the minute you take to them those projects, they will ask you for the CIDP which was approved by the Assembly.

(Applause)

You will not be able to provide that document and will hit a snag and the minute they will start looking at us with doubtful eyes, then we might end up missing out on this thing. Public participation as the other Members have said which is pretty key on this. It means that for the Wards which are affected, even if these projects have been included, have been captured in the CIDP, go back to the people and tell them that, now this project and this project which you put in your CIDP, will be factored or will be taken care of by this grant.

For the other Counties or the other Wards which are not affected by the Municipalities, if there is duplication of funding for example, if we had put in our business plan or in our budget for this year, road AB, and road AB is taken up by the grant and is done by the grant, the funds for road AB will be able to do something extra and those funds can even be able to be utilized to develop other less marginalized areas.

So, it is a key thing and I believe it the way we have done it here, I believe this County is going to be able to able to gain a lot from getting Ksh. 1 billion in these Municipalities to improve the livelihood of our people. Mr. Clerk, proceed.

(Applause)

**MOTION**  
REGULATION OF BODABODA BUSINESS

**Hon. Deputy Speaker:** Hon. Members, under this Order we have one Motion by the Hon. Pauline Munguti. Hon. Pauline.

**Hon. (Ms.) Mene:**

Hon. Speaker, that aware that Section 3 of the National Transport and Safety Authority Act, 2012 establishes the National Transport and Safety Authority (NTSA) whose mandate amongst others is to plan, manage and regulate the road transport sector and to ensure the provision of safe, reliable and efficiency road transport services;

Aware that introduction of the motorbikes, *bodaboda*, has created job opportunities for our youths;

Further aware most of the *bodaboda* riders have not pursued the driving test and therefore not licensed. Informed that these unlicensed *bodaboda* riders have been the major cause of road accidents in our roads where lives have been lost and major injuries sustained;

Hon. Speaker, acknowledging that the County Government controls the issuance of business permits to the *bodaboda* riders;

Aware that issuance of these permits can be regulated by ensuring that driving licenses are availed prior;

Cognizant of the fact that there is need to educate the general public on road safety;

Hon. Speaker, I wish to move the Motion that this House discusses and approves that County Government of Machakos collaborates with the National Transport and Safety Authority to;

1. Regulate the issuance of *bodaboda* riders licenses and permits.

2. Conducts civic education on road safety.

I call upon Hon. Alice Nzioka to second the Motion. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Pauline. Hon. Alice.

**Hon. (Ms.) Nzioka:** Thank you, Mr. Speaker. I stand to second the Motion. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Alice.

*(Question proposed)*

Members, you may now debate on the Motion. Hon. Tariq Mulatya.

**Hon. Mulatya:** Thank you, Mr. Speaker. Mr. Speaker, I wish to congratulate the Hon. Member, Pauline Mene Munguti for such a good Motion. Mr. Speaker, referring to the same Motion on paragraph 2, where I will read; further aware most of the *bodaboda* riders have not pursued the driving test and therefore they have no license and when you read further it will tell you that, they are the major cause of road accidents on our roads and these people Mr. Speaker and this Hon. House, we have witnessed in our areas that most of them do not care, they just ride anyhow, you see most of them trying to transport two to three or even sometimes four persons on the same motorbike because they are not aware of their capacity, they are not aware of the safety, they just do it because they do not have the knowledge.

Mr. Speaker, I support this Motion because for example, in my Ward, I have one NGO that is working together with NTSA and they are training the riders; now they are on the second Month in Masinga Town and they are training our *bodaboda* riders and I see it so beneficial; the people who come from my area Hon. Nzioka, I think she can testify to that because we have some people coming as far as 30 kilometres to get these training.

They are ready and so I am supporting this Motion with all due respect; this House can adopt it at least to curb what is happening in our areas. Otherwise, it is a very good Motion and I stand to support it, Mr. Speaker. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Mulatya. Hon. Agatha.

**Hon. (Ms.) Mutunga:** Thank you, Hon. Speaker. I stand to support this Motion and I say, I wish it would be yesterday. At times, I wonder whether these people mind about anybody else because at times when you drive along the town, it is very uncomfortable Mr. Speaker and more especially to these *bodaboda* riders, they do not look left they do not look right, they do not know zebra crossing, it is like they woke up in the morning and got the *bodabodas* and ride along the town; honestly it is very irritating.

So, I support and more especially to conduct the civic education and more especially for the road safety and I wish it could be done immediately for the sake of the safety of this County and everybody else. Even at times it is very dangerous to the children going to school because at times they do not even bother. So, I support this Motion, Mr. Speaker. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. Kisini.

**Hon. Kisini:** Thank you, Mr. Speaker. I want to start by congratulating the mover of the Motion, Hon. Pauline; it was timely and it was of great need. First, we all agree it is very important these days to have these people because they are now the most efficient means of transport but also it is also very important as the Mover of the Motion has said, to educate these people.

One of the things if you have noticed and if you have come across one, even if he is wrong, even if he is not the one who has wronged you and you hit one, they all assemble, come together and they want to finish you and you have to run. One time I ran to the bush, they all assembled and they can finish you, they can even harm you. I think Hon. Members you have come to such a situation. Is it not? So, that is one education.

Before we even talk of the safety measures, the rules, one of the forms of education is that, even if an accident happens, they should not all come together and try to see to it you are the wrong person because I do not know why they hate motorists because they come together and they want to kill you and that is the fact of the matter. So, that is one of the rules.

Number two, when riding they cross cut in a zigzag manner and they are really the causes of the accidents. You are driving and he comes and crosses you and you have to stop and maybe in that stopping you can cause an accident. So, I want to say the Motion was timely; there are many wrongs which these people do, they need to get the proper licenses for riding for motorists, I do not even know whether they have insurance cover and so forth.

So, I am saying the Motion was timely and it is the high time we all come together and educate these people. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Rozina.

**Hon. (Ms.) Kanini:** Thank you, Mr. Speaker. First, I want to congratulate the mover of this Motion which is a nice one and as many have said, many of our *bodaboda* riders on our roads are very careless. If you happen to visit orthopedic ward in our Level V hospital, many of the cases in the wards are due to these motorbike accidents. So, if they had been given the proper training and the civic education you can reduce these menace. So, I support.

**Hon. Deputy Speaker:** Thank you, Hon. Rozina. Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker. I support the Motion and if these people can be taken to Level V Hospital in that ward they see what happens to them when they have broken the legs and my Mheshimiwa here for this Town, I think he has to give people civic education using his little money because in Machakos we have a very big population of *bodaboda* and the vehicles are so many. So, if he can conduct a small *harambee*, we can help him to give civic education first. You have to be an example of these people because they elected you and they were following you every time.

So, Mr. Speaker, I think even the County and even the MP, they are giving these people licenses when they have not given them the right education. It is only that you pay for somebody the license to get, you have not been given the right education and you go and die.

If you listen to local radios, you will hear every day that a *bodaboda* has done this and that, a *Maruti* has done this and this is because of not having civic education because even our children do not know how to drive and they get the *bodabodas* and they go out and maybe it is

for the husband of the woman, then you hear the following day, the child is not there. So, I think they are very dangerous not the way we are taking them. Thank you.

**Hon. Deputy Speaker:** Hon. Cosmus.

**Hon. Masesi:** Thank you, Mr. Speaker. Mr. Speaker, I stand to support the Motion and also appreciate the mover of the same and dwell mostly on the issue of civic education to both the riders and also the citizens. It is the high time the concerned stakeholders and go to the media and maybe familiarize and tell the audience the number of persons the motorbikes are licensed to carry which I believe it is only one and it is on rare cases you a motorbike carrying one passenger.

Mr. Speaker, also I want us, as Hon. Members to think again on the issue of the driving licenses and also the insurance to the same whereby I doubt and I believe us as drivers we are always not covered by the insurance which are on our motor vehicles and also I want to believe insurance for the motorbikes do not insure the rider himself or herself. We need also to create some education to them also to make sure that they go for the personal accidents insurance cover for them.

Mr. Speaker, we have lost a number of lives through these motorbikes and in most cases there has to be a fault between either the driver of the bus or the motorbike. So, it is very good and it is very much timely for us to conduct the civic education when we liaise with the National Transport and Safety Authority and also I want to believe we should engage the traffic department within our locality to make sure that these *bodaboda* riders adhere to the main rules and with that Mr. Speaker, I want to believe we will have taken care of so many lives which might be lost through these *bodabodas* when they are involved in accidents. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Caleb Mule.

**Hon. Mule:** Thank you, Mr. Speaker. Being a representative of Muvuti/Kiima Kimwe, the electorates are in support of this Motion, Hon. Pauline and actually I would suggest that the licenses are revoked and vetted afresh. Thank you.

*(Applause)*

**Hon. Deputy Speaker:** Thank you. Hon. Constance.

**Hon. (Ms.) C. Nzioki:** Thank you, Mr. Speaker. I want to support this Motion and I want to thank Hon. Pauline; I think she brought it because for one, she is a mother and she has seen so many of our children die on the roads.

I would suggest first for those traders who sale this motorbikes, if someone goes to buy one, you show a license, you go for training first then you can go and by that motor bike because many of our young people you find a father selling land gives the son money and the son goes to buy the motorbike without a knowledge of what to do with that motorbike. So, you will find him pushing that motorbike home because he can ride it.

The other day I witnessed a family that almost got wiped out through a motorbike; there was a man, his wife and a small baby and so they rode over uphill and the man died and the rest



of the family is in the hospital now and so this is a trade that is not going to do any good jobs with us as this Assembly because we have seen it happen every day, day in day out because they don't know when to follow left and right; they just wake up take it and zoom out as long as they are ringing something and they want to get a customer they will do it.

These people are not only unlicensed but they are not insured; their motorbikes, themselves just happen to be doing some kind of business which is not the correct business. So, I would wish this house to pass that motion and include the traders who are selling these motorbikes; they should not just sell to anybody. Let somebody walk in with a riding or driving license and say 'here I am, can I buy a motorbike' and also the NTSA should be also be involved because what we are seen are many deaths on the roads and unnecessary deaths and also they make unnecessary noise.

When you are driving, it passes you and you are like 'what is falling?' So, we need control of all those. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Hellen.

**Hon. (Ms.) Ndeti:** Thank you, Mr. Speaker, Sir. I congratulate Madam Pauline for bringing this motion. I think is timely and I believe this sensitization or training or whatever you call it should not just apply to Machakos because there are *boda bodas* in entire republic. So, it is the high time NTSA together with the Kenya National Highway Authority (KeNHA) sit down and come up with tests that this *boda boda* will have to go through and pass, observe traffic rules just like vehicle drivers to ensure that there is some sanity because I don't want to repeat but we have a lot of our people who are hospitalized because of careless riding of motorbike riders. Thank you.

**Hon. Deputy Speaker:** Hon. Kamitu.

**Hon. Kamitu:** Thank you once again, Hon. Speaker. Hon. Speaker, my contribution will be very brief based on one Hon. Speaker, we should appreciate our former president, His Excellency President Kibaki; he had very good intention then he brought this investment to the youth but it has been abused because for one the *boda boda* men who are actually following the safety rules are earning, they are making earnings in their families but you are aware that Hon. Speaker is that now as many Hon. Members have said, if you go to any hospital not even in Machakos, if you have an audit in the hospitals, most of the accidents are now been caused by the *boda boda* riders.

So, my humble request Hon. Speaker is that one our committee for transport and I am saying this with reference should be taken to Rwanda. In Rwanda, the *boda boda* riders in are disciplined because there is a policy.

*(Applause)*

So, I would request this Hon. House, through the Speaker, we send our committee for transport so that they may come up with a very good policy because in Rwanda they an amazing policy for that matter because it is a question of policy. So, I would also recommend that we also call the National Transport and Safety Authority (NTSA) to this Assembly so that they may also assist us in formulating our policy and I remember very well, Mr. Speaker there was a

communication which was done in this House that we are going to meet the County Commissioner of Machakos county. This should be one of the agenda in regard to if you want to prevent and assist out *boda boda*.

Everybody is aware that our *boda boda* as many people have said you will find them they are riding motorcycles and they have no helmets, they have no reflectors because actually in Rwanda those policies, because I was there; I happened to be in Rwanda before I retired and we went there in there training in their police academy and some of these policies were touching in issues of *boda boda* riders and the like.

So, equally as I said it is important that our *boda boda* during the civic education should be told the importance of wearing helmets, having the reflectors and more so and most importantly, the permit, the insurance and the driving license and again we should also come with a policy because us as parents as Kenyan citizens, as Machakos citizens what is happening is that those people who are rich are only buying this motorcycles as many as possible and they are just giving our boys who have not been trained just to be on the roads and that is why we were having a lot of *boda boda* accidents.

So, that policy should also include that any citizen who happens to have a *boda boda* which is not registered because many are not even registered should be given a very big penalty so that they may adhere with the policies that in collaboration policies which is going to be made by this Assembly in collaboration with NTSA.

Otherwise, thank you. We thank Hon. Pauline with that noble motion that she has brought to this House because it is a concern to the Machakos County and to whole nation. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Jacqueline.

**Hon. (Ms.) Nziva:** Thank you Hon. Speaker for this opportunity. I would like to applaud my cousin Hon. Pauline for such noble idea. Really the committee on roads led by Hon. Dan should sit in a round table with necessary institutions, the NTSA and the like to really come up with suggestions on how to formulate policies and regulations that govern *boda boda* operations.

This really will mitigate or impact on road accidents reduction because we have realized many lives which have been lost through the *boda boda* riders. So, it is a nice idea and the committee roads should move with speed so that we save our people. Thank you, Mr. Speaker.

**Hon. Deputy Speaker.** Thank you. Hon. Kingori.

**Hon. Kingori:** Thank you Mr. Speaker for giving me this opportunity to talk about people of Muthwani. I want to state this way; we are not short of laws, we are not short of anything but we are short of people who enforce those laws.

*(Applause)*

The Kenya police have failed us terribly because they don't act, we need them to take action. NTSA should also reduce the charges and give subsidized licenses to those youth because most of them they don't have licenses because of the high fees charged by the NTSA. You should get a way of reducing or subsidizing licenses.

Secondly, we need to educate those people on how to use reflector jackets and helmets. I happened to be in one sitting where they were educated and they all agreed to do so but they don't have money to buy what you are talking about. Now what do? We will get the subsidized reflectors for those young ones. We get subsidized helmets for those youngsters because they are our children and we need them in the future.

We don't need strict laws because the laws we have are enough to cater for what; we need enforcers to do what is necessary and see to it that our boys and our girls are secured about discipline on the roads. It is not only the *boda bodas* who are not disciplined, the Kenyans drivers including ourselves we are always in hurry forgetting that our life is more important than where we are going.

What we need is just to educate those *boda boda* riders and give them humane education because there is a difference they are desperate that is why they come always in group because they see themselves as marginalized. What I want to support is this that the county government of Machakos should subsidize licenses and permits for those *boda bodas* and also give them protection gear; the ones which are put in their legs; the protective boots so that at least we can save a life by subsidizing these goods. In fact, it will not take much to save so many lives if we do the same. Thank you, Mr. Speaker

**Hon. Deputy Speaker:** Thank you. Hon. Alice.

**Hon. (Ms.) Nzioka:** Asanti Bw. Spika kwa kunipa nafasi. Bw. Spika, ni mswaada mzuri ambao umeletwa na mwezetu mheshimiwa Pauline. Bw. Spika, ni jambo la kutatanisha sana; aliyeleta mfumo wa pikipiki katika nji yetu alikuwa na nia nzuri lakini sasa imekua ni janga sababu watu wengi ambao wanaendesha pikipiki wengu wamekufa, wengi ni vilema ni viwete na ni sababu ya kutopata mafunzo.

Bw. Spika, mimi ningeunga mkono kwamba kuna kamati katika bunge letu ambayo inahusika na maendeleo katika kila wodi. Wameleta kwamba kila mheshimiwa ambaye amechaguliwa awe na pesa ambazo zinaweza fanya maendeleo katika eneo lake la uakilishi. Waeshimiwa ambao wamechaguliwa, wakipata pesa watakuwa na majukumu ya kuwaita waendeshaji wa pikipiki ili kwanza wawe na mafunzo; wanaendesha pikipiki kwa njia gani, ina umuhimu gani kwao na baada ya hapo watapelekwa mafunzo ya kuendesha na itakuwa tena sio janga, itakua ni faida kwetu.

Bw. Spika, wacha kuwa viwete na vilema unakuta mtu anapata ugonjwa ambao hakua nao maana hana kifaa ambacho anaweza jizuia baridi. Utakuta mtu mapafu yamekunjana haata kupumua hawezi. Ni kwa sababu haja ni pesa, sio maisha yake.

Wanatakiwa kufunzwa kwamba maisha ama afya ya mtu ni ya umuhimu mkubwa; ni jambo ambalo sisi kama viongozi limeleta utata maana katika wodi ambayo nimetoka na kuna mheshimiwa ambaye anaitwa Mulatya imekua ni jambo la shida hata wakati tunaongea sasa ukienda wodi namba kumi, utakuta vijana wengi sana kutoka sehemu ya kwetu.

Juzi mmoja aliletwa amevunjika miguu yote miwili; inaweza aje kuwa wewe unaeza endesha na ni dereva alafu unagonga gari nyuma ati unakimbilia kupata abiria ambaye unataka kumbeba ili akupe pesa.

Mwanzo wafunzwe kwamba maisha ni ya umuhimu na baadaye sasa watatafuta pesa maana unatafuta pesa, muda mfupi, hizo pesa zote unatumia kwa afya yako.

Kwa hivyo ni wazo nzuri na tuweke mkazo na pia wanaolinda sheria katika Machakos ama Kenya yetu, wamekua watu ambao hawana majukumu maana utakuta afisa wa polisi barabarani,

amepitwa na pikipiki imebeba abiria wanne na ameangalia na ameona; ameona hakuna mmoja ambaye amevaa kifaa ambacho kinaweza kumzuia wakati wa ajali kumzuia na upepo, amewacha wamepita eti kusema amepewa hongo. Amepewa shilingi hamsini, anapoteza maisha ya watu wanne.

Kwa hivyo ni sisi kama bunge tuangalie sana umuhimu wa watu wetu; sisi kama waniasia kila mwaniasia, uzuri ama upendo mkubwa ni awe na idadi kubwa ya watu maana wakati atataka kuchaguliwa, hao watu atawahitaji na mwenye atashinda ili kuja hapa, anapata idadi kubwa ya waliomchangua.

Kwa hivyo sisi kama waheshimiwa, tuangalie tuone sheria imepitishwa na tuchukue kama jukumu letu ili kuwatetea hao ambao tuna wakilisha hapa. Asante, Bw. Spika.

**Hon. Deputy Speaker:** Hon. Johana.

**Hon. Munyao:** Thank you, Mr. Speaker. I stand to support this motion and also support the idea that the committee on transport and roads visits Rwanda for some bench marking and possibly also invite me to join the team.

*(Applause)*

Mr. Speaker, I want to say that *boda boda* riders, I think mostly what we are witnessing is that they are very ignorant people. I have a case where one lost a motorbike just outside our Machakos law courts and it was so unfortunate because the guy could not even be able to tell the number plate; it forced him to go back home to refer somewhere to come and report the number plate.

Any driving requires some decision-making for you to be able to judge properly and make a decision and if the training is not properly done, we are about to have so many accidents happening. I have witnessed a case where you follow a *boda boda* rider who has already indicated to make an entry to the right and you want to overtake but you are confused whether he is entering the next maybe entry and then you pass that one and another one and when you decide to hoot to alert the person, then you will be surprised the person now wonders whether you have anything in your brains; they will indicate whether you are using your head properly yet you are correcting that person.

I want to suggest that even in the training if there is a way it is possible to even maybe modify the curriculum such that as they learn the driving skills, there is also the element of maybe learning some hospitality traits in their training because it is a matter of respecting and valuing the other life that you are also able to minimize such accidents. We have done so much on the drivers and I also want to imagine that also the passengers and the issue of whether they are on the right attire even including their passengers is something we need to lay much emphasis on so that we are able to save.

Mr. Speaker, I totally wish to support this motion and I wish all this should be implemented the soonest possible. Thank you.

**Hon. Deputy Speaker:** Hon. Dan.

**Hon. Mbevi:** Thank you, Mr. Speaker, I am happy about the motion; I stand to support the motion and I wish to thank those members who have contributed for seeing it good for the

committee of transport to have a trip to Rwanda. I want to support the motion with two to three points. One, the problem with *boda bodas* as many of the members have seen there is some laxity in the rules there are strict rules on *boda boda* riders and it is the high time that the government of Machakos and Kenya in general to come with some rules on *boda bodas* because they themselves as riders have their own cartels.

They have their own rules, they have created like once a *boda boda* hits you, their rule is not to stop; they don't stop and that is their cartel. Those are the rules of their cartels so they don't stop once they hit you.

Secondly, once they hit you and they are not able to run away, they all come up and gang up together and make sure that you are the one on the wrong and probably they hit you and in the process that is the way of causing an scenario on how to hide or to run away. So, I think it is important that we have strict rules on the *boda bodas*.

The other issue is the way of selling the *boda boda* themselves. It is important that the government comes up with a strategy on how the *boda bodas* should be sold to the customers. One, if there could be a way a rule that for you to get a *boda boda* you need to have a good conduct; it is very important to have for each *boda boda* driver to have a letter of good conduct because very many people have been attacked by these riders.

They carry you at night and before you reach where you going they turn on you and rob you and I have witnessed very many *boda boda* riders in my area; most of them are ex-Kamiti Maximum Prison convicts. Yes!

You find that if that person goes and gets a *boda boda*, you will have a very ample opportunity now to steal from you and if that person could have been asked and requested to have that good conduct, I am sure that that person cannot get a good conduct so probably that is a danger that has been taken care of.

So, I wish to say that I support the motion and I wish to request if this motion today can be implemented soonest possible because I remember sometimes, Mr. Speaker, I requested on how we can be moving fast on what we deliberate here; we discuss something like this one of a very great importance and it takes years, I would request if this matter could be followed up and trip for Rwanda, I think we can unanimously if you allow us Mr. Speaker to pass, we pass we go tomorrow to Rwanda, the committee of Transport.

Thank you Mr. Speaker, I support the motion. Thank you.

**Hon. Deputy Speaker:** Thank you. Finally, Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Hon. Speaker. I rise to support the motion of Hon. Pauline and I think my points are also the points have been talked of but what I would like to say is Hon. Speaker, the *boda boda* riders today, they control 30 per cent of our economy, when you talk about that 30 per cent of our economy, it is not something which should not be supported.

My concern is we are talking about the discipline, we are talking about everything but what I was saying it is the County Government of Machakos to come up with a policy; together the Executive and this House, to come with a policy where they should put money for training this *boda boda* riders.

This is happening in other counties and I will give you an example of Makueni and I don't want to bore you with Makueni maybe; they have a policy, Makueni they have put money in youth, what they have done they get a trainer from a local driving school and now they have

hired services of Mumbuni driving school and Mutisya. They contract the driving schools to train and give license to the *boda boda* riders.

Why am I saying that? If we don't think about this youth, which is giving this our country 30 per cent of our economy, if we leave them like that, we are losing life every day but if now the County Government of Machakos can start and have a policy of training youth on *boda boda* riding, we will first take care of two things; they will be licensed and now insurance can come because when you don't have a license, the insurance people they don't cover but if you have a license you can have a cover.

That is when you hit on somebody or accident, because accident can come everywhere through vehicle, train and whatever and at least that person will be paid by insurance; that is why we have insurance in country.

So, my take is let us have a policy of *boda boda* riders, let us set aside some funds to train, even if we say even if we say every year we train about 1,000 or 2,000 at the end of five years we train all *boda boda* riders because they are our sons. We cannot keep on saying let the traffic instill discipline; yes you will instill discipline but first of all what is the cause, what is the problem?

To train as a *boda boda* rider is about Ksh. 15,000. A boy from a village from Kinanie cannot afford that so what he does because he knows they are riding actually motorbikes for the rich people, there are people who are in business, they are buying *boda bodas* like about 10, they give this young boys they ride on a daily basis they give the rich fellow Ksh. 300 every day that is what is happening actually I don't know whether in your places is happening like that.

But now you find this young man who is riding on this *boda boda* does not have a license. If there is an accident, the *boda boda* rider, in fact, what is happening nowadays, Mr. speaker, if this guy has no license and they hit somebody, they now go back like to the clan and start looking a way of settling a that kind of dispute with through some adults.

So Hon. Speaker, I propose we come together, we sit together and set aside some money for training these young people, for them now to get the license so that when they are riding now they can afford to get insurance to cover. This will minimize, even if the accident will be there, at least there will be cover.

Secondly, in re-training, it is actually our responsibly as a County, not even the NTSA to retrain. It is us to set some money aside and hire trainers to train them the traffic rules because most of them don't have anything to pay on training. Let us train our youth, let us set aside because we are putting a lot of money on projects. Let us honorable members, take this as a project.

When we talking about the ECDE Centers, when we are talking about the boreholes, let us also talk about investing on our youth; setting aside money to re-train them and also to give them licenses. In the National Government, the CDF I have seen Hon. Makau in Mavoko, Mavoko have trained more than 2,000 and it is using the CDF funds on training the *boda bodas* in Mavoko and Hon. Kisini can be a witness. It is a matter of coming together and then we create a policy the Government of Machakos will put in some money even if we put about Ksh. 100 million that will train a lot of people.

That is what is lacking, Hon. Minority Leader, that is what we are lacking, not as if they don't have a discipline but they don't have money and I am telling you it is in every county; you go to Busia, there are no motorbikes there, there are no *boda bodas* there, go to Busia they are like millions but the Government of Busia has invested because those young boys, you chase them from the road, they will not sleep in your house, they will come for you.

They are making something and also is a business; 30 per cent Hon. Speaker, is not little money of our economy so let us think about allocating money in the coming budget although we have not allocated in this time budget. Next budget, next year, this House should consider allocating some money for the *boda boda* riders then we train them and then we continue re-training them. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Peter Mutiso.

**Hon. P.J. Mutiso:** Thank you, Mr. Speaker. As I am supporting the motion, I want to make some correction on a selling of motorbikes. I don't think whether Members, we can control selling of motorbikes because there some people who buy motor; hawkers and they don't know even how to ride but they can employ so you cannot control that, Mr. Speaker (??). Mine is just a request as I echo the sentiments of Mheshimiwa Hon. Member from Tala, if we can arrange to meet with NTSA and even the Commissioner because what we are lacking here, Mr. Speaker, is just implementation.

Nothing else; leave alone training our people or what, it is implementation because, like here in Machakos, most of the motor bike riders are the police and people from prison askari ya prison and I know them but we are not here to mention names. So, what I am saying is that the Traffic Act is there very clear. Michuki, the late, was there and implemented the Traffic Act seriously and people copied because I did not know whether there were those safety belts or whatever you call *funga mshipi*; I was not aware about it but he forced people to do it and we Members of the community were saying 'no, this one cannot be implemented' but it was implemented so what we are lacking is only implementation.

The law is very clear; I was in Tanzania sometime and I could see when the *boda boda* people see the red light and they stop until when they see the green one and when the red one turns on, they don't just pass. Why are they doing that? Because, they are following the law but here in Kenya, it is different. How? Just go here in Machakos and what you see there is amazing, not even Machakos, Nairobi, the city, and the policemen are there. They do not even caution the *Boda Boda* riders; they just allow them to pass. So who is the problem?

If you want this thing to be done well, let us caution the implementation organs who are the police and things will be done right, but if just be blaming the Executive or the *Boda Boda* riders, I do not think will get the right thing or what is supposed to be done.

Another thing that I want to say Mr. Speaker, is to request, if it will be possible, we take the General Oversight Committee to some areas like, Rwanda, Tanzania, Uganda, and other areas where we can learn because if you take just transport committee and it could be better and I think it can be done through the Chairperson of Committees, the Liaison committee. So, think about it members and I know it will be good for us all. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. Pauline, may you please respond please to your motion.

**Hon. (Ms.) Mene:** Thank you, Hon. Speaker, thank you, Hon. Members for contributing towards this motion. I wish to call upon the County Government to move with speed and assemble all *Boda Boda* riders and train them on road safety and implore them to have proper safety gear, to regulate the issuance of license, permits and insurance and also to designate parking areas for these *Boda Boda* people because I realized they are parked all over the town.

The County Government should also move with speed to collaborate with NTSA, the police and to start apprehending these careless *Boda Boda* riders and also to revoke their licenses. The citizens, and that includes us, should start taking precautions by refusing to ride on *Boda Boda*s which do not have safety gear. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Pauline.

*(Question put and agreed to)*

This motion is committed to the committee on Roads and Transport; it should prepare a report and submit it before this House on or before the 10th of October, 2018.

One thing I would just like to comment on the issue, now it will be adopted by the House, is that I think two key things have come out clearly. One is the issue of insurance; very many people do not know that the *Boda Boda* you are being carried, and you are not licensed when you are being carried by that *Boda Boda* reason being a motorbike is supposed to be carrying how many people? Two!

Most of them are licensed for one person, so you sit behind there, you are not licensed, you are not insured, the rider himself is not licensed so he is not insured. So, when you get involved in an accident and you break your leg and I can assure you most hospital ceilings can be very boring places to be for six months; when you are lying on bed and starring at the ceiling for six months, then you come to realize hospitals are not fun.

So, I think it is important for these people to be trained as requested by the Hon. Member, personal protective equipment (PPEs) and that is what Hon. King'ori was trying to talk about. I have noticed there are two types of things, there is the equipment and there is the PPE; you see this rich boys from Nairobi and the surrounding areas riding motorbikes very fast on the roads but if you look at that person, first and foremost is trained, secondly, he has got a very up to date motorbike with the correct tyres on and thirdly they have got PPEs on them; they have got helmets, the full riding gear including the pads and the boots and when they see them riding, you see our local boys here also, follow suit and they are trying to go as swift as those boys as they have seen there.

Our motorbikes, in as far as the regulation of the buying is concerned, the type of tyres which are brought to our motorbikes are supposed to be dual tyres, which are supposed to be for rough road and also tarmac but our unscrupulous dealers bring off road tyres only and therefore you riding your motorbike on tarmac but the tyre your putting on is for off road; definitely is going to cause an accident.

So, I think they are good deliberations and the committee on transport needs to look at this and ensure they come out with good report with all these recommendations which the Hon. Members have brought before the House.

## ADJOURNMENT

This House stands adjourned now to Tuesday, the 14th day of August, 2018 at 10.00 a.m. Thank you.

The House rose at 4.43 p.m.



